

ORDINANCE NO. \_\_\_\_\_

1 AN ORDINANCE AMENDING CHAPTER 15-6 OF THE CITY CODE  
2 RELATING TO SOLID WASTE SERVICES.

3 BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

4 PART 1. City Code Section 15-61 (*Definitions*) is amended to amend the  
5 definition of "Private Solid Waste Collection Service" to read as follows:

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- 7 (11) PRIVATE SOLID WASTE COLLECTION SERVICE means the  
8 collection, removal, or transportation of solid waste from any  
9 premises within the City for a fee. An individual that removes or  
10 transports solid waste in a vehicle with one ton or less carrying  
11 capacity and the solid waste is generated from his residence is not a  
12 private solid waste collection service.

13 PART 2. City Code Section 15-6-11(*Collection Service*) is amended to read as  
14 follows:

15 § 15-6-11 COLLECTION SERVICE.

- 16 (A) The department shall make collection service available to all premises in the  
17 city.
- 18 (B) The department shall charge the fee prescribed by the city council for  
19 service.
- 20 (C) Owners or occupants of residential premises, excluding multi-family  
21 residential as that term is defined in Section 25-2-3 (Residential Uses  
22 Described), shall be required to use City of Austin collection service.
- 23 (D) An owner or occupant of a residential premise that transports solid waste to  
24 a landfill in a vehicle with one ton or less carrying capacity and the solid  
25 waste is generated from his/her residence is not entitled to credit on his  
26 account for doing so.

27 PART 3. City Code Section 15-6-41 (*Applicability*) is amended to read as follows:

28 §15-6-41 APPLICABILITY.

29 This article does not apply to:

- 30 (1) a City employee or agent;

- 1 (2) the operator of a vehicle owned by a governmental body and used to  
2 transport the governmental body's solid waste;
- 3 (3) a slop or swill hauler who complies with Section 10-5-62 (Permit  
4 Required for Slop and Swill Hauler); or
- 5 (4) vehicles hauling medical waste, liquid waste, or hazardous waste [~~a  
6 private collection service that hauls refuse from single family  
7 residences only,~~].
- 8 (5) [~~vehicles hauling medical waste, liquid waste, or hazardous waste.~~]

9 **PART 4.** City Code Section 15-6-64 (*Decal*) is amended to read as follows:

10 **§15-6-54 DECAL.**

- 11 (A) The code compliance director shall issue a decal to a licensee for each refuse  
12 collection vehicle [~~, each container included in the license,~~] and each  
13 additional vehicle approved by the code compliance director under Section  
14 15-6-42 (Vehicles and Equipment).
- 15 (B) A licensee shall display the vehicle decal on both the driver and passenger  
16 side doors of the vehicle in a location that can be seen by the public at all  
17 times.
- 18 (C) [~~A licensee shall display the container decal on the front face of every  
19 container described in the license.~~]

20 **PART 5.** City Code Section 15-6-56 (*License Fees*) is amended to read as follows:

21 **§15-6-56 LICENSE FEES.**

- 22 (A) The department shall charge a licensee an annual operation fee set by the  
23 city council. The department shall calculate the fee based on the number of  
24 vehicles used in the private collection service's operation. The department  
25 shall prorate the fee charged for a vehicle that is added to the service's  
26 operation during the calendar year.
- 27 (B) The department may not assess an additional fee for a vehicle that replaces a  
28 vehicle permitted during the same permit year.
- 29 (C) A licensee shall pay the annual vehicle operating fee on or before the last  
30 business day in January of each year.
- 31 (D) The department shall charge a licensee a container fee set by the city  
32 council. The department shall calculate the fee based on the number of

1 containers placed in service during any month in the calendar year [~~and the~~  
2 ~~number of days a container is in service~~].

3 (E) A licensee shall pay the container fee quarterly. A licensee shall pay the  
4 quarterly [~~accrued~~] container fee not later than the 30<sup>th</sup> day after the end of  
5 the calendar quarter for which the fee is due.

6 (F) The City may charge an additional fee to be set annually by City Council if  
7 the licensee does not pay the vehicle or container fee on or before the date it  
8 is due. A late penalty will be based on the monthly [~~annual~~] container fee.

9 (G) Containers and vehicles that are exclusively utilized and labeled for the  
10 collection of recyclables and have a blue recycling decal, are exempt from  
11 license fees.

12  
13 **PART 6.** This ordinance takes effect on \_\_\_\_\_, 2013.

14 **PASSED AND APPROVED**

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16  
17 §  
18 §  
19 \_\_\_\_\_, 2013 § \_\_\_\_\_

20 Lee Leffingwell  
21 Mayor

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23  
24 **APPROVED:** \_\_\_\_\_  
25 Karen M. Kennard  
26 City Attorney

27  
**ATTEST:** \_\_\_\_\_  
Jannette S. Goodall  
City Clerk