

ORDINANCE NO. 2022-26

AN ORDINANCE REPEALING ORDINANCE 06-05 CHAPTER 38, SOLID WASTE, SANITARY TRANSFER STATION CHARGES, SECTION 38-103, CHARGES PRESCRIBED, AND SECTION 38-105, EXEMPTIONS, OF THE CODE OF ORDINANCES OF THE CITY OF HARLINGEN AND AMENDING SAID SECTIONS TO INCREASE THE TIPPING FEES FOR NON-RESIDENTS AND COMMERCIAL ESTABLISHMENTS WITH LESS THAN 2000 LBS TO A FLAT RATE OF \$93.50 AND FOR NON-RESIDENTS AND COMMERCIAL ESTABLISHMENTS FROM \$46.00 TO \$93.50 PER TON AND TO INCREASE THE TIPPING FEES FOR ALL OTHER CATEGORIES TO DELIVER GARBAGE TO THE LANDFILL AND TO LIMIT THE EXEMPTIONS UNDER SECTION 38-105, EXEMPTIONS; ESTABLISHING AN EFFECTIVE DATE; PROVIDING FOR PUBLICATION AND ORDAINING OTHER MATTERS RELATED TO THE FOREGOING.

BE IT ORDAINED BY THE CITY OF HARLINGEN:

SECTION I: That Section 38-103, Charges Prescribed, of Chapter 38, Solid Waste, of the Code of Ordinances of the City of Harlingen, Texas is hereby repealed in its entirety and replaced by the language set out in Section III:

SECTION II: That Section 38-105, Exemptions, of Chapter 38, Solid Waste, of the Code of Ordinances of the City of Harlingen, Texas is hereby repealed in its entirety and replaced by the language set out in Section IV:

The following charges for the disposition of all garbage and trash at the Harlingen Sanitary Transfer Station, by persons or other entities other than the Sanitation Department of the City are hereby found to be and are established as being fair and reasonable and applicable to all garbage and trash delivered to the Harlingen Sanitary Transfer Station.

SECTION III:

SECTION 50.40, CHARGES CRIBED

(A) Flat rate charge: The following resident and non-resident charges are hereby established for the disposal of garbage, trash, brush/yard waste and

construction material at the City-owned transfer station:

- (1) City of Harlingen residents, upon providing proof of residency, shall be charged a flat rate of twelve dollars (\$12.00) for each load of garbage, trash, brush/yard waste or construction material delivered to the transfer station and weighing 1-500 lbs.
 - (a) Non-Residents and Commercial Establishments shall be charged a flat rate of nintey three and fifty cents (\$93.50) for each load of garbage, trash, brush/yard waste or construction material delivered to the transfer station and weighing 1-500 lbs.
- (2) City of Harlingen residents, upon providing proof of residency, shall be charged a flat rate of twenty-two (\$22.00) for each load of garbage, trash, brush/yard waste or construction material delivered to the transfer station and weighing from 501-1000 lbs.

