

**ORDINANCE NO. 2014-1131**

**AN ORDINANCE AMENDING ORDINANCE NO. 2014-1128, SECTION 2.0, PARAGRAPH (A) CLARIFYING RATES FOR SOLID WASTE ACCOUNTS TO DEFINE OPTIONAL RECYCLING SERVICE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALING CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR PUBLICATION.**

**WHEREAS**, the City adopted Ordinance No. 2014-1128 to clarify the rates charged for Solid Waste Services; and

**WHEREAS**, the City has received feedback from the public and wishes to amend the Ordinance to clarify its regulations and make the financial impact more equitable.

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

**SECTION 1.0**

**AMENDED:** Section 2.0, Paragraph (a) of Ordinance No. 2014-1128 is hereby amended to read:

“(a) For Residential Customers:

- i. The City’s contracted solid waste service provider shall provide solid waste collection to all residential customers within the City Limits. The fee collected for such services provided to Residential customers shall be \$14.71 plus tax per account, per month.
- ii. Additionally, the City’s contracted solid waste provider shall provide curbside recycling services to those residents wishing to participate in such service. The total fee for such service shall be an additional \$3.29 plus tax, per account, per month.
- iii. Customers wishing to opt out of the recycling service must do so in writing, via email, mail or hand delivery to the City’s billing agent.
- iv. New accounts created after the adoption of this Ordinance will be made aware of the optional recycling services upon initiation of their account and can opt out at that time.
- v. Account holders who previously opted out of such recycling services shall have the right to opt in at a later date by notifying the City’s billing agent in writing of their desire to participate. Any account holder that has opted out in writing and subsequently utilizes the service as reported by the service provider shall be billed for such services.
- vi. Further, the provisions for billing, collection and termination of such accounts shall be the same as adopted under Ordinance No. 2013-1127, as amended.”

**SECTION 2.0**

**SEVERABILITY CLAUSE:** That if any provision, word, sentence, paragraph, clause, phrase or section of this Ordinance or its application to any person or circumstances is adjudged or held invalid, void or unconstitutional, the invalid, void or unconstitutional portion shall not affect the validity of the remaining portions of this ordinance which shall remain in full force and effect.

**SECTION 3.0**

**REPEALING CLAUSE:** All provisions in conflict with the provisions of this Ordinance shall be, and the same are hereby repealed, and all other provisions not in conflict with the provisions of this Ordinance shall remain in full force and effect.

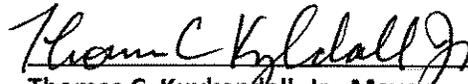
**SECTION 4.0**

**EFFECTIVE DATE:** This Ordinance shall be effective on the first day of March, 2014.

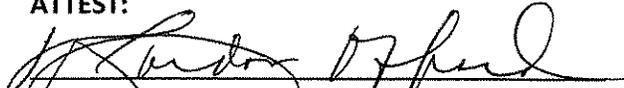
**SECTION 5.0**

**PUBLICATION:** The City Secretary is hereby authorized and directed to publish the caption of this ordinance in the manner and for the length of time prescribed by law.

**DULY, PASSED, APPROVED AND ADOPTED THIS 18<sup>TH</sup> DAY OF FEBRUARY, 2014.**

  
Thomas C. Kuykendall, Jr., Mayor

**ATTEST:**

  
D. Gordon Offord, City Secretary