

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF DENTON, TEXAS, ESTABLISHING THE RATES AND FEES FOR SOLID WASTE AND RECYCLING COLLECTION SERVICE, PROVIDING FURTHER INFORMATION REGARDING SUCH COLLECTION, AND ESTABLISHING INDEMNITY FOR THE CITY; INCORPORATING AND APPLYING SECTIONS 26-3, 26-4, 26-5, 26-7, 26-8(A), AND 26-9 OF ARTICLE I OF CHAPTER 26 OF THE CITY OF DENTON CODE OF ORDINANCES; REPEALING ORDINANCE NO. 21-2114; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

SECTION 1. The charges for Solid Waste and Recycling collection services as established as follows:

SOLID WASTE AND RECYCLING RATE SCHEDULES

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RESIDENTIAL REFUSE & RECYCLING COLLECTION SERVICES

(Effective 10/01/22)

Units/Accounts eligible for Residential collection services accounts are defined as: A single-family detached dwelling unit, each unit of a duplex, triplex, or quadraplex, or any single unit or living space in which an individual or single family resides. Residential collection services are not available to residents of apartments, dormitories, or other multifamily housing units.

Carts are collected weekly on a date and at a time assigned by the City of Denton. All refuse must be contained and secured within a plastic bag prior to deposit within the refuse cart and the lid must be fully closed. Recycling materials shall not be bagged when placed in the recycling cart and the lid must be fully closed. All carts must be placed at the curb by 7:00 a.m. on the scheduled collection day. Residential accounts are billed monthly.

To receive any residential service, a resident shall contact Customer Service a minimum of one business day prior to their scheduled collection day.

Residential Collection Services Within City Limits

65 Gallon Refuse & Recycling Cart
95 Gallon Refuse & Recycling Cart
Additional Large Cart
Bag Outside Cart Fee (per bag)

Monthly Rate

\$20.51
\$25.04
\$16.57
\$5.00

Residential Collection Services Outside City Limits

65 Gallon Refuse & Recycling Cart
95 Gallon Refuse & Recycling Cart
Additional Large Cart
Bag Outside Cart Fee (per bag)

Monthly Rate

\$30.69
\$32.00
\$16.57
\$5.00

Residential Service Fees

Bulk Waste Collection – per item, in excess of 2 items per collection
Items must be called in to receive this rate
Brush Collection – per staff hour, in excess of 4 cubic yards
Appliances and Electronics Collection (per item)
Residential Remodeling – per CY – (4 CY maximum)– this includes excess bulk at the curb in excess of what was called in.
Yard Waste Cart – per cart purchase
Cart change out fee – for next service day

Fee

\$5.00
\$75.00
\$20.00
\$25.00
\$20.00
\$50.00

COMMERCIAL REFUSE & RECYCLING COLLECTION SERVICES

(Effective 10/01/22)

New commercial business development and redevelopment will be provided commercial refuse and recycling services as outlined in the Denton Development Code and Site Plan Criteria Manual.

Pursuant to the City of Denton Code of Ordinances, Chapter 24-3, the City of Denton is the exclusive provider of commercial refuse service in the City of Denton.

Refuse and recyclables will be collected in city provided or city-approved containers only.

The City of Denton Code of Ordinances, currently provides commercial recycling service in the City of Denton. However, commercial establishments may contract with any provider to collect, transport, and process their recyclable material.

Only recyclable materials accepted by the City shall be deposited in the City's recycling containers. The owner, manager, and other person in charge of a commercial establishment are jointly and severally responsible for notifying the employees, contractors, or other agents of the proper recycling procedures.

Refuse & Recycling Rates

Commercial Cart Service

One Pair Refuse & Recycling Carts

\$33.25

Additional Refuse Cart

\$19.75

Additional Recycling Cart

\$15.00

Front Load and Side Load Refuse Service

Size	1x Per Week	2x Per Week	3x Per Week	4x Per Week	5x Per Week	6x Per Week
3 CY	\$74.16	\$148.32	\$222.48	\$296.64	\$370.80	\$444.96
4 CY	\$98.88	\$197.76	\$296.64	\$395.52	\$494.40	\$593.28
6 CY	\$148.32	\$296.64	\$444.96	\$593.28	\$741.60	\$889.92
8 CY	\$197.76	\$395.52	\$593.28	\$791.04	\$988.80	\$1,186.56

