

ORDINANCE NO. 0-2011-74

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS, AMENDING TYLER CITY CODE CHAPTER 12 RELATING TO TRANSIT FEES, AND CHAPTER 16 RELATED TO FEES FOR AUTOMATED SERVICE FOR RESIDENTIAL SOLID WASTE COLLECTION, OF THE CODE OF ORDINANCES OF THE CITY OF TYLER, TEXAS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, various fees for services are established in the City Code; and

WHEREAS, it is important for the City Council to update and revise various fees in the City Code;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS:

PART 1: That Tyler City Code Chapter 2, "Finance and Taxation", Article VIII. "Fees" is hereby amended by adding Section 2-81., "Liberty Hall Usage Fees" to read as follows:

ARTICLE VIII. FEES

Sec. 2-81. Liberty Hall Usage Fees.

Sunday, Monday, Tuesday or Wednesday, 8:00 a.m. until 5:00 p.m.	\$800.00
Sunday, Monday, Tuesday or Wednesday, 5:00 p.m. until midnight	\$950.00
Sunday, Monday, Tuesday or Wednesday 8:00 a.m. to midnight	\$1,250
Thursday, Friday or Saturday, 8:00 a.m. until 5:00 p.m. = \$1,000	\$1,000
Thursday, Friday or Saturday, 5:00 p.m. to midnight	\$1,250
Thursday, Friday or Saturday 8:00 a.m. to midnight	\$1,500
<i>Rental time includes set-up and tear-down time. Please take this into account when making your application. If your event overlaps the times shown, the manager will use their discretion to decide the price</i>	
Each extra hour of rental time	\$100.00 per hour
Damage fee – refundable and dependent on the event.	This will be discussed and decided with Manager.
Staff hours (ie, audio, lighting, stage management)	\$50 per hour per person (necessary staffing can be discussed with Liberty Hall Manager prior to signing).
Video recording of your event - 3 hours recorded and edited	\$750 (after 3 hours: \$100

	per hour)
Video recording of your event - 3 hours recorded and edited	\$750 (after 3 hours: \$100 per hour)
If you will be utilizing the piano, there is a \$200 tuning fee.	

(Ord. No. 0-2011-74; 9/14/11)

PART 2: That Tyler City Code Chapter 12, "Airport and Transit", Article VII., "Transit", is hereby amended by deleting Section 12-102 in its entirety, re-numbering Section 12-103 as new Section 12-102, combining portions of old Section 12-102 into new Section 12-102, and revising new Section 12-102 to read as follows:

Sec. 12-102. Tyler Transit fees.

There are hereby established fees for the use of specific Tyler Transit services. Bus passes allow customers to ride Tyler Transit buses an unlimited number of times for a 30-day period for one fare. The fees shall be determined in accordance with the following:

a. Fares.

Fixed Route	\$1.00
-------------	--------

Half-fare with proper form of identification (Elderly, Disabled, Medicare & Children under the age of 12 years)	\$0.50
---	--------

Para-Transit	\$1.50
--------------	--------

b. Bus pass rates.

Fixed Route regular rate.	\$40.00
---------------------------	---------

Half-fare* and Children under the age of 12 years	\$20.00
---	---------

Student Monthly Bus Pass	\$20.00
--------------------------	---------

Student Semester Bus Pass August through December - Fall) (January through June - Spring) (May through August - Summer)	\$60.00
--	---------

*Note: Half-fare rate applies to persons with disabilities who are certified in the Tyler Transit system and who have an identification card, as well as citizens 65 years of age or older.

(0-2008-45, 3/26/08) (Ord. No. 0-2009-128; 12/9/09) (0-2010-4; 1/13/2010) (Ord. No. 0-2011-74; 9/14/11)

Sec. 12-103. Reserved

PART 3: That Tyler City Code Chapter 16, "Solid Waste Disposal Regulations," Article I., "Solid Waste Disposal Regulations", is hereby amended by amending Section 16-13.a. and b. to read as follows, with no other changes:

Section 16-13 Fees

All fees listed in this section are subject to street use fees and sales tax. The following are the fees for collection of solid waste:

a.

Automated Service for Residential	Container Size	Number of Containers	Trips Per Week	Monthly Charge
1. Units	wheeled cart included (For household waste only—not for brush or yard waste)	1	2	\$14.07+ tax
2. More than three (3) residential units at one location may be considered commercial. No changes....				
3. Additional carts are \$6.50 per month – (Optional)				
4. Subscription Curbside Recycling No changes....				
5. Packout Service (up to 150 feet) - \$11.50 per month – effective January 1, 2012 Packout Driveout Service (over 150 feet) - \$16.50 per month – effective January 1, 2012 (O-2006-14, 1/25/06; Ord. No. O-2006-51, 5/24/06) (Ord. O-2007-111, 9/26/07) (Ord. O-2009-103, 9/23/09) (Ord. O-2010-99, 9/22/10) (Ord. O-2011-74, 9-14-11)				
6. For Solid Waste customers who do not receive Automated Service for Residential (i.e., do not have carts) - \$3.50 per month (effective January 1, 2012). This surcharge shall not apply to Packout or Driveout customers. (Ord. No. 0-2008-92; 6/23/08) (Ord. O-2011-74, 9-14-11)				
7. Duplex = 2 units, requires 2 carts (2 x #1 above) (Ord. O-2011-74, 9-14-11)				\$28.14

b.1 No changes.

b.2 No changes.

b.3. Commercial Hand Pickup:

(a) Thirty-two (32) gallon garbage cans and/or bags picked up two (2) times each week.

(b) 96-gallon wheeled carts included in base rate and picked up two (2) times each week:

Commercial Hand Pickup Automated Service Number of Carts	Base Cost (2 days/week)
1	\$19.81 + tax

2	\$39.62 + tax
3	\$59.43 + tax
4	\$79.24 + tax
Packout Service (up to 150 feet): \$11.50 per month – effective January 1, 2012 Packout Driveout Service (over 150 feet) - \$16.50 per month - effective January 1, 2012 (0-2006-14, 1/25/06) (Ord. 0-2007-111, 9/26/07) (Ord. 0-2009-103; 9/23/09) (Ord. No. 0-2010-99, 9/22/10) (Ord. No. 0-2011-74, 9-14-2011)	

b.4 No changes

c. No changes.


d. No changes

e. No changes

PART 4: That if any provision or any section of this ordinance shall be held to be void or unconstitutional, such holding shall in no way affect the validity of the remaining provisions or sections of this ordinance, which shall remain in full force and effect.

PART 5: That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine as provided in Section 1-4 of the Tyler Code. Each day such violation shall continue, or be permitted to continue, shall be deemed a separate offense. Since this ordinance has a penalty for violation, it shall not become effective until its publication in the newspaper as provided by Section 85 of the Charter of the City of Tyler, Texas or later. The effective date of the amendment to the Transit fees shall be October 1, 2011. The effective date of the amendments to the Solid Waste rate changes in Section 16-13 shall be October 1, 2011.

PASSED AND APPROVED this 14th day of September, A. D., 2011.


BARBARA BASS, MAYOR OF
THE CITY OF TYLER, TEXAS

ATTEST:


CASSANDRA BRAGER, CITY CLERK



APPROVED:


GARY C. LANDERS, CITY ATTORNEY