

AN ORDINANCE REPEALING CHAPTER 50, SOLID WASTE, SANITARY TRANSFER STATION CHARGES, SECTION 50-40, CHARGES PRESCRIBED, AND SECTION 50.42, EXEMPTIONS, OF THE CODE OF ORDINANCES OF THE CITY OF HARLINGEN AND AMENDING SAID SECTIONS TO INCREASE THE TIPPING FEES FOR NON-RESIDENTS FROM \$31.00 TO \$46.00 PER TON AND FOR RESIDENTS FROM \$25.00 TO \$40.00 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 50.42, 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 50-40, Charges Prescribed, of Chapter 50, Solid Waste, of the Code of Ordinances of the City of Harlingen, Texas is hereby repealed in its entirety and replaced by the language set out in Section III: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 50.42, Exemptions, of Chapter 50, Solid Waste, of the Code of Ordinances of the City of Harlingen, Texas is hereby repealed in its entirety and replaced by the language set out in Section IV: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 PRESCRIBED**

(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 shall be charged a flat rate of sixteen dollars (\$16.00) 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 dollars (\$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.

- (a) Non-Residents shall be charged a flat rate of twenty-seven dollars (\$27.00) 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 dollars (\$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 shall be charged a flat rate of thirty-nine dollars (\$39.00) for each load of garbage, trash, brush/yard waste or construction material delivered to the transfer station and weighing from 1001-1500 lbs.
- (4) For each tire delivered to the Sanitary Transfer Station by automobile the sum of three dollars (\$3.00) per tire (13" and 14"), four dollars (\$4.00) per tire (15" and 16") and six dollars (\$6.00) 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 dollars (\$40.00) per ton shall be imposed.
  - (2) For non-residents of the city or for residents of the city disposing of garbage, trash, brush/yard waste or construction material originating outside of the city limits the sum of forty-six dollars (\$46.00) 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.

#### **SECTION IV:**

##### **SECTION 50.42, 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.

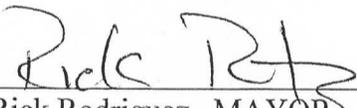
**SECTION V:** That the City Secretary of the City of Harlingen, Texas is hereby authorized and directed to cause a true and correct copy of the caption of this Ordinance to be published in a newspaper having general circulation in the City of Harlingen, Cameron County, Texas.

**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 14 of the Code of Ordinances of the City of Harlingen, Texas.

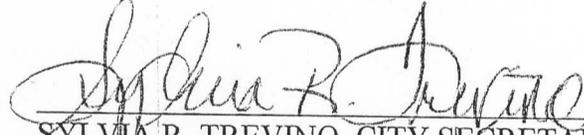
**SECTION VII:** That the effective date for the increase in fees will be for bills dated October 1, 2006 and subsequent.

**FINALLY ENACTED THIS** 23rd day of August, 2006 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

  
Rick Rodriguez, MAYOR

ATTEST:

  
SYLVIA R. TREVINO, CITY SECRETARY