Front Load and Side Load Recycling Service

Size	1x Per Week	2x Per Week	3x Per Week	4x Per Week	5x Per Week	6x Per Week
3 CY	\$63.78	\$127.56	\$191.34	\$255.12	\$318.90	\$382.68
4 CY	\$85.04	\$170.08	\$255.12	\$340.16	\$425.20	\$510.24
6 CY	\$127.56	\$255.12	\$382.68	\$510.24	\$637.80	\$765.36
8 CY	\$170.07	\$340.14	\$510.21	\$680.28	\$850.35	\$1,020.42

Valet Shared Service Rates

Tier 1 – Offices and Residential

Tier 2 – Small Retail Stores and Bars (no food)

Tier 3 – Large Retail Stores, Bars (with food), and Small Restaurants

Tier 4 – Medium Sized Restaurants (limited service)

Tier 5 – Large Sized Restaurants (full service)

\$24.70
\$74.16
\$148.75
\$289.50
\$460.00

Compactor Rates

Front Load Compactor Service (Per CY)

30 Cubic Yard Self Contained Compactor

42 Cubic Yard Stationary Compactor

Container Service Fee (Each Haul)

\$74.16
\$448.95
\$645.75
\$275.00

Roll-Off Container Rates

Container Rental (Monthly)

Container Service Fee (Each Haul)

\$167.08
\$275.00

Commercial Organics Collection Service

Monthly Service Fee (3 CY 1 x week)

Extra Empty

\$374.13
\$240.00

Commercial Service Fees

Delivery•Relocation•Inaccessible•Extra Empty•Exchange

Same Day Service Fee

Dumpster Lock Installation (one-time fee)

Temporary Container Service Rental Fee Per Month

Temporary Container Service Per Empty Fee

Damaged Containers

Bulk Waste Collection – Trip Fee

Bulk Waste Collection – Per Item Collection Fee

Yard Waste Service – Per Staff Hour (with a 15 minute minimum charge)

\$75.00
\$50.00
\$20.00
\$80.00
\$120.00
Repl. Cost
\$20.00
\$5.00
\$75.00/hour

PROCESSING AND DISPOSAL SERVICES

(Effective 10/01/22)

Landfill Rates (per ton)

	Per Ton
Gate Rate (City of Denton Residents/Businesses)	\$44.00
Gate Rate (Non-Denton Residents/Businesses)	\$48.00
City Hauled Disposal Rate (Open Top & Compactors)	\$40.00
City of Denton Department Rate	\$24.50
Sludge, Dewatered	\$60.00
Clean Concrete, Asphalt, Brick, or Dirt (if needed)	\$22.00
Special Waste (must be pre-approved by City of Denton)	Varies

Minimum Charge (per load)	\$25.00
After Hour Fee	\$120.00
(First) Unsecured Loads	\$25.00
(Subsequent) Unsecured Loads	30.00
Electronics per item	\$10.00
Appliances per item	\$10.00
RFID Replacement Card	\$25.00
Weight Ticket Rate (City of Denton vehicle only)	\$5.00
Live Load fee – Minimum 15-minute charge (per hour)	\$75.00
Construction & Demolition (Resident & Nonresident) (per ton)	\$65.00
Shingles Rate (per ton)	\$125.00

Cubic Yardage Rates (in event of scale outage)

Uncompacted MSW (per CY)	\$7.50
Compacted MSW (per CY)	\$14.50

Brush and Green Waste

	Per Ton
Whole tree stumps	\$50.00
City of Denton Customer- Unbagged grass, leaves, and brush \leq 12'- bagged material is not accepted	\$25.00
Brush > 12'	\$30.00
Non-City of Denton Customer- Brush Rate	\$35.00

**SOLID WASTE & RECYCLING SERVICES DEFINITIONS
& ADDITIONAL DETAILS**
(Effective 10/01/22)

Household Hazardous Waste

Residential and multi-family household chemicals including pesticides, herbicides, cleaning chemicals, paints, oils, etc. that constitute household hazardous waste (HHW) may be disposed of at the City's Home Chemical Center located at 1527 S. Mayhill Rd. during operational hours. No HHW or other materials may be left for disposal while the facility is closed or unattended. Residents desiring to schedule curbside collection must contact Customer Service. The HHW should be kept in the original containers and placed where requested by the Customer Service staff.

