

ORDINANCE NO. 2022-08

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CUERO, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE CITY OF CUERO APPENDIX A, "FEE SCHEDULE", ARTICLE A6.000 "UTILITY RATES AND CHARGES", DIVISION 4 "SEWER SERVICE", SECTION A6.094 "TRUCKED OR HAULED WASTE FEE"; THAT INCREASES THE FEE FOR TRUCKED OR HAULED WASTE TO THE CITY OF CUERO'S SOLID WASTE DISPOSAL SITE; MAKING DETAILED FINDINGS RELATED THERETO; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING FOR A SEVERABILITY CLAUSE; AND PRESCRIBING AN EFFECTIVE DATE.

WHEREAS, the City of Cuero owns and operates a solid waste disposal site ("the site") in Cuero, Texas 77954; and

WHEREAS, the City of Cuero desires to amend Appendix A, "Fee Schedule", Article A6.000, "Utilities Rates and Charges", Division 4 "Sewer Service" by adding Section A6.094 that regulates and prescribes the fee for trucked or hauled waste to the site as follows:

Sec. A6.094 Trucked or hauled waste fee

The fee for trucked or hauled waste will be \$90 per 1,000 gallons during working hours and \$100 after working hours, holidays or weekends of trucked or hauled waste, if assistance is needed from the City.(See Section 12.05.061(e) of this code); and

WHEREAS, the City Council of the City of Cuero, after careful deliberation approves this amendment and the fee for trucking or hauling waste to the City solid waste disposal site; and

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

SECTION ONE: FINDINGS OF FACT. All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council, and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

SECTION TWO: AMENDMENT. That Appendix A, Article A6.000, Division 4, Section A6.094 is added to the Code of Ordinances of the City of Cuero, Texas, be and the same is hereby amended to read as follows:

Sec. A6.094 Trucked or hauled waste fee

The fee for trucked or hauled waste will be \$90 per 1,000 gallons during working hours and \$100 after working hours, holidays or weekends of trucked or hauled waste, if assistance is needed from the City.(See Section 12.05.061(e) of this code).

SECTION THREE: REPEALER. All ordinances or parts of ordinances in force when the provisions of this Ordinance becomes effective which are inconsistent or in conflict with the terms and provisions contained in this Ordinance are hereby repealed only to the extent of such conflict.

SECTION FOUR: SEVERABILITY. Should any part, sentence or phase of this Ordinance be determined to be unlawful, void or unenforceable, the validity of the remaining portions of this Ordinance shall not be adversely affected.

SECTION FIVE: PROPER NOTICE AND MEETING. The meeting at which this Ordinance was adopted was open to the public and public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

SECTION SIX: EFFECTIVE DATE. This ordinance shall take effect immediately from and after a passage after the required two (2) readings and the publications of the caption as the law in such cases provides, if at all.

UPON MOTION OF COUNCILMEMBER _____, SECONDED BY COUNCILMEMBER _____, THAT THE ORDINANCE BE ADOPTED: AYES: _____ NAYES: _____ MOTION CARRIED THIS _____ DAY OF _____, 2022.

UPON MOTION OF COUNCILMEMBER _____, SECONDED BY COUNCILMEMBER _____, THAT THE ORDINANCE BE ADOPTED: AYES: _____ NAYES: _____ MOTION CARRIED THIS _____ DAY OF _____, 2022.

APPROVED AND EFFECTIVE ON THIS THE _____ DAY OF _____, 2022.

**SARA POST MEYER
MAYOR**

ATTEST:

**JENNIFER ZUFELT
CITY SECRETARY**

APPROVED AS TO LEGALITY

James K. Crain, III
City Attorney