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- (a) Non-Residents and Commercial Establishments shall be charged a flat rate of ninety-three and fifty cents (\$93.50) for each load of garbage, trash, brush/yard waste or construction material delivered to the transfer station and weighing from 501-1000 lbs.
 - (3) City of Harlingen residents, upon providing proof of residency, shall be charged a flat rate of thirty-two (\$32.00) for each load of garbage, trash, brush/yard waste or construction material delivered to the transfer station and weighing from 1001-1500 lbs.
 - (a) Non-Residents and Commercial Establishments shall be charged a flat rate of ninety-three and fifty cents (\$93.50) for each load of garbage, trash, brush/yard waste or construction material delivered to the transfer station and weighing from 1001-1500 lbs.
 - (4) Non-Residents and Commercial Establishments shall be charged a flat rate of ninety-three dollars and fifty cents (\$93.50) for each load of garbage, trash, brush/yard waste or construction material delivered to the transfer station and weighing from 1501-2000 lbs.
 - (5) For each tire delivered to the Sanitary Transfer Station by automobile the sum of four dollars (\$4.00) per tire (13" and 14"), six dollars (\$6.00) per tire (15" and 16") and eight dollars (\$8.00) per tire (truck tires 20" and 22").
- (B) Charge per ton: All other vehicles shall pay a rate based upon the number or tons of garbage, trash and brush delivered by vehicles to the Harlingen Sanitary Transfer Station as follows:
- (1) For City of Harlingen residents disposing of garbage, trash, brush/yard waste or construction material originating within the limits of the city for disposal, a charge of forty (\$40.00) per ton shall be imposed.
 - (2) For non-residents and commercial establishments disposing of garbage, trash, brush/yard waste or construction material originating outside of the city limits the sum of ninety-three dollars and fifty cents (\$93.50) per ton shall be imposed.
 - (3) For a non-resident corporation that has entered a current non-annexation or industrial district agreement with the city, a charge of forty dollars (\$40.00) per ton shall be imposed.
- (C) Dual Axel Trailer Fee: Charges for all dual axel trailers will be charged as follows:
- (1) For those with less than 2000 lbs. will be a flat rate of \$20.00 in addition to the flat rate fee of \$93.50
 - (2) For those with more than 2000 lbs. will be charged a rate of \$20.00 per ton in addition to the \$93.50 per ton fee
- (D) Unsecured Load Fee: Charge for loads not securely covered for disposal at the Harlingen Transfer Station.
- (1) Securely cover the vehicle or trailer with a tarpaulin or adequately cover the load to prevent any solid waste from falling or blowing out of the vehicle between the point of pick-up and the point of disposal.
 - (2) Prevent any solid waste from falling or blowing out the vehicle by bouncing, sliding, or slipping due to the movement of the vehicle, the wind action, or because of improper placement of the contents in the vehicle.

- (3) Vehicles with loads not adequately secured or covered so as to prevent any of the contents of the transported load from being ejected or dropped during transport of the load shall be assessed a fee of \$10.00.

SECTION IV:

SECTION 38-105, EXEMPTIONS

Since residents of the city, in paying monthly garbage collection bills at rates heretofore established by the City Commission, have included therein charges for garbage and brush pickup on a noncommercial basis, and the delivery by such residents of brush and garbage relieves the city in part from the burden of collecting and disposing of such brush and garbage, the residents of the city shall be permitted to dump garbage and brush, not more than one (1) time during any calendar month and not to exceed 500 lbs in total weight, at the sanitary transfer station without application of the above set forth charges. However, prior to the brush and garbage charges being exempted by the city water bill showing garbage charges thereon issued not prior to 45 days from the date of delivery of the said brush and garbage in the name of the person requesting the exemption. Nothing herein shall prohibit personnel of the city from asking for additional identification to verify the legitimacy of the water bill naming one and the same person delivering the said brush and garbage to the city Sanitary Transfer Station.

SECTION V: That the City Secretary of the City of Harlingen, Texas is hereby authorized and directed to cause a true and correct copy of the caption of this Ordinance to be published in a newspaper having general circulation in the City of Harlingen, Cameron County, Texas.

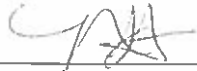
SECTION VI: That the City Secretary of the City of Harlingen, Texas is hereby authorized and directed to cause a true and correct copy of Section I of this ordinance to be published as an amendment to Chapter 18 of the Code of Ordinances of the City of Harlingen, Texas.

SECTION VII: That the effective date for the increase in fees will be for bills dated August 1, 2022 and subsequent.

FINALLY ENACTED THIS 15th day of June, 2022 at a regular meeting of the Elective Commission of the City of Harlingen, Texas at which a quorum was present and which was held in

accordance with TEXAS GOVERNMENT CODE, CHAPTER 551.

CITY OF HARLINGEN



Norma Sepulveda, Mayor

ATTEST:



Amanda C. Elizondo, City Secretary