

Ordinance No. 2015-19

AN ORDINANCE OF THE CITY OF SIMONTON, TEXAS, PROVIDING A GARBAGE FEE EXEMPTION FOR HOMEOWNERS WHO ARE SENIOR CITIZENS OR WHO HAVE AN ECONOMIC HARDSHIP; AND MAKING OTHER FINDINGS AND PROVISIONS RELATED THERETO.

WHEREAS, by Ordinance 2015-01, the City adopted regulations for the collection of municipal solid waste (garbage); and

WHEREAS, the City Council desires to amend those regulations to provide a garbage fee exemption for homeowners who are either senior citizens or who have an economic hardship; and

WHEREAS, the City has franchised the collection of garbage through Texas Pride Disposal Solutions, LLC, which has agreed to the City's proposed change in revenues resulting from these regulations;

Now, therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SIMONTON, TEXAS, that:

Section 1. The Regulations of the City for the "Collection of Municipal Solid Waste" are amended by the addition of a new regulation VIII. Exemptions that shall read as follows:

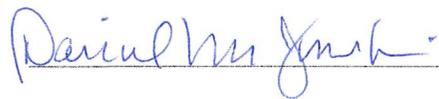
"VIII. Exemptions.

- (a) If a homeowner provides for the collection and removal of garbage and trash from their home, then the homeowner may obtain an exemption from the minimum monthly billing rate for garbage and trash service if:
 - 1. The homeowner is 65 years of age or older; or
 - 2. The homeowner qualifies for low income assistance from the state or federal government (e.g., Lone Star Card).
- (b) Any homeowner desiring to obtain an exemption from the minimum monthly billing shall submit a written application to the City.
- (c) Any homeowner may appeal to the City Council in writing any decision made regarding their application for an exemption under this section.

Section 2. The City Secretary, or her designee, is hereby authorized to approve applications for exemptions pursuant this ordinance. Any person seeking an exemption shall make written application to the City on a form prepared by the City Secretary in substantially the same form as attached hereto. Any person who is aggrieved by a decision of the City Secretary regarding the exemption provided by this ordinance shall have the right to make a written appeal to the City Council. Any exemption provided by this ordinance shall apply to garbage services on or after the date of the exemption.

Section 3. This ordinance shall take effect immediately.

PASSED, APPROVED AND ADOPTED THIS 17 day of November, 2015.

A handwritten signature in blue ink, reading "Daniel McJunkin", is written over a horizontal line.

Daniel McJunkin, Mayor

Attest:

A handwritten signature in blue ink, reading "Sally Elliott", is written over a horizontal line.

S. Elliott, City Secretary