

ORDINANCE NO. 145

Garbage Franchise -- MARVIN MCDANIEL

Residential & Commercial

WHEREAS, the City of Magnolia does not have a garbage department and does not have personnel or equipment to provide garbage pick-up to the citizens and businesses; and

WHEREAS, Marvin McDaniel, doing business as McDaniel Garbage Service, has requested a non-exclusive franchise for pick-up and disposition of residential and commercial garbage and trash; and

WHEREAS, the City Council finds that it is desirable and in the best interest of the citizens that a garbage franchise be granted on the terms set out below; now, therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MAGNOLIA, TEXAS:

SECTION 1. FRANCHISE GRANTED. The City of Magnolia grants to Marvin McDaniel, individually and doing business as McDaniel Garbage Service, the right and authorization to provide a non-exclusive service for pick-up and disposition of garbage and trash, both residential and commercial, within the limits of the City of Magnolia; and incident thereto the right to use as necessary all streets, roads, alleys and rights-of-way of the City.

SECTION 2. TERM: This franchise shall be for a term of three (3) years commencing September 8, 1987 and ending September 30, 1990.

SECTION 3. RESIDENTIAL RATES: The charges or rates for twice a week pick-up residential customers shall be the following:

FRONT PICK-UP	\$10.00 per month
BACK YARD PICK-UP	11.00 per month
RETIRED CUSTOMERS	9.00 per month

SECTION 4. COMMERCIAL RATES

2 yard dumpster once a week pick-up	\$35.00 month
2 yard dumpster twice a week pick-up	55.00 month
3 yard dumpster once a week pick-up	40.00 month
3 yard dumpster twice a week pick-up	60.00 month
4 yard dumpster once a week pick-up	55.00 month
4 yard dumpster twice a week pick-up	75.00 month
6 yard dumpster once a week pick-up	70.00 month
6 yard dumpster twice a week pick-up	95.00 month

Commercial service not using dumpsters shall be charged at the rate of \$3.50 per cubic yard

SECTION 5. Franchise Fees. The franchisee shall pay to the City of Magnolia 10% of collections made under this franchise. Payments shall be made monthly for each calendar month of the franchise and the franchise fee shall be paid to the City not later than the 20th day of each month, for the preceding calendar month. Payment after that date shall include a late penalty of \$50.00

SECTION 6. PERMIT FEE. A \$500.00 permit fee will be charged yearly. Fee is due on or before March 31th. Permit fee may be paid over a three month period beginning January 1st of each year.

Repealed
5-9-89

SECTION 7. Records and Accounting. The franchisee shall maintain records of customers, of services rendered, of payments, received, and calculation of franchise fees. Upon written request by the City, the franchisee shall provide such records and access to records as may be requested and during regular business hours.

PASSED AND APPROVED ON THIS 14 DAY OF February, 1989

Ed. S. Ayer
MAYOR

ATTEST:

Mary McQuerry
MARY MCQUERRY, CITY SECRETARY

REPEALER CLAUSE: All ordinances in conflict herewith be and the same are hereby repealed to the extent of such conflict.