

**ORDINANCE NO.**

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

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

**PART 1.** City Code Section 15-6-1 (*Definitions*) is amended to amend the definition of “Private Solid Waste Collection Service” to read as follows:

- (16) PRIVATE [~~SOLID WASTE~~] COLLECTION SERVICE means the collection [~~business of collecting~~], removal [~~removing~~], or transportation [~~transporting~~] of solid waste from any premises within the City for a fee. An individual who removes or transports solid waste in a vehicle with one ton or less carrying capacity that is generated from his or her residence is not a private collection service.

**PART 2.** City Code Section 15-6-41 (*Applicability*) is amended to read as follows:

**§15-6-41 APPLICABILITY.**

This article does not apply to:

- (1) a City employee acting within the course and scope of the person’s duty as a City employee or an agent of the City;
- (2) the operator of a vehicle owned by a governmental body and used to transport the governmental body’s solid waste;
- (3) a slop or swill hauler who complies with Section 10-5-62 (*Permit Required for Slop and Swill Hauler*); or
- (4) vehicles hauling medical waste, liquid waste, or hazardous waste [a private collection service that hauls refuse from single-family residences only].
- [(5) ~~vehicles hauling medical waste, liquid waste, or hazardous waste.~~]

**PART 3.** City Code Section 15-6-54 (*Decal*) is amended to read as follows:

**§15-6-54 DECAL.**

- (A) The code compliance director shall issue a decal to a licensee for each refuse collection vehicle [~~each container included in the license,~~] and each additional vehicle approved by the code compliance director under Section 15-6-42 (*Vehicles and Equipment*).

1 (B) A licensee shall display the vehicle decal, including temporary decals, on  
2 both the driver and passenger side doors of the vehicle in a location that can  
3 be seen by the public at all times.

4 ~~[(C) A licensee shall display the container decal on the front face of every~~  
5 ~~container described in the license.]~~

6 **PART 4.** City Code Section 15-6-56 (*License Fees*) is amended to read as follows:

7 **§15-6-56 LICENSE FEES.**

8 (A) The department shall charge a licensee an annual operation fee set by the  
9 city council. The department shall calculate the fee based on the number of  
10 vehicles used in the private collection service's operation. The department  
11 shall prorate the fee charged for a vehicle that is added to the service's  
12 operation during the calendar year.

13 (B) The department may not assess an additional fee for a vehicle that replaces a  
14 vehicle permitted during the same permit year.

15 (C) A licensee shall pay the annual vehicle operating fee on or before the last  
16 business day in January of each year.

17 (D) The department shall charge a licensee a container fee set by separate  
18 ordinance ~~[the city council]~~. The department shall calculate the monthly fee  
19 based on the number of containers placed in service during any month in the  
20 calendar year ~~[and the number of days a container is in service]~~.

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

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

27 (G) Containers and vehicles that are exclusively utilized and labeled for the  
28 collection of recyclables ~~[and have a blue recycling decal,]~~ are exempt from  
29 license fees.

**PART 5.** This ordinance takes effect on \_\_\_\_\_, 2014.

**PASSED AND APPROVED**

\_\_\_\_\_, 2014      § \_\_\_\_\_  
   § \_\_\_\_\_  
   § \_\_\_\_\_  
   Lee Leffingwell  
   Mayor

**APPROVED:** \_\_\_\_\_  
                         Karen M. Kennard  
                         City Attorney

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