

**CITY OF LA FERIA  
ORDINANCE NO. 2023-08**

**AN ORDINANCE OF THE CITY COMMISSION OF LA FERIA, TEXAS, GRANTING A FRANCHISE TO REPUBLIC SERVICES TO PROVIDE INDUSTRIAL ROLL-OFF SOLID WASTE COLLECTION AND DISPOSAL SERVICES WITHIN THE CITY OF LA FERIA; PROVIDING FOR A FRANCHISE FEE; REQUIRING INDEMNITY AND INSURANCE; PROVIDING FOR REVOCATION AND AMENDMENT; PROVIDING FOR PAYMENT OF TAXES BY THE FRANCHISEE; PROHIBITING ASSIGNMENT AND SUBLETTING OF THE FRANCHISE WITHOUT CONSENT; MAKING OTHER PROVISIONS REGULATING THE FRANCHISE; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.**

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF LA FERIA:**

**Section 1. GRANT OF AUTHORITY.** Pursuant to the authority of Article X, Sec. 10.05 (“Franchises”) of the Home Rule Charter of the City of La Feria, the terms of which are hereby incorporated into this ordinance as if entirely duplicated herein, and subject to the terms, conditions, and provisions of this ordinance, the conditions and obligations of the franchise contract between the City of La Feria and Republic Services as is included in substantial form to this ordinance as Exhibit “A;” and the laws of the State of Texas, the right, privilege, and franchise is hereby granted by the City of La Feria (sometimes “City”) to Republic Services (sometimes “Company”), for operating within the public right-of-way and engaging in the business of collecting and disposing of Industrial and MSW Refuse and Waste within the City; and placing and servicing containers, operating trucks, vehicles and trailers, and such other operations and activity as are customary and/or incidental to such business and service within the corporate limits of the City of La Feria, Texas, as the same are now and as the same may from time to time be extended.

**Section 2. TERM.**

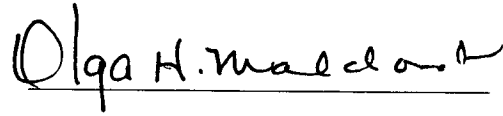
The Initial Term of this Franchise shall expire five (5) years from the Effective Date.

**Section 3. EXCLUSIVE FRANCHISE.** This Franchise shall be construed as conferring upon the Company exclusive rights or privileges of providing industrial solid waste collection and disposal services within the City of La Feria. In acknowledgment and consent to the exclusive Franchise, the City shall not oppose any applications which are consistent with this Agreement, filed by the Company for permits or authorizations necessary

**Section 4. GOVERNMENTAL FUNCTION.** All of the regulations and activities required by this Franchise are hereby declared to be governmental and for the health, safety, and welfare of the general public.

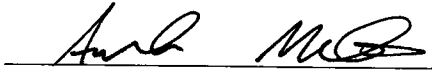
**Section 5. SEVERABILITY.** If any provision, section, subsection, sentence, clause, or phrase of this Franchise Ordinance is for any reason held to be unconstitutional, void or invalid or for any reason unenforceable, the validity of the remaining portions of this Franchise shall not be affected thereby, it being the intent the City of La Feria in adopting this Franchise that no portion hereof or provision hereof shall become inoperative or fail by reason of any unconstitutionality or invalidity of any other portion, provision or regulation and, to this end, all provisions of this ordinance are declared to be severable.

INTRODUCED, READ and PASSED, by the affirmative vote of the City Commission of the City of La Feria this the 10th day of October, 2023.

Handwritten signature of Olga H. Maldonado in black ink, written over a horizontal line.

Olga H. Maldonado, Mayor

ATTEST:

Handwritten signature of Amanda Morales in black ink, written over a horizontal line.

Amanda Morales, City Secretary