

ORDINANCE NO. 1273

AN ORDINANCE OF THE CITY OF ROSWELL AMENDING SECTIONS 27-21 AND 27-25 IN THE ROSWELL CITY CODE AND PROVIDING NEW REGULATIONS FOR SOLID WASTE CONTAINERS USED FOR AUTOMATED COLLECTION AND NEW AND INCREASED CHARGES FOR SOLID WASTE COLLECTION AND DISPOSAL; PROVIDING FOR REPEAL OF ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY; AND FIXING AN EFFECTIVE DATE.

WHEREAS, new solid waste regulations have mandated construction of a new municipal landfill at considerable expense, and

WHEREAS, costs of collecting solid waste within the City now nearly exceed revenues under the existing rates, and

WHEREAS, use of automated collection vehicles and associated containers requires the City specify regulations for their use,

NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE GOVERNING BODY, THE CITY COUNCIL, OF ROSWELL, NEW MEXICO, that:

Section 1. In the Roswell City Code (1984) Section 27-21 is hereby amended by the addition of a new subsection, number (3) as shown below and by the renumbering of the existing subsection (3) as subsection (4).

(3) Containers for Automated Pickup

a. In areas served by automated collection equipment the City shall furnish a sufficient number of containers to serve the area. At the City's sole discretion containers may be placed to serve several surrounding residences or other users. When the City determines it is necessary, it may supply individual roll out containers for a single user. Location of the containers shall be determined by the City.

b. All persons using automated collection containers shall deposit solid waste for collection only in the containers. Material left outside a container will not be collected except by arranged special collections. Persons using any of the automated collection containers are encouraged to place waste material in plastic bags prior to depositing it in the containers. No loose garbage or similar wet material or loose material likely to be blown about shall be placed in the automated collection containers unless it is first bagged in a plastic bag of at least 1 mil thickness.

c. Persons using individual automated collection containers and having curbside pickup shall place them at the designated pickup location in advance of scheduled collection times but shall not allow the containers to remain at the curb for longer than 24 hours.

Section 2. In the Roswell City Code (1984) Section 27-25, subsections (b) and (c) are amended to read as follows:

(b) Monthly services for solid waste collection and disposal from dwellings and residential premises shall be assessed against the person in whose name the water meter for the premises is registered of record. Minimum charges for such residential service shall be as provided herein. Such charge is premised on twice a week pickup of no more than two (2) thirty-two gallon containers per unit, the shared use of an automated collection container with twice a week pickup or the use of an individual automated collection container with twice a week pickup. Charges for such residential service for a calendar month shall be:

	<u>Collection</u>	<u>Disposal</u>
(1) Single family residence	\$6.65	\$3.60
(2) Duplexes, per unit	6.65	3.60
(3) Accessory dwelling	6.65	3.60

(c) Monthly services not described in subsection (b) shall have a minimum monthly charge of ten dollars and twenty-five cents (\$10.25) (composed of a collection charge of \$6.65 and a disposal charge of \$3.60). Charges shall be assessed against the person in whose name the water meter for the premises is registered of record. Charges for such services for a calendar month shall be determined as follows:

Collection charge (in dollars) = 1.69 AB + 23.72 AC +
11.80 AD + 3.38 AE

Disposal charge (in dollars) = 0.59 AB + 9.50 AC +
3.53 AD + 1.18 AE + 1.25

A = number of pickups per week (maximum of 6)
B = number of 32-gallon cans picked up
C = number of 3-cubic yard dumpsters picked up
D = number of 300 gallon containers picked up
E = number of 90 gallon containers picked up

Note: Collection frequency, number of pickups per week, shall not be less than that determined necessary by the sanitation department for the serviced premises.

Section 3. In the Roswell City Code (1984) Section 27-25, subsection (e) is amended by changing the first sentence of the subsection to read as shown below. The balance of the subsection shall remain unchanged. The new first sentence is:

The fee for disposal of solid waste at the disposal area for rubble, debris, tree trimmings, scrap solid waste from building construction, remodeling, demolition, or excavation of structures or other acceptable solid waste shall be \$4.83 per cubic yard.

Section 4. Repealer. All ordinances or parts of ordinances in conflict or inconsistent herewith are hereby repealed to the extent only of such conflict or inconsistency. This repealer shall not be construed to revive any ordinance or part of any ordinance heretofore repealed.

Section 5. Severability. If any section, paragraph, clause or provision of this ordinance for any reason shall be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any other part of this ordinance.


Section 6. Effective Date. This ordinance shall be effective five days following its publication.

PASSED, ADOPTED, SIGNED, AND APPROVED on this 12TH day of October, 1995.

CITY SEAL


THOMAS E. JENNINGS, Mayor

ATTEST:


Ruth A. May, City Clerk