

There came on for consideration at a duly constituted meeting of the Mayor and Members of the City Council of the City of Gulfport, Mississippi, held on the 7<sup>th</sup> day of November, 2023, the following Ordinance:

**ORDINANCE NO. 3327**

**AN ORDINANCE TO SET FEES FOR COLLECTION AND DISPOSAL OF SOLID WASTE AND RECYCLABLE MATERIALS AND TO AMEND SECTION 4-175 OF THE CITY OF GULFPORT, MISSISSIPPI'S CODE OF ORDINANCES, AND FOR RELATED PURPOSES**

**WHEREAS**, the Governing Authority for the City of Gulfport, Mississippi previously entered into a six (6) year contract in 2016 for collection and disposal of solid waste and recyclable materials for residents and light commercial businesses within the City, with said contract expiring on September 30, 2023; and

**WHEREAS**, subsequent to expiration of such contract, and in anticipation of expiration of the same, the City's Governing Authority authorized the issuance of requests for proposals associated with such services; and

**WHEREAS**, only two (2) proposals were subsequently received by the City for collection and disposal of "household garbage" (solid waste) and collection and disposal of recyclable materials, both of which were at a cost higher than that which was included in the 2016 contract, and such an increase in fees was similar to that seen by the Harrison County Utility Authority in proposals this entity recently received in response to requests for proposals for solid waste and recycling services; and

**WHEREAS**, only one (1) proposal was subsequently received by the City for collection and disposal of all solid waste outside of "household garbage" (e.g., "trash waste"); and

**WHEREAS**, in view of the increase of the costs for these contracted services, it is necessary for the City to amend the rates that were previously adopted by the Governing Authority based on the costs for such services included in the 2016 contract, and as subsequently amended, and since these rates are included in Section 4-175 in the City's Code of Ordinances, it is therefore needed and necessary to amend Section 4-175 to reflect the needed changes in rates associated with the new contracts for collection and disposal of "household garbage" (solid waste) and recyclable materials (the contract was recently awarded to Waste Pro of Mississippi, Inc.) and for collection and disposal of "trash waste" (this contract was similarly recently awarded to H2O Innovation Operation & Maintenance, LLC) as well as other costs involved in the provision of such services; and

**WHEREAS**, in accord with *Miss. Code Ann.* § 21-19-2(c), the City of Gulfport caused to be published notice of its intent to increase the fees charged by the City for garbage and/or rubbish collection and/or disposal service in *The Sun Herald* newspaper, a newspaper having general circulation in the municipality, on October 12, 19 and 26, 2023, in the form and for the time period required by the said statute.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GULFPORT, MISSISSIPPI, AS FOLLOWS:**

**SECTION 1.** That the matters and things set forth in the above preamble are hereby accepted as stated as the findings of the Gulfport City Council.

**SECTION 2.** That Section 4-175 in Chapter 4, Article VI, in the Code of Ordinances of the City of Gulfport, Mississippi, which presently reads as follows:

**Sec. 4-175. - Fees for collection of garbage, trash and refuse.**

(a) Each household and commercial establishment within the city receiving municipal garbage collection services shall pay the following amount each month for the collection and disposal of garbage, trash and refuse:

(1) Household (single or multi-family (4 units or less) residential):

- Sixteen dollars and seventy-five cents (\$16.75) per month (effective October 1, 2017);
- Sixteen dollars and eighty cents (\$16.80) per month (effective October 1, 2018);
- Sixteen dollars and eighty-six cents (\$16.86) per month (effective October 1, 2019);
- Sixteen dollars and ninety-one cents (\$16.91) per month (effective October 1, 2020);
- Sixteen dollars and ninety-seven cents (\$16.97) per month (effective October 1, 2021); and
- Seventeen dollars and two cents (\$17.02) per month (effective October 1, 2022).

(2) Commercial establishments:

- Twenty dollars and seventy-five cents (\$20.75) per month (effective October 1, 2017);
- Twenty dollars and eighty cents (\$20.80) per month (effective October 1, 2018);
- Twenty dollars and eighty-five cents (\$20.85) per month (effective October 1, 2019);
- Twenty dollars and ninety-one cents (\$20.91) per month (effective October 1, 2020);
- Twenty dollars and ninety-six cents (\$20.96) per month (effective October 1, 2021); and
- Twenty-one dollars and two cents (\$21.02) per month (effective October 1, 2022).

(b) The fees herein provided for the collection of garbage, trash and refuse shall be included with, and be in addition to, each household and commercial establishment's monthly water and/or sewer service bill.

