

ORDINANCE NO. 148

Garbage Franchise -- Sherman Hamilton

Commercial Only

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, Sherman Hamilton doing business as Hamilton Garbage Service, has requested a non-exclusive franchise for pick-up and disposition of 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 Sherman Hamilton, individually and doing business as Hamilton Garbage Service, the right and authorization to provide a non-exclusive service for pick-up and disposition of garbage and trash, commercial only, 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 Commercial Rate Charge for pick-up and disposition of commercial garbage and trash.

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 4. Franchise Fees The franchisee shall pay to the City of Magnolia 10% 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. Payments after that date shall include a late penalty of \$50.00

SECTION 5. 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Repealed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 6. Records and Accounting. This 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

E. J. Syer
MAYOR

ATTEST:

Mary Mc Dermott
MARY MCDERMOTT, CITY SECRETARY

REPEALER CLAUSE: All ordinances in conflict herewith be and the same are hereby repealed to the extent of such conflict.