

ORDINANCE NO. 2011-09

AN ORDINANCE AMENDING ORDINANCE NO. 2009-12 AND SECTION 44-38 OF THE CARLSBAD CITY CODE REGARDING GARBAGE AND RUBBISH COLLECTION FEES.

WHEREAS, the City of Carlsbad Solid Waste Department provides garbage and rubbish collection services which are necessary to the health, safety, and welfare of the community; and

WHEREAS, that Department is an enterprise fund of the City of Carlsbad; and

WHEREAS, garbage and rubbish removal charges are the primary source of revenue for the Department's enterprise fund; and

WHEREAS, the operational costs for the provision of the Department's services continue to increase; and

WHEREAS, it is necessary to increase the garbage and refuse removal charges to meet the current and future operating and capital needs of the Department.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF CARLSBAD that:

Ordinance No. 2009-12 and Section 44-38 of the Code of Ordinances, City of Carlsbad New Mexico, relating to fees payable to the City of Carlsbad for garbage and rubbish collection, are hereby amended as follows:

1. Effective with the first billing in July 2011:
 - A. Single Family Residences and Duplexes:
 - i. \$22.83 per month per dwelling unit based on shared use of automated refuse container or for one roll-out container;
 - ii. Additional roll-out containers will be charged at a rate of \$22.83 per month per additional roll-out.
 - B. Motels and Hotels:
 - i. \$3.92 per month per guest room
 - C. Apartment Houses:
 - i. \$15.64 per month per dwelling unit
 - D. Mobile Home Parks:
 - i. \$15.64 per month per mobile home space
 - E. Commercial Establishments, Professional Offices, Home Occupations,

Schools, and Churches, and all others not included above:

- i. For a roll-out container - \$22.83 per month per establishment for twice per week pick up;
 - ii. For a one and one-half cubic yard container - \$58.69 per month per container for twice per week pick up. For each additional pick up per week - \$39.02 per month per container;
 - iii. For a three cubic yard container - \$78.24 per month per container for twice per week pick up. For each additional pick up per week - \$58.69 per month per container.
- F. For open-topped or roll-off containers:
- i. \$122.24 delivery fee for each container;
 - ii. A service charge will be assessed each time the container is serviced or no less than once per month, whichever is greater:
 - a. For a 15 cubic yard container - \$73.35 per container;
 - b. For a 25 cubic yard container - \$122.24 per container;
 - c. For a 30 cubic yard container - \$146.72 per container;
 - d. For a 36 cubic yard container - \$176.06 per container.
2. Effective with the first billing in October of 2012 and then for each year thereafter, the fees payable to the City of Carlsbad shall be subject to an Annual Increase. Each year's Annual Increase shall be calculated as follows:
- A. For October 2012, October 2013, and October 2014, the fees payable to the City of Carlsbad for garbage and rubbish collection shall be increased by five percent (5%) above the fees for the prior year.
 - B. Beginning in October 2015, the Annual Increase shall be equal to the average annual change in the Consumer Price Index (CPI-U) for the four year period ending the preceding July.
3. All prior ordinances inconsistent with the provisions contained herein are hereby repealed.

INTRODUCED, APPROVED, PASSED AND ADOPTED THIS 14th day of June, 2011.

/s/ Wesley A. Carter
WESLEY A. CARTER, MAYOR PRO TEM

ATTEST:

/s/Amanda McDougall
CITY CLERK