(c) Nonpayment of the fee for collection of garbage, trash and refuse, shall result in the discontinuance of the collection service. In addition to discontinuance of the collection service, the city shall be authorized to use all available legal remedies, whether at law or equity, to collect delinquent garbage, trash and refuse collection fees.

should be, and hereby is, amended in its entirety to read as follows:

**Sec. 4-175. - Fees for curbside collection and disposal of garbage, trash and refuse and related services.**

(a) Each household (single family or multi-family (4 units (i.e., households) or less) residential) and light commercial establishment (each of which shall be treated as a separate unit for billing purposes) within the city receiving services for the collection and disposal of garbage, trash, and refuse and recyclable materials shall pay the following amount each month for the same:

- Thirty-six dollars and no cents (\$36.00) per month (effective November 8, 2023);
- Thirty-six dollars and ninety cents (\$36.90) per month (effective October 1, 2024);
- Thirty-seven dollars and eighty-two cents (\$37.82) per month (effective October 1, 2025);
- Thirty-eight dollars and seventy-seven cents (\$38.77) per month (effective October 1, 2026);
- Thirty-nine dollars and seventy-four cents (\$39.74) per month (effective October 1, 2027);
- Forty dollars and seventy-three cents (\$40.73) per month (effective October 1, 2028);
- Forty-one dollars and seventy-five cents (\$41.75) per month (effective October 1, 2029);
- Forty-two dollars and seventy-nine cents (\$42.79) per month (effective October 1, 2030);
- Forty-three dollars and eighty-six cents (\$43.86) per month (effective October 1, 2031); and
- Forty-four dollars ninety-six cents (\$44.96) per month (effective October 1, 2032).

(b) The fees provided for herein shall be included with, and be in addition to, each household and commercial establishment's monthly water and/or sewer service bill.

(c) Nonpayment of the fee for services provided for herein shall result in the discontinuance of the service. In addition to discontinuance of such service, the city is authorized herein and empowered to use all available legal remedies, whether at law or equity, to collect delinquent fees charged for the collection and disposal of solid waste and/or recyclable materials, to include, but not be limited to, Miss. Code Ann. § 21-19-2(c).

**SECTION 3.** All provisions of Chapter 4 of the Code of Ordinances of the City of Gulfport, Mississippi, not in conflict herewith shall remain in full force and effect as heretofore provided.

**SECTION 4.** To provide for the immediate and temporary preservation of the public peace, health and safety associated with the collection and disposal of solid waste and recycling, this Ordinance shall be in full force and become effective immediately upon its passage by unanimous vote and enactment according to law and shall be spread on the minutes of the

Gulfport City Council. The Ordinance shall be published according to law and for failure to pass unanimously, shall take effect thirty (30) days after the date of passage.

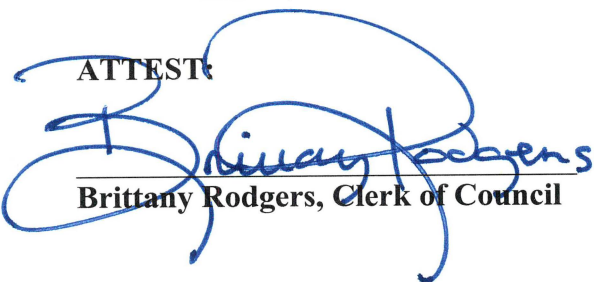
**SECTION 5.** The Governing Authority further finds that the following shall serve as an explanatory statement of this Ordinance for purposes of publication: “This Ordinance amends Section 4-175 of the Code of Ordinances of the City of Gulfport to re-establish fees associated with the collection and disposal of solid waste and recyclable materials for residential and light commercial customers in the City for the years beginning November 8, 2023, and increasing each year through the year ending September 30, 2033. A copy of the full text of this Ordinance is available to municipal residents upon request to the City Clerk.” For the next thirty (30) days, a copy of the full text of this Ordinance shall be posted by the City Clerk: (a) in the first floor lobby at City Hall (2309 15<sup>th</sup> Street, Gulfport, Mississippi 39501); (b) in the first floor lobby of the City’s Hardy Building (1410 24<sup>th</sup> Avenue, Gulfport, Mississippi 39501); and (c) in the first floor lobby of the County Courthouse in Gulfport (1801 23<sup>rd</sup> Avenue, Gulfport, Mississippi 39501). The City Clerk shall further furnish any resident of the City a copy of the full text of this Ordinance upon request.


The above and foregoing Ordinance, after having been first reduced to writing and read by the Clerk, was introduced by Councilmember Flowers, seconded by Councilmember Roland, and was adopted by the following roll call vote:

<u>YEAS:</u>	<u>NAYS:</u>	<u>ABSENT:</u>
Casey	Holmes-Hines	None
Roland	Walker	
Flowers	Sharp	
Kosloski		

WHEREUPON the President declared the motion carried and the Ordinance adopted, this the 7<sup>th</sup> day of November, 2023.

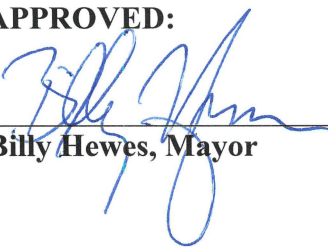


**ATTEST:**  
  
Brittany Rodgers, Clerk of Council

**ADOPTED:**  
  
F.B. “Rusty” Walker, IV, President

The above and foregoing Ordinance having been submitted to and approved by the Mayor, this the 8<sup>th</sup> day of November, 2023.

**APPROVED:**



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**Billy Hewes, Mayor**