

ORDINANCE NO. 11A(2) - 1

AN ORDINANCE GRANTING TO MCCRAW'S TRASH SERVICE, ITS SUCCESSORS AND ASSIGNS, A PUBLIC WASTE COLLECTION AND DISPOSAL FRANCHISE TO USE THE PRESENT AND FUTURE STREETS, ALLEYS, HIGHWAYS AND PUBLIC GROUNDS AND WAYS OF THE CITY OF RAVENNA, TEXAS, PROVIDING FOR COMPENSATION THEREFORE, PROVIDING FOR AN EFFECTIVE DATE AND A TERM OF SAID FRANCHISE, PROVIDING FOR WRITTEN ACCEPTANCE OF THIS FRANCHISE PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES, AND FINDING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED IS OPEN TO THE PUBLIC.

BE IT ORDAINED BY THIS BOARD OF COMMISSIONERS OF THE CITY OF RAVENNA:

SECTION 1. That there is hereby granted to McCraw's Trash Service, its successors and assigns, the right, privilege and franchise to collect public waste and operate in, along, under and across the present and future streets, alleys, highways, public grounds and ways of the City of Ravenna, Texas with all necessary or desirable appurtenances for the purpose of disposal of public waste within the City, the inhabitants thereof, and persons, firms, and corporations beyond the corporate limits thereof, other purposes.

SECTION 2. McCraw's Trash Service equipment and operations within the corporate limits of the City shall be subject to such reasonable rules and regulations of the City as may be authorized by applicable law for the protection of the general public. Example: No dumpsters may be placed in city right of way. These must be located on private property. All rate changes are subject to City of Ravenna approval.

SECTION 3. McCraw's Trash Service shall hold the City harmless from all expense or liability for any act or neglect of McCraw's Trash Service hereunder its representatives and/or assigns.

SECTION 4. This franchise is exclusive and nothing herein shall be construed so as to allow the City of Ravenna to grant other like or similar rights, privileges, and franchises to any other persons, firm, or corporation, with the exception of Roll-offs being provided by another vendor and McCraw's Trash being grandfathered in.

SECTION 5. In consideration of the grant of said right, privilege and franchise of using and occupying the said streets, alleys, highways and public grounds and ways, and in lieu of any and all occupation taxes, assessments, municipal charges, fees, easement taxes, franchise taxes, license and inspection fees or charges, street taxes, street or alley rentals, certain regulatory expense under Section 24 of the Public Utility Regulatory Act or any similar or successor law, and all other taxes, charges, levies, fees and rentals of whatsoever kind and character which the City may impose or hereafter be authorized or

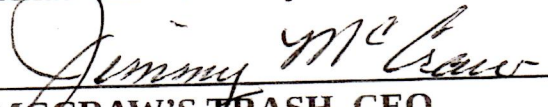
empowered to levy and collect, excepting only the usual general or special ad valorem taxes which the City is authorized to levy and impose upon real and personal property, sales and use taxes, and special assessments for public improvements. McCraw's Trash Service shall pay to the City of Ravenna quarterly during the term hereof, a sum equal to **four percent (4%) of its gross base rate receipts** received by McCraw's Trash Service from the collection of public waste within the corporate limits of the City of Ravenna effective January 1, 2018. The first payment hereunder shall be due and payable on or before April 10, 2018, and shall be based upon McCraw's Trash Service said gross receipts during the preceding three (3) month period ending March 31, 2018 for the rights and privileges granted hereunder. Subsequent payments hereunder shall be due and payable quarterly thereafter on or before the 10th day of each ending quarter, during the term hereof. Each such payment shall be accompanied with a report showing the gross receipts as aforesaid for the said preceding three month period upon which the payment is based. If the payment is not received within 10 days following the end of the quarter, a % fee will be charged. Upon agreement, a vendor permit will be signed.


SECTION 6. This Ordinance shall become effective upon McCraw's Trash written acceptance hereof, said written acceptance to be filed by McCraw's Trash with the City within thirty (30) days after final passage and approval hereof, and the right, privilege and franchise granted hereby shall continue for a five year period expiring on January 1, 2023.


SECTION 7. This Ordinance shall be cumulative of any and all other permits and franchises by the City of Ravenna to McCraw's Trash provided, however, that all ordinances or parts of ordinances that conflict herewith are hereby repealed upon the effective date of this Ordinance.


SECTION 8. It is hereby officially found that the meeting at which this Ordinance is passed is open to the public and that due notice of this meeting was posted as required by law.

PASSED AND APPROVED at a regular meeting of the Board of Commissioners of Ravenna, Texas this *19* day of *Dec.* 2017.


MCCRAW'S TRASH, CEO


CLAUDE L. LEWIS
MAYOR


RONNIE BRUCE
COMMISSIONER


JOE PASSANISI
COMMISSIONER

ATTEST:


DIANE M. WHELESS