

**FACT SHEET**

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<b><u>TITLE</u></b>	<b><u>DATE</u></b>	<b><u>ORIGINATING</u></b>
<b>AN ORDINANCE TO AMEND AND REENACT PORTIONS OF CHAPTER 26, ARTICLE IV, DIVISION 2 OF THE CODE OF ORDINANCES RELATIVE TO THE SOLID WASTE COLLECTION FEE AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.</b>	<b>November 1, 2016</b>	<b>MAYOR</b>

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**PURPOSE**

To add the Solid Waste Collection Fee into the schedule of fees in Shreveport City Code Chapter 26.

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**BACKGROUND INFORMATION**

The 2017 Budget provides for the collection of a monthly Solid Waste Collection Fee of \$12 per residential and commercial customer.

- Chapter 74 will be amended (in a separate ordinance presented to the City Council) to charge this fee.

This ordinance provides for the implementation of the fee within the schedule of fees in Chapter 26 for the City of Shreveport.

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**TIMETABLE**

Introduction: November 8, 2016  
Final Passage: November 22, 2016

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**SPECIAL PROCEDURAL REQUIREMENTS** None

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**FINANCES**

**ALTERNATIVES**

1. Adopt the ordinance as presented.
  2. Amend the ordinance.
  3. Deny the ordinance.
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**CONCLUSION**

Alternative Number 1 is recommended.

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FACT SHEET PREPARED BY: Sherricka Fields, Asst. CAO

ORDINANCE NO. \_\_\_\_\_ OF 2016

AN ORDINANCE TO AMEND AND REENACT PORTIONS OF CHAPTER 26, ARTICLE IV, DIVISION 2 OF THE CODE OF ORDINANCES RELATIVE TO THE SOLID WASTE COLLECTION FEE AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

BY: COUNCIL MEMBER:  
DISTRICT: \_\_\_\_

**WHEREAS**, the City is a duly incorporated municipal corporation operating under a pre-1974 home rule charter pursuant to La. Const. Art. 6, § 4. A home rule charter established prior to 1974 is granted broader powers than those granted to home rule charters created subsequent to the adoption of the 1974 Louisiana Constitution. As such, City retains all of the powers it had pursuant to its pre-1974 Charter, so long as those powers are not inconsistent with the Louisiana Constitution or abridge the power of the State; and

**WHEREAS**, pursuant to the Charter of the City of Shreveport, Art. 2 Section 2.01, City shall have a *general grant of power* and may exercise all of the powers, rights, privileges and immunities which could be conferred upon cities of its population class by the constitution and general laws of the state; and no enumeration of particular powers in the Charter shall be taken to be exclusive but shall be held to be an addition to this general grant of power; and

**WHEREAS**, pursuant to Charter of the City of Shreveport, Art. 2 Section 2.02(c), the City shall have powers to collect fees of such nature and amount and in such manner as is now and may hereafter be authorized and provided by the constitution and general laws of the state, and to expend the same for any municipal purpose except as the proceeds of such fees are allocated by law to some specific purpose; and

**WHEREAS**, pursuant to Charter of the City of Shreveport, Art. 2 Section 2.04(a) the City shall have powers to enact and enforce all necessary ordinances and regulations pertaining to public peace, safety, morals, health and welfare and pursuant to Art. 2 Section 2.04(b) the City shall have powers to enact and enforce all necessary ordinances and regulations to protect and maintain both public and private property; and

**WHEREAS**, pursuant to Charter of the City of Shreveport, Art. 2 Section 2.03(q) the City shall have powers to collect and dispose of garbage and refuse; to acquire, maintain, own and operate facilities for the disposal of the same within and without the City; and regulate the business of scavengers; and

**WHEREAS**, the City of Shreveport currently does not charge a Solid Waste Collection Fee for the service of collecting garbage for its citizens; and

**WHEREAS**, the City of Shreveport currently pays approximately eight million one hundred fifty thousand dollars ( $\approx$  \$8,150,000) from the General Fund each year to provide the service of collecting solid waste; and

**WHEREAS**, the City of Shreveport finds it essential to the proper functioning of city government that it collect this Solid Waste Collection Fee from both residential and commercial customers to provide this service.

**BE IT ORDAINED** by the City Council of the City of Shreveport, in due, legal and regular session convened that Section 26 of the Code of Ordinances of the City of Shreveport are hereby amended and reenacted to read as follows:

\* \* \*

Chapter 26. – FINANCE

\* \* \*

Article IV. – FEES

\* \* \*

DIVISION 2. – SERVICES

\* \* \*

Sec. 26-109. - Fee schedule for services rendered by the department of operational services.

\* \* \*

(18) *Solid Waste Collection Fee.* A mandatory twelve dollar (\$12) service fee for each month for all residential and commercial customers for whom the City provides solid waste collection. This shall be added to the customer's water and sewer bill.

\* \* \*

**BE IT FURTHER ORDAINED** that the remainder of the Code of Ordinances, as amended, shall remain unchanged and in full force and affect.

**BE IT FURTHER ORDAINED** that all Ordinances or parts thereof in conflict herewith are hereby repealed.

**BE IT FURTHER ORDAINED** that if any provision or item of this Ordinance or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this Ordinance which can be given affect without the invalid provisions, items or applications and to this end the provisions of this Ordinance are hereby declared severable.

**APPROVED AS TO LEGAL FORM:**

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City Attorney's Office