

FILE

RESOLUTION NO. 1656

WHEREAS, the Governing Body of the City of Roswell has heretofore passed, adopted and approved Ordinance No. 973; and,

WHEREAS, Section 21. e. of said ordinance provides for the collection of a fee of \$2 per ton for disposal of waste matter at the solid waste disposal area; and,

WHEREAS, Section 7 of said Ordinance charges the Sanitation Officer with enforcement of such regulations as the municipal governing body may from time to time adopt relating to procedures and schedule of charges; and,

WHEREAS, it is the present policy of the governing body to encourage the proper disposal of solid waste matter by individuals; and,

WHEREAS, the City Council finds that the exclusion from said fee of loads under one half ($\frac{1}{2}$) ton will tend to encourage such proper disposal; and,

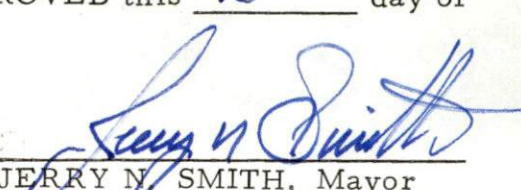
WHEREAS, the City Council further finds that such exclusion shall not detrimentally effect the efficient operation of the City solid waste disposal area; and,

WHEREAS, the City Council further finds that charging such fee for larger volume loads of solid waste material will not impose an unfair, unreasonable, or inequitable burden upon persons disposing of large amounts of solid waste, and that such fee is intended only as a means of defraying expenses of the entire municipal garbage collection and disposal system, pursuant to Sec. 14-19-3 NMSA, and not as a penalty, tax or source of revenue.

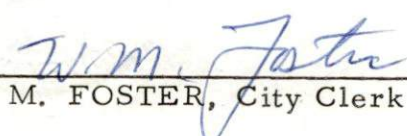
NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY, THE CITY COUNCIL OF THE CITY OF ROSWELL, that the Sanitation Officer shall not charge a fee for the disposal of solid waste at the disposal area for loads of one-half ($\frac{1}{2}$) ton or less; and that the present disposal fee for loads in excess of one-half ton shall be charged by the Sanitation Officer in accordance with said Ordinance.

PASSED, ADOPTED, AND APPROVED this 10th day of August, 1976.

CITY SEAL


JERRY N. SMITH, Mayor

ATTEST:


W. M. FOSTER, City Clerk