

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FRISCO, TEXAS, AMENDING ORDINANCE NO. 06-11-119 (COMPREHENSIVE FEE ORDINANCE), SECTION 5 (SOLID WASTE COLLECTION FEES); AMENDING ORDINANCE NOS. 10-01-03, 11-09-45, 17-09-70, 18-09-54 AND 19-09-81; MODIFYING CERTAIN SOLID WASTE COLLECTION FEES; PROVIDING A PENALTY CLAUSE, SAVINGS/REPEALING CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE; AND PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.**

WHEREAS, the City Council of the City of Frisco, Texas (“City Council”) has investigated and determined that it would be advantageous and beneficial to the citizens of the City of Frisco, Texas (“Frisco” or “City”) to modify various fees and charges that may be assessed and collected by Frisco by amending Frisco’s Comprehensive Fee Ordinance, Ordinance No. 06-11-119, as amended (“Comprehensive Fee Ordinance”), and Ordinance Nos. 10-01-03, 11-09-45, 17-09-70, 18-09-54 and 19-09-81, as set forth below; and

WHEREAS, Frisco has complied with all procedural and legal requirements to amend the Comprehensive Fee Ordinance and Ordinance Nos. 10-01-03, 11-09-45, 17-09-70, 18-09-54 and 19-09-81.

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

SECTION 1: Findings Incorporated. The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

SECTION 2: Amendment to Section 5 (Solid Waste Collection Fees) of the Comprehensive Fee Ordinance and Ordinance Nos. 10-01-03, 11-09-45, 17-09-70, 18-09-54 and 19-09-81. Section 5 (Solid Waste Collection Fees) of the Comprehensive Fee Ordinance and Ordinance Nos. 10-01-03, 11-09-45, 17-09-70, 18-09-54 and 19-09-81 are hereby amended as follows:

“SECTION 5: Solid Waste Collection Fees. There shall be charged and collected each month by City for refuse and recycling collection service the amounts of money hereinafter set out based on the following schedule, not including appropriate taxation:

**A. Residential Service Fees:**

<b>Residential Carts</b>	<b>Per month</b>
First cart	\$ 16.00
Additional carts, price per cart	13.00
Senior citizen, price per cart	14.00
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**B. Commercial Waste Services Deposits and Fees:**

Commercial Carts	Per Month
First Cart	\$18.80
Additional Carts	18.80
...	

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**C. Fee Charges for Commercial Collection (Non-Compacted Containers)  
Monthly Rates:**

Front-load Container Size (in cubic yards)	Number of collections per week						Extra Pick Ups
	1	2	3	4	5	6	
3	\$ 54.47	\$ 108.94	\$ 163.40	\$ 217.87	\$ 272.34	\$ 326.81	\$ 62.64
4	\$ 72.57	\$ 145.15	\$ 217.72	\$ 290.29	\$ 362.87	\$ 435.44	\$ 83.46
6	\$ 108.78	\$ 217.57	\$ 326.35	\$ 435.13	\$ 543.92	\$ 652.7	\$ 125.10
8	\$ 144.94	\$ 289.88	\$ 434.83	\$ 579.77	\$ 724.71	\$ 869.65	\$ 166.69
10	\$ 180.95	\$ 361.90	\$ 542.84	\$ 723.79	\$ 904.74	\$ 1,085.69	\$ 208.09

Monthly Rates Permanent Open Top Containers	Per Pick up	Daily Rental
20 yard	\$227.36*	\$3.98
30 yard	\$227.36*	\$3.98
*Plus NTMWD disposal cost per ton		

Temporary Commercial Open Tops	
Rate per haul	\$227.36*
Delivery/exchange	\$85.53
Rental per day	\$3.98
*Plus NTMWD disposal cost per ton	

Construction Waste Roll off Containers	
Size in cubic yards	City Charge Per Haul
10	\$227.36*
20	\$227.36*
30	\$227.36*
Daily Rental	\$ 3.98
Delivery Charge	\$85.53
Unable to Haul Charge	\$85.53
Relocate Fee	\$85.53
*Plus NTMWD disposal cost per ton	

Residential Rent-a-Bin			
Size in cubic yards	City Charge	Daily Rental	Unable to haul charge
6	\$227.36	\$3.98	\$85.53
<i>Note: City charge includes one (1) haul, one (1) delivery, three days rental and one and a half (1 1/2) tons in disposal cost.</i>			

**D. Fee Charges for Commercial Collection (Compacted Containers):**

Compactors (in cubic yards)	Per Pick up
2	\$115.82*
4	\$156.88*
6	\$196.10*
8	\$217.11*
20	\$223.84**
30	\$223.84**
35	\$223.84**
40	\$223.84**
42	\$223.84**
*Disposal cost included in rate	
**Plus NTMWD disposal cost per ton	

...”

**SECTION 6: Penalty.** Any person, firm, corporation or business entity violating this Ordinance, the Comprehensive Fee Ordinance or Ordinance Nos. 10-01-03, 11-09-45, 17-09-70, 18-09-54 and 19-09-81, as they exist or may be amended, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be subject to a fine not to exceed FIVE HUNDRED DOLLARS (\$500.00), unless the violation relates to fire safety, zoning or public health and sanitation, in which case the fine shall not exceed TWO THOUSAND AND NO/100 DOLLARS (\$2,000.00). Each continuing day’s violation under violating this Ordinance, the Comprehensive Fee Ordinance or Ordinance Nos. 10-01-03, 11-09-45, 17-09-70, 18-09-54 and 19-09-81, as they exist or may be amended, shall constitute a separate offense. The penal provisions imposed under violating this Ordinance, the Comprehensive Fee Ordinance and Ordinance Nos. 10-01-03, 11-09-45, 17-09-70, 18-09-54 and 19-09-81, as they exist or may be amended, shall not preclude Frisco from filing suit to enjoin the violation. Frisco retains all legal rights and remedies available to it pursuant to local, state and federal law.

**SECTION 7: Savings/Repealing.** The Comprehensive Fee Ordinance and Ordinance Nos. 10-01-03, 11-09-45, 17-09-70, 18-09-54 and 19-09-81, shall remain in full force and effect, save and except as amended by this or any other ordinance. All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict, but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portions of said ordinances shall remain in full force and effect.

**SECTION 8: Severability.** Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional and/or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. The City Council hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof, regardless of whether any one or more sections, subsections, sentences, clauses or phrases is declared unconstitutional and/or invalid.

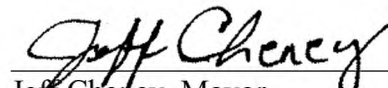
**SECTION 9: Effective Date.** This Ordinance shall become effective from and after its passage and publication as required by the City Charter and by law.

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF FRISCO, TEXAS,** on this 6<sup>th</sup> day of October, 2020.




**ATTESTED AND  
CORRECTLY RECORDED:**

  
\_\_\_\_\_  
Kristi Morrow, City Secretary

  
\_\_\_\_\_  
Jeff Cheney, Mayor

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Abernathy, Roeder, Boyd & Hullett, P.C.  
Ryan D. Pittman, City Attorneys

Dates of Publication: October 9, 2020 and October 16, 2020 *Frisco Enterprise*