

**ORDINANCE NO. 2008-K**

**AN ORDINANCE OF THE CITY OF COCKRELL HILL, TEXAS, REPEALING ORDINANCE 1997-A IN ITS ENTIRETY; ESTABLISHING NEW TRASH AND REFUSE COLLECTION RATES; ESTABLISHING A PENALTY; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING FOR SAID ORDINANCE TO TAKE IMMEDIATE EFFECT.**

**WHEREAS**, the City of Cockrell Hill, Texas (“City”), is a type-A general law municipality and has the authority to adopt ordinances that are not inconsistent with state law and that are necessary for the government, interest, welfare, or good order of the municipality pursuant to Section 51.012 of the V.T.C.A., Local Government Code; and

**WHEREAS**, the City Council of the City of Cockrell Hill, Texas (“City Council”), finds, determines, and declares that certain fees are necessary to provide for efficient government services; and

**WHEREAS**, the City Council finds and determines that the current fees for trash and refuse collection services are insufficient to cover the costs of the respective services; and

**WHEREAS**, the City Council desires to adopt fees necessary for the City to provide good and efficient government for the benefit of the citizens of the City.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COCKRELL HILL, TEXAS, THAT:**

**Section 1. FINDINGS INCORPORATED**

The findings set forth above are found to be true and correct and are hereby incorporated into the body of this Ordinance for all purposes as if fully set forth herein.

**Section 2. REPEAL OF ORDINANCE 1997-A**

Ordinance 1997-A of the City of Cockrell Hill, Texas, is hereby repealed in its entirety.

**Section 3. ADOPTION OF TRASH AND REFUSE COLLECTION RATES**

The following monthly rates are hereby established and shall be collected for trash and refuse collection services:

**MONTHLY RESIDENTIAL RATE:**

One (1) Polycart	\$16.57
Two (2) Polycarts	33.14

MONTHLY COMMERCIAL RATE:

Container	1x	2x	3x	4x	5x	Extra
One Polycart	34.12	51.16	n/a	n/a	n/a	n/a
Two Polycarts	68.26	102.32	n/a	n/a	n/a	n/a
2-Yard	80.08	116.00	160.41	201.15	243.78	40.30
3-Yard	97.36	143.17	193.17	246.57	296.56	46.51
4-Yard	118.66	170.12	232.77	296.57	357.90	49.62
6-Yard	153.09	220.64	305.59	387.70	470.36	54.26
8-Yard	224.03	262.94	362.40	458.44	556.23	60.48

- A. Commercial locks are \$9.92 per month per lock.
- B. Sales tax shall be applied to and collected by the City on all the rates and charges set forth in this Ordinance.

**Section 4. PENALTY.**

Any person who violates or fails to comply with this chapter or the provisions of the State Rules, and any person who is the permit holder of or otherwise operates a food service establishment that does not comply with the requirements of this chapter, and any responsible officer of that permit holder, shall be guilty of a misdemeanor, and upon conviction shall be fined not more than \$2,000. Each day any violation or noncompliance continues constitutes a separate offense. The regulatory authority may seek to enjoin violation of these rules.”

**Section 5. SEVERABILITY CLAUSE**

It is hereby declared to be the intention of the City Council that the words, phrases, clauses, sentences, paragraphs and sections of this Ordinance are severable, and if any word, phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining words, phrases, clauses, sentences, paragraphs and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation of this Ordinance of any such unconstitutional word, phrase, clause, sentence, paragraph or section.

**Section 6. REPEALER CLAUSE**

Any provision of any prior ordinance of the City, whether codified or uncoded, which is in conflict with any provision of this Ordinance, is hereby repealed to the extent of the conflict, but all other provisions of the ordinances of the City, whether codified or uncoded, which are not in conflict with the provisions of this Ordinance shall remain in full force and effect.

**Section 7. EFFECTIVE DATE**

This Ordinance shall take effect immediately from and after its passage and publication as required by law.

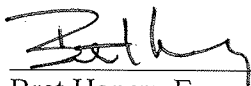
PASSED, APPROVED AND ADOPTED by the City Council of the City of Cockrell Hill, Texas, on this the 23 day of September, 2008.



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Luis Carrera, Mayor  
City of Cockrell Hill, Texas

ATTEST:



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Bret Haney, Executive Assistant  
City of Cockrell Hill, Texas

[SEAL]

APPROVED AS TO FORM:



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Robert F. Brown, City Attorney  
City of Cockrell Hill, Texas