Residential Brush Collection

4 cubic yards of brush will be collected at no charge by contacting Customer Service to schedule a collection. Accumulations in excess of 4 cubic yards will be assessed a collection fee equivalent to the hourly labor and equipment cost to collect the material. The collection fee will be assessed in 15-minute increments with a minimum increment of 15 minutes.

Electronic Equipment

Televisions, monitors, video displays, laptops, similar electronic devices, and certain appliances containing CRT, LED, LCD, plasma, and other electronic displays will be charged fees for the collection, processing, recycling, and disposal of these items.

Residential Remodeling

Residential remodeling materials include, but are not limited to; lumber, brick, fencing, drywall, and other construction materials. No materials shall exceed 8 feet in length. If the customer has over 4 cubic yards of remodeling materials for collection, the customer is required to utilize a City refuse container of adequate size to contain the materials and maintain a collection service frequency of at least once per month.

Special Event – Clearstream Services

Clearstream containers are available for events at no charge. They can be picked up and returned by the customer to the Solid Waste & Recycling administration office located at 1527 S. Mayhill Rd.

Commercial Cart Collections

In areas where commercial cart collection service is available, small quantity waste generators may contract for weekly cart service. All refuse must be placed in the cart, and the cart set out for collection no later than 7:00 a.m. on the scheduled collection day.

Commercial Delivery / Relocation / Inaccessible / Exchange Fee / Extra Service

A fee will be charged for container delivery, relocation, inaccessibility, exchange, or extra collection services.

Shared Commercial Services

The Director of Solid Waste may designate certain commercial containers as shared containers for use by multiple commercial customers. Shared container rates include a range of costs. The rate assigned may vary and fluctuate according to waste and recycling volumes and frequency of service.

Commercial Bulky Waste Collection

Commercial bulky waste is bulk material (furniture, mattresses, etc.) placed outside the dumpster or roll-off container sited at a commercial account holder's service location. Bulk waste set for disposal at commercial businesses may be collected by the City of Denton if the property owner, business owners, and/or account holder schedules a collection. A trip charge and per item fee is assessed for all collections.

Commercial Service Requirements

Equipment Uses - All equipment furnished by the City shall at all times be considered the property of the City, and not private property. Customers shall not modify the equipment or use it for any purpose other than as set forth herein. The City shall repair, as necessary, the equipment furnished. The customer, however, agrees to be solely responsible for any damages to or loss of equipment resulting from any negligent acts or misuse by the customer, customer's agents, employees, or invitees. The City may temporarily replace the size and/or type of equipment contracted with one or more pieces of equipment of equivalent capacity for the purposes of repairing the equipment. Customer agrees that the equipment is in the customer's care, custody, and control at all times.

Gate Rate

All persons delivering material to the City of Denton Landfill are subject to a fee for the disposal or beneficial reuse of said material. City of Denton residents and businesses qualify for the City gate rate by providing proof of residency. Clean mixed paper, cardboard, steel and aluminum cans, glass bottles, and plastics #1-7 delivered to the recycling facility exclusively for recycling are not assessed a fee.

Special Wastes

Acceptance of special waste is subject to Federal and State laws and regulations. The City of Denton has the right to refuse to accept or collect special waste at its discretion. Charges for the collection and disposal of special waste, approved by the Director of Solid Waste and Recycling, will be established based on the type of special waste, the regulatory requirements, and cost of service for collection and disposal of the waste.

Unsecured Loads

To ensure loads are secured in accordance with Texas Transportation Code, Title 7, Chapter 725, Sec.725.021(c), solid waste loads that are not adequately secured, tarped or otherwise equipped and maintained to prevent the material from escaping, blowing or spilling will be charged an Unsecured Load Fee. The city may provide a tarp and four bungee cords for the first Unsecured Load. Each Subsequent Load will be assessed an additional charge.

Radio Frequency Identification (RFID) Replacement Card

All 3rd party contracted haulers utilizing the unattended lane at the City of Denton Landfill are issued a RFID card that will interface with our scale house software solution. The first card will be provided by the City; however, if a replacement card is required, a fee will be assessed to issue a new card Landfill Surcharge

The State of Texas assesses a landfill surcharge (30 Texas Administrative Code 330.671, the surcharge is a pass-through charge collected on behalf of the State of Texas. Any additional assessment or fees established by a governmental entity will be added to the disposal rates and assessed on all waste delivered to the landfill.

Contracted Commercial Disposal Rates

The Denton City Council may, at its sole discretion, approve service contracts with commercial waste haulers for disposal services at the City of Denton's landfill facility located at 1527 S. Mayhill Rd.

