

**CITY OF LAVON, TEXAS**  
**ORDINANCE NO. 2019-05-04**

Amend Fee Schedule for Garbage Rate

**AN ORDINANCE OF THE CITY OF LAVON, TEXAS AMENDING SECTION A4.002, “GARBAGE COLLECTION SERVICES”, ARTICLE A4.000, “UTILITY SERVICES”, APPENDIX A, “FEE SCHEDULE”, OF THE CODE OF ORDINANCES OF THE CITY OF LAVON, TEXAS; PROVIDING SAVINGS, REPEALING, AND SEVERABILITY CLAUSES; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City Council of the City of Lavon, Texas (the "City Council") has previously adopted a comprehensive Fee Schedule via Ordinance No. **2018-09-04** adopted on September 18, 2018, and codified in Appendix A, Fee Schedule, of the Code of Ordinances of the City of Lavon, Texas (the “City”); and

**WHEREAS**, the City’s Fee Schedule needs to be updated to establish additional fees associated with garbage collection services; and

**WHEREAS**, the City Council finds and determines it is prudent, and in the City’s best interest of the City to amend Section A4.002, “Garbage collection services”, Article A4.000, “Utility Services”, Appendix A, “Fee Schedule”, of the Code of Ordinances of the City of Lavon, Texas as indicated below.

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

**Section 1. Findings Incorporated.** That all of the above premises are found to be true and correct and are incorporated into the body of this ordinance as if copied in their entirety.

**Section 2. Amendments.** Section A4.002, “Garbage collection services”, Article A4.000, “Utility Services”, Appendix A, “Fee Schedule” of the Code of Ordinances of the City of Lavon, Texas, is hereby amended as follows (with additions in underline):

**Sec. A4.002 Garbage collection services**

**(a) Residential:**

<b>Item</b>	<b>Fee</b>	<b>Notes</b>	<b>Expiration</b>
<u>Unusual accumulation*</u>	<u>Calculated per situation</u>		

(b) **Commercial** (Calculated specifically per size of container and frequency of collection):

Item	Fee	Notes	Expiration
<u>Unusual accumulation*</u>	<u>Calculated per situation</u>		

\*Unusual accumulation: (a) For residences, each regular collection of cart(s) and more than two (2) cubic yards of bulky items and or yard trimmings, or the equivalent; (b) for commercial establishments accumulations that would not occur in the ordinary course of business.

**Section 3. Severability.** Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional 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. Lavon hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional or invalid.

**Section 4. Savings/Repealing Clause.** 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 5. Effective Date.** That this ordinance shall take effect from and after its date of passage.

**Section 6. Open Meetings.** That it is hereby found and determined that the meeting at which this Ordinance was passed was open to the public as required by law, and that public notice of the time, place, and purpose of said meeting was given, all as required by Article 551.041, Texas Government Code

**PASSED AND APPROVED** by the City Council of the City of Lavon, Texas this the 21<sup>st</sup> day of May 2019.

  
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 Vicki Sanson, Mayor

ATTEST:

  
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 Kim Dobbs, City Administrator | Secretary

