



**CITY OF TYLER  
CITY COUNCIL COMMUNICATION**

**Agenda Number:** O-1

**Date:** October 24, 2006

**Subject:** Request that the City Council consider approval of an ordinance amending Tyler City Chapter 16 by establishing automated routes for residential and small business garbage collection.

**Page:** 1 of 1

**Item Reference:** City Council receipt of Presentation of proposed new program on September 27, 2006

The Solid Waste Department has 10 routes with automated trucks, yet none of the routes are fully automated because not every customer rents a city-provided universal automated cart. The department has offered special promotions and customers have rented the carts on a voluntary basis. This program has been working extremely well and more than 53 percent of all customers are willing to pay extra for a cart. The number of carts per route range from 318 to 682, for a total of 14,490 carts. The department would like all customers on routes that have automated trucks to have a cart.

The department is requesting that the 10 routes that have automated trucks be designated automated routes with a base rate charge of \$11.97 plus tax per month. As automated trucks are added to the fleet, more routes would be designated as automated routes. The current cost for garbage service is \$11.14 plus \$1 for the cart, for a total of \$12.14 plus tax per month. The attached ordinance will amend the City Code to have the cart included with the base rate which would cost \$11.97 plus tax per month. The department expects 10 to 12 percent of customers may not want to use the cart. No one would be forced to use a cart; however all customers on routes designated for automated service would pay the automated service rate of \$11.97 plus tax per month.

Small Businesses on the residential routes would also have their rate changed when the route changes to automated service.

**RECOMMENDATION:**

Request that the City Council adopt an ordinance amending Tyler City Code Chapter 16 by establishing automated routes for residential collection.

**Drafted/Recommended By:**  
**Department Leader**

A handwritten signature in black ink that reads "Dan Brotton".

**Dan Brotton  
Director of Solid Waste**

**Edited/Submitted By:**  
**City Manager**

**ORDINANCE NO. 0-2006-92**

**AN ORDINANCE AMENDING THE TYLER CITY CODE CHAPTER 16, “SOLID WASTE”, ARTICLE I, “SOLID WASTE DISPOSAL REGULATIONS”, SECTION 16-13, “FEES” IN ORDER TO MAKE 10 ROUTES WITH AUTOMATED TRUCKS COMPLETELY AUTOMATED; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, in September, 2006, the City Council heard a presentation from the Solid Waste Department outlining a program establishing automated routes for residential collection; and

**WHEREAS**, the Solid Waste Department has 10 routes with automated trucks, yet none of the routes are fully automated as not every customer rents a city provided universal automated cart; and

**WHEREAS**, the department would like for all customers on an automated truck route to obtain a city provided universal automated cart; and

**WHEREAS**, by changing the monthly garbage service rate for residential customers from \$11.14 base rate plus \$1 for the cart rental per month to \$11.97 base rate per month, which includes a cart, when their route is converted, everyone would be paying the same and everyone would have a cart thereby enabling the route to be completely automated;

**WHEREAS**, by changing the monthly garbage service rate for commercial hand pickup customers from \$15.80 base rate plus \$1 for the cart rental per month to \$16.63 base rate per month, which includes a cart, everyone would be paying the same depending on how many carts they have and everyone would have a cart thereby enabling the route to be completely automated;

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS:**

**PART 1:** That Tyler City Code Chapter 16, “Solid Waste”, Article I, “Solid Waste Disposal Regulations”, Section 16-13, “Fees”, is hereby amended to read as follows:

**Sec. 16-13. Fees**

All fees listed in this section are subject to street use fees and sales tax. The following are the fees for collection of solid waste depending on if the route is serviced by a rearload truck or an automated truck:

a.

<b>Rearload Service for Residential</b>	<b>Container Size</b>	<b>Number of Containers</b>	<b>Trips Per Week</b>	<b>Monthly Charge</b>
1. Units	Up to 32 gallons, or 96-gallon wheeled cart rental (For household waste only—not for brush or yard waste )	1-3	2	\$11.14 + tax

2. More than three (3) residential units at one location may be considered commercial.
3. 96-gallon wheeled cart rental (For household waste only – not for brush or yard waste - \$1 per month. Additional carts are \$5 per month – (Optional)
4. Subscription Curbside Recycling - \$2.50 per month for collection twice a month – (Optional) – effective January 1, 2006
5. Packout Service – Packout Service (up to 150 feet ) - \$4.00 per month – effective January 1, 2006 Packout Service (up to 150 feet ) - \$5.00 per month – effective January 1, 2007 Packout Service (over150 feet ) - \$6.00 per month – effective January 1, 2006 Packout Service (over150 feet ) - \$7.50 per month – effective January 1, 2007 (0-2006-14, 1/25/06)

<b>Automated Service for Residential</b>	<b>Container Size</b>	<b>Number of Containers</b>	<b>Trips Per Week</b>	<b>Monthly Charge</b>
1. Units	96-gallon wheeled cart included (For household waste only–not for brush or yard waste)	1	2	\$11.97 + tax
2. More than three (3) residential units at one location may be considered commercial.				
3. Additional carts are \$5 per month – (Optional)				
4. Subscription Curbside Recycling - \$2.50 per month for collection twice a month – (Optional) – effective January 1, 2006				
5. Packout Service – Packout Service (up to 150 feet ) - \$4.00 per month – effective January 1, 2006 Packout Service (up to 150 feet ) - \$5.00 per month – effective January 1, 2007 Packout Service (over150 feet ) - \$6.00 per month – effective January 1, 2006 Packout Service (over150 feet ) - \$7.50 per month – effective January 1, 2007 (0-2006-14, 1/25/06)				

