

**RESOLUTION NO. 3893**

**A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF BRYAN, TEXAS SETTING RATES FOR THE COLLECTION, HAULING, AND/OR DISPOSAL OF SOLID WASTE; REPEALING RESOLUTION NO. 3748; AND PROVIDING AN EFFECTIVE DATE AND COMPLIANCE WITH THE OPEN MEETINGS ACT.**

**WHEREAS**, the City of Bryan, Texas, is a home-rule municipal corporation empowered to collect municipal solid waste and assess fees for such service; and

**WHEREAS**, the Bryan Code of Ordinances section 102-28(a)(3) authorizes the City Council to set charges and assessments for this service by resolution; and

**WHEREAS**, the City Council has determined that it is time to update the fees and replace Resolution Number 3748 which was adopted on January 9, 2018; and

**NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BRYAN, TEXAS:**

**Section 1.** Resolution No. 3748 is hereby repealed.

**Section 2.** To ensure the proper health and sanitation of our community, all water and electric utility customers are required to activate solid waste services. The rates to be charged for the collection, hauling and/or disposal of solid waste (garbage and trash) are as follows:

(A) The monthly charge for weekly collection, removal and disposal of garbage and trash from residences situated within the corporate limits of the City of Bryan ("City") shall be:

Each single dwelling unit	\$ 13.50
Two-family residence (each unit)	\$ 13.50
Apartment house with more than two (2) apartments (each unit)	\$ 13.50
Trailer park (for each unit counted in the park on the fifteenth of (15 <sup>th</sup> ) each month)	\$ 13.50
Apartment house with ten (10) or more apartments requesting sanitary container system (each unit)	\$ 13.50
Additional 95-gallon container collection charge	\$ 3.50
Return to pickup container or when an additional collection is requested.	\$ 10.00

(B) Customers who initiate a Continuous Service Agreement with Bryan Texas Utilities (BTU) may choose to inactivate solid waste services during property vacancies.

- (C) The monthly charges for automated collection, removal and disposal of all garbage and trash from each business or commercial establishment located within the corporate limits of the City will be based on the frequency of collections, as necessitated by the quantity of solid waste generated by the customer. Charges shall be set by the City Manager or his or her designee, with the following monthly rates applying:

Container Size	Frequency of Collection (per week)						
	1	2	3	4	5	6	7
95-Gallon	\$21.00	\$49.00	\$79.00	\$97.00	\$121.00	\$157.00	*
300-Gallon	\$49.00	\$98.00	\$145.00	\$193.00	\$242.00	\$315.00	*

\*Special rates will be negotiated with commercial businesses requesting frequent pick-ups.

- (1) Weekend pick up is also available to customers with regular established service of three (3) or more times per week at an increased cost of 150% of the next level of service. For example, if a customer is receiving service three (3) times per week, the increase will be 150% of the increase in cost between three (3) and four (4) times per week service.
  - (2) One-time weekend pickups are also available upon request from commercial establishments. Under this service, customers will be charged \$50.00 each time a container is serviced on a weekend.
  - (3) There shall be a charge of \$10.00 per 90-gallon container and a charge of \$25.00 per 300-gallon container for each additional pickup requested in advance (excluding weekend collections).
  - (4) A delivery charge of \$25.00 shall be made for each container placed for service.
  - (5) When any commercial container is not serviced at its regularly scheduled time, due to causes reasonably under the control of the customer, an additional \$20.00 fee will be charged for a 95-gallon container and \$50.00 for a 300-gallon container for a requested return trip to service the container.
  - (6) By default, each business or commercial customer will be charged for a minimum of one (1) collection per week. The City Manager or his/her designee may increase the frequency, and the corresponding charge, if he or she determines that the increase is necessary. In the event the owner, manager, tenant, or lessee, of any such business or commercial establishment is dissatisfied with the frequency so fixed by the City Manager or his/her designee, such owner, manager, tenant or lessee shall have the right to appeal to the City Manager. Such appeal shall be in writing and shall be filed with the City Manager, and thereafter he/she shall investigate the appeal and attempt to make a satisfactory adjustment with said person so appealing. The City Manager shall notify the person so appealing, of his/her decision, which shall be final.
- (D) The monthly charge for collection, removal, and disposal of garbage and trash from each business or commercial establishment’s fixed location within the corporate limits of the City which is provided sanitary containerized system service shall be per cubic yard (cy) collected, based on container size and number of collections. A penalty for two (2) or more collections in small container sizes is part of the rate structure to provide an economic incentive to optimize collection activities.

Frequency of Collection (per week)
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Container Size	1	2	3	4	5	6	7
2CY	\$ 65.00	\$ 130.00	\$ 195.00	\$ 260.00	\$ 325.00	\$420.00	*
3CY	\$ 85.00	\$ 170.00	\$ 250.00	\$ 335.00	\$ 420.00	\$545.00	*
4CY	\$ 100.00	\$ 195.00	\$ 295.00	\$ 390.00	\$ 490.00	\$640.00	*
6CY	\$ 125.00	\$ 245.00	\$ 365.00	\$ 485.00	\$ 600.00	\$780.00	*
8CY	\$ 150.00	\$ 280.00	\$ 420.00	\$ 560.00	\$ 700.00	\$900.00	*

\* Special rates will be negotiated with commercial businesses requesting frequent pick-ups.

