



Town of Huachuca City

The Sunset City

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ORDINANCE NO. 2018-09

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF HUACHUCA CITY, ARIZONA, AMENDING THE TOWN CODE, TITLE 8 "HEALTH AND SAFETY," CHAPTER 8.05 "GARBAGE AND TRASH COLLECTION," SUBSECTION 8.05.040 (C) "RENTAL OF DUMP TRUCK" TO INCREASE THE FEES FOR RENTING A TOWN DUMP TRUCK.

WHEREAS, the Town Council of the Town of Huachuca City has adopted by Resolution No. 84-002 a code known as the Town Code of the Town of Huachuca City, Arizona [the "Code"], and has amended and republished the Code from time to time, as authorized by A.R.S. section 9-240 (B) (28); and

WHEREAS, pursuant to A.R.S. section 49-742, the Town may establish fees for solid waste management activities; and

WHEREAS, the Town Council wishes to amend the Code to increase the fees for renting a Town dump truck; and

WHEREAS, pursuant to A.R.S. section 9-499.15, the Town Council published notice on its website, sixty days in advance, of its intent to consider an increase of the dump truck rental fees; and

WHEREAS, the Town Manager has reviewed the costs of making Town dump trucks available to the Town's residents, and has determined that the fee increase is necessary and appropriate to recover those costs; and

WHEREAS, as required by the Code, section 2.25.040, this Ordinance was first read at a public meeting of the Town Council on April 12, 2018, and at a subsequent meeting on April 26, 2018.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Town of Huachuca City, Arizona, as follows:

SECTION 1. The Code, Chapter 8.05 "GARBAGE AND TRASH COLLECTION," Subsection 8.05.040 (C) "Rental of Dump Truck," is amended as follows, with deletions in ~~strike through~~ and additions in underlined text:

C. Rental of Dump Truck. A dump truck (capacity ~~two and one-half~~ three tons) may be obtained by any town resident for disposal of large volumes of trash and debris. A nonrefundable fee of

~~\$20.00~~ \$30.00 is established for rental of this truck per customer per business day, or \$50.00 per weekend, which ~~fees includes~~ do not include the cost of disposal of the contents at the landfill. Residents must pay \$30.00 per ton for disposal at the landfill. Residents must complete an application and submit payment for truck rental and trash deposit at the time of signing up for the rental. Payment must include a \$90.00 deposit for up to three tons of content disposal at the landfill. The resident will be charged for a minimum of one ton at \$30.00, and the remaining balance of the resident's deposit will be refunded, based on the amount of trash that is disposed, at the rate of \$30.00 per ton. The following items cannot be placed in the dump truck: tires, white goods (refrigerators, air conditioners, stoves, washers, dryers, etc.), liquids, waste oil, antifreeze, paint, insecticides, or debris from construction work.

SECTION 2. All ordinances, parts of ordinances, resolutions, parts of resolutions, policies, and parts of policies in conflict with the provisions of this Ordinance, or any part hereof, are hereby repealed.

SECTION 3. If any section, subsection or portion of this Ordinance is for any reason held to be invalid or unenforceable by the decision of a court of competent jurisdiction, such decision shall not affect the validity or enforceability of the remaining portions hereof.

SECTION 4. The Town Clerk is hereby directed, pursuant to the Code, section 2.25.080, to publish this Ordinance as required by A.R.S. 9-812 and 39-204.

PASSED AND ADOPTED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF HUACHUCA CITY, COCHISE COUNTY, ARIZONA, THIS 26th DAY OF APRIL, 2018.


Kenneth Taylor, Mayor

ATTEST:


Jennifer Fuller, Town Clerk

Approved as to Form:


Thomas Benavidez, Town Attorney