(Ord. No. 0-2006-51, 5/24/06)

b. Commercial, Public, Education and Religious Institutions: The following are maximum rates only, and the Director may adjust such rates downward as necessary based on market conditions. Landfill fees, gate rates, and other costs resulting from local, state or federal solid waste regulations charged to the City shall be passed through and added to the following rate schedules on the effective date of such regulations. Effective January 1, each year, the maximum rate will be adjusted by the Consumer Price Index for all Urban Consumers (CPI-U) for all goods and all services.

1. Front load containers: (Ord. 0-2004-96, 12/8/04) (Ord. No. 0-2006-51, 5/24/06)

<b>Number of Pickups per week</b>	<b>Container Size</b>				
	<b>2 Yd.</b>	<b>3 Yd.</b>	<b>4 Yd.</b>	<b>6 Yd.</b>	<b>8 Yd.</b>
1	\$44.50	\$52.07	\$65.83	\$81.20	\$104.03
2	\$71.88	\$89.17	\$112.52	\$140.12	\$186.85
3	\$101.90	\$117.04	\$152.87	\$210.20	\$254.78
4		\$156.05	\$203.81	\$280.26	\$339.69
5		\$195.06	\$254.78	\$350.33	\$424.64
6		\$214.98	\$280.26	\$421.36	\$509.57

2. Roll-Off containers: (Ord. 0-2004-96, 12/8/04)

<b>Type and Size of Container</b>			
<b>Open top</b>	<b>Daily Rental</b>	<b>Monthly Rental</b>	<b>Service Fee</b>
20 yard	\$4.00	\$75.00	\$249.00
30 yard	\$4.00	\$85.00	\$321.00
40 yard	\$4.00	\$90.00	\$394.00
<b>Compactor</b>			
30 yard	Varies depending on cost		\$329.00
35 yard			\$364.00
40 yard			\$402.00
42 yard			\$420.00

3. Commercial Hand Pickup:

a. Thirty-two (32) gallon garbage cans and/or bags picked up two (2) times each week:

<b>Commercial Hand Pickup Rearload Service Number of Containers Per Trip</b>	<b>Maximum Per Week</b>	<b>Base Cost</b>
0 to 3	6	\$15.80 + tax
4 to 6	12	\$26.24 + tax
7 to 10	20	\$41.85 + tax

96-gallon wheeled cart rental is the Base Cost + \$1 per month per container – (Optional).

(Optional)

Packout Service (up to 150 feet) - \$4.00 per month – effective January 1, 2006

Packout Service (up to 150 feet) - \$5.00 per month – effective January 1, 2007

Packout Service (over 150 feet) - \$6.00 per month – effective January 1, 2006

Packout Service (over 150 feet) - \$7.50 per month – effective January 1, 2007

(0-2006-14, 1/25/06)

b. 96-gallon wheeled carts included in base rate and picked up two (2) times each week:

<b>Commercial Hand Pickup Automated Service Number of Carts</b>	<b>Base Cost</b>
1	\$16.63 + tax
2	\$33.26 + tax
3	\$49.89 + tax

(Optional)

Packout Service (up to 150 feet) - \$4.00 per month – effective January 1, 2006

Packout Service (up to 150 feet) - \$5.00 per month – effective January 1, 2007

Packout Service (over 150 feet) - \$6.00 per month – effective January 1, 2006

Packout Service (over 150 feet) - \$7.50 per month – effective January 1, 2007

(0-2006-14, 1/25/06)

4. Late Fees. 1 ½% per month on balance over 30 days past-due.

c. Residential Brush Pickup:

Size of Load	Cost
0 to 3 cu. Yard (minimum)	\$10.00
The rate for over 3 cubic yards is \$6.00 per cubic yard up to \$245 per 40 cubic yard load.	

d. Special Pickup:

Service	Rate
All service beyond those normally provided by Solid Waste Department and where the customer requests a service level or a combination of service where there is no posted rate.	Rate will be based on comparable cost of service as determined and set by the Director.

(Ord. 0-2001-43, 9-5-2001) (Ord. No. 0-2003-55, 10/22/03) (Ord. No. 0-2006-92, 10-24-2006)

**PART 2:** That if any provision or any section of this ordinance shall be held to be void or unconstitutional, such holding shall in no way affect the validity of the remaining provisions or sections of this ordinance, which shall remain in full force and effect.

**PART 3.** That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine as provided in Section 1-4 of the Tyler Code. Each day such violation shall continue, or be permitted to continue, shall be deemed a separate offense. Since this ordinance has a penalty for violation, it shall become effective upon its publication in the newspaper as provided by Section 85 of the Charter of the City of Tyler, Texas, which date is expected to be October 27, 2006.

**PASSED AND APPROVED** this 24<sup>th</sup> day of October, A. D., 2006.

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JOSEPH O. SEEBER, MAYOR OF  
THE CITY OF TYLER, TEXAS

ATTEST:

APPROVED:

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CASSANDRA BRAGER, CITY CLERK

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CITY ATTORNEY