- (1) Weekend pick up is also available to customers with regular established service of three (3) or more times per week at an increased cost of 150% of the next level of service. For example, if a customer is receiving service three (3) times per week, the increase will be 150% of the increase in cost between three (3) and four (4) times per week service.
  - (2) One-time weekend pickups are also available upon request from commercial establishments. Under this service, customers will be charged \$75.00 each time a container is serviced on a weekend.
  - (3) If an onsite compactor services a container, the fee for service shall be negotiated based on the compaction ratio.
  - (4) There shall be a charge of \$50.00 per container for each additional pickup requested in advance (excluding weekend collections).
  - (5) When any commercial container is not serviced at its regularly scheduled time, due to causes under the control of the customer, an additional \$75.00 fee will be charged for a requested return trip to service the container.
  - (6) A delivery charge of \$25.00 shall be made for each container placed for service.
  - (7) When a container serves more than one (1) business or commercial establishment, each user will pay a part of the monthly charge determined by the Public Works Director according to the proportion of space used.
  - (8) Commercial Containers with Bar Locks: Upon request from the customer, gravity release locks may be installed on metal containers for a one-time fee of \$150.00. Locks that need to be replaced will be replaced at the customer's expense.
- (E) Solid Waste containers may be made available for temporary use during special events. The fees shall be:

90 Gallon	300 Gallon	2CY	3CY	4CY	6CY	8CY
\$26.00	\$34.00	\$38.00	\$42.00	\$50.00	\$58.00	\$66.00

Each time (after the first) that a container is serviced, there will be an additional servicing fee of:

90 Gallon	300 Gallon	2CY	3CY	4CY	6CY	8CY
\$17.00	\$22.00	\$24.00	\$27.00	\$32.00	\$37.00	\$42.00

- (F) The City shall collect, by request, completely frozen and properly bagged small dead animals from commercial establishments. The charge shall be \$4.00 per carcass. In addition, for nineteen (19) animals or less on any single pickup, there will be an additional fee of \$20.00.
- (G) Brush/Bulky and Clean Green Yard Waste Collection Fees
  - (1) Brush/bulky prepared for collection in compliance with Ordinance requirements shall be collected for no additional charge on scheduled brush and bulky collection day.
  - (2) Residential vacant lots will receive brush and bulky service in accordance with the published brush and bulky item collection guidelines. Vacant lot service is designed to assist property owners in maintaining their lots. This does not include property that has been cleared for improvement or has demolished a structure. Vacant lots are lots with a maximum dimension of 150' x 150'.
  - (3) Residential customers may have one (1) load of prepared brush and/or bulky items collected per scheduled cycle at no additional charge. One (1) load is equivalent to the capacity of the collection vehicle. Customers that exceed the one-load limit will be assessed a fee of \$50, plus disposal costs for each additional load.
  - (4) According to availability, residential customers may request special brush/bulky collection service. Special collection is the collection of one load of brush/bulky not meeting Ordinance requirements and/or collection is requested out of schedule. Each special collection will be assessed a fee of \$50, plus disposal costs.
  - (5) According to availability, non-residential customers may request special brush/bulky collection service. Special collection service is the collection of one (1) load of brush/bulky materials. If service is provided, it should be performed within seventy-two (72) hours of request. Each special collection provided shall be assessed a fee of \$75, plus disposal costs.
  - (6) Apartment complexes are designed for residential use and will be considered for brush and bulky collection. Each complex may have one (1) load of prepared brush and/or bulky items collected per schedule at no additional charge. One (1) load is equivalent to the capacity of the collection vehicle. Customers that exceed the one-load limit will be assessed a fee of \$50 plus disposal costs for each additional load.
  - (7) Fees assessed pursuant to F(3-6) above shall appear on the customer's monthly utility bill.
- (H) Residential customers may annually dispose of up to eight (8) light vehicle tires, without rims, free of charge at the City Recycling Center. Additional tires may be disposed of at a fee of \$8 per tire and \$12 per tire with rim. Residents should contact the Public Works Call Center for a set of guidelines and restrictions on tire recycling. The City reserves the right to charge utility customers who leave tires in the right of way \$20 per tire without rim and \$25 per tire with rim.
- (I) A Freon removal fee of \$20.00 shall be assessed for any refrigerator, deep freezer, air conditioner or other items that contain Freon, methyl chloroform, or coolants required by law to be removed by a certified technician. Items with a proper Freon removal certification tag affixed to the item will be collected without additional charge in accordance with the published brush and large item collection schedule.

- (J) The City shall not collect medical waste that has not been properly treated and processed prior to collection.
- (K) Services performed by City staff regarding nuisance abatement shall be billed at a rate of \$75 per hour for the use of heavy equipment and operator plus disposal costs; and \$25 per man hour for hand collection. In the event service is performed by a contractor, rates for this service shall be set forth in contract.

**Section 3.** This resolution shall be effective beginning with the first billing cycle of October 2020.

**Section 4.** This Resolution was passed and approved at a public meeting in compliance with the Texas Open Meetings Act.

**PASSED, APPROVED AND ADOPTED** the 8th day of September, 2020, at a regular meeting of the City Council of the City of Bryan, Texas by a vote of 7 yeses and 0 noes.

**ATTEST:**

**CITY OF BRYAN**

*Mary L Stratta*

Mary Lynne Stratta, City Secretary

*Andrew Nelson*

Andrew Nelson, Mayor

**APPROVED AS TO FORM:**

*Janis Hampton*

Janis K. Hampton, City Attorney