City Manager May Deny Use

The City Manager, or designee, is hereby authorized to deny the use of the City of Denton landfill to any customer who provides false information regarding the origin of, or the composition of the solid waste delivered for disposal to the landfill; or for safety violations committed by a customer within the landfill; or for non-compliance with verbal and written instructions provided to the customer by Solid Waste and Recycling Department personnel at the landfill; or for nonpayment of delinquent funds owed by the customer to the City of Denton, Texas; or for any violation of the law committed by the customer within the landfill; or for any non-compliance by the customer with the Texas Commission on Environmental Quality regulations or policies; or for any non-compliance by the customer with the City of Denton's Code of Ordinances or rules; or for any violation of the written landfill rules by the customer as posted by the Solid Waste and Recycling Department at the entrances to the landfill.

Miscellaneous

Should any other fees and/or charges be established by any other authorized governmental entity are the responsibility of the customer, and those fees and/or charges will be added to the monthly rates stated herein..

INDEMNIFICATION AND HOLD HARMLESS

CUSTOMER SHALL RELEASE THE CITY AND DEFEND, INDEMNIFY AND HOLD THE CITY HARMLESS FROM ANY AND ALL CLAIMS AT THE LOCATION WHERE SERVICE IS PROVIDED BY CITY, AND ANY AND ALL CLAIMS MADE BY ANY OTHER PERSON HAVING AN INTEREST IN THE PROPERTY SITUATED AT THE SERVICE LOCATION, FOR ANY LOSS, DAMAGE OR DETERIORATION OF THE PAVEMENT, SURFACE, SUBSURFACE MATERIALS, OR SIMILAR FACILITIES AT THE SERVICE LOCATION BY REASON OF USE THEREOF BY THE CITY'S TRUCKS THAT ARE USED TO SERVICE THE EQUIPMENT. CUSTOMER FURTHER AGREES TO RELEASE, INDEMNIFY, DEFEND AND HOLD HARMLESS THE CITY OF DENTON, TEXAS, FROM AND AGAINST ANY AND ALL CLAIMS OF DAMAGES RELATED TO THE FURNISHING OF SOLID WASTE AND RECYCLING SERVICES PERFORMED BY THE CITY IN SERVICING SINGLE- AND MULTI-FAMILY LIVING FACILITIES AS WELL AS COMMERCIAL ENTITIES.

SECTION 2. The provisions of Sections 26-3, 26-4, 26-5, 26-7, 26-8(a), and 26-9 of Article I of Chapter 26 of the City of Denton Code of Ordinances are incorporated herein and shall expressly apply to City of Denton Solid Waste and Recycling services.

SECTION 3. Ordinance 21-2114 is hereby repealed as of the effective date of this ordinance.

SECTION 4. All ordinances or parts of ordinances in force when the provisions of this ordinance became effective which are inconsistent, or in conflict with the terms or provisions contained in this ordinance are hereby repealed to the extent of any such conflict.

SECTION 5. If any section, subsection, paragraph, sentence, clause, phrase, or word in this ordinance, or the application thereof to any person or under any circumstances is held invalid by any court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this ordinance, and the City Council of the City of Denton, Texas, hereby declares it would have enacted such remaining portions despite any such invalidity.

SECTION 6. This ordinance shall become effective, charged, and applied to all solid waste and recycling services rendered by the City of Denton on and after October 1, 2022; and a copy of said rates, fees, and charges shall be maintained on file in the Office of the City Secretary of Denton, Texas.

The motion to approve this Ordinance was made by _____ and seconded by _____; the Ordinance was passed and approved by the following vote [___ - ___]:

	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Gerard Hudspeth, Mayor:	_____	_____	_____	_____
Vicki Byrd, District 1:	_____	_____	_____	_____
Brian Beck, District 2:	_____	_____	_____	_____
Jesse Davis , District 3:	_____	_____	_____	_____
Alison Maguire, District 4:	_____	_____	_____	_____
Brandon Chase McGee, At Large Place 5:	_____	_____	_____	_____
Chris Watts, At Large Place 6:	_____	_____	_____	_____


PASSED and APPROVED this _____ day of _____, 2022.

GERARD HUDSPETH, MAYOR

ATTEST:
ROSA RIOS, CITY SECRETARY

By: _____

APPROVED AS TO LEGAL FORM:
MACK REINWAND, CITY ATTORNEY

By:  _____