

## CHAPTER 50: SOLID WASTE

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### **GENERAL PROVISIONS**

#### **§ 50.01 DEFINITIONS.**

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**APPROVED RECEPTACLE.** Any receptacle approved by the City Council by ordinance or provided by a garbage contractor in accordance with an executed franchise agreement, including, but not limited to poly carts, for garbage, refuse and other authorized solid waste collection and disposal. **APPROVED RECEPTACLE** does not include a garbage bag.

***BIN.*** A metal receptacle designed to be lifted and emptied mechanically for use only at commercial and industrial units.

***BULKY WASTE.*** Stoves, refrigerators, water tanks, washing machines, furniture and other waste materials, other than construction debris, dead animals or hazardous waste, with weights or volumes greater than those allowed for bins or garbage cans, as the case may be.

***BUNDLE.*** Tree, shrub and brush trimmings, or newspapers and magazines, securely tied together forming an easily handled package not exceeding three feet in length or 35 pounds in weight.

***COMMERCIAL AND INDUSTRIAL REFUSE.*** All bulky waste, construction debris, garbage and rubbish generated by a producer at a commercial and industrial unit.

***COMMERCIAL AND INDUSTRIAL UNIT.*** All premises, locations or entities, public or private, requiring garbage or refuse collection within the city limits, that are not residential units.

***CONSTRUCTION DEBRIS.*** Waste building materials resulting from construction, remodeling, repair or demolition operations.

***DEAD ANIMALS.*** Animals or portions thereof equal to or greater than ten pounds in weight that have expired from any cause, except those slaughtered or killed for human use.

***DISPOSAL SITE.*** A garbage and refuse depository, including, but not limited to, landfills, transfer stations, incinerators and waste processing/separation centers licensed, permitted or approved by all governmental bodies and agencies having jurisdiction and requiring the licenses, permits or approvals to receive refuse and/or dead animals for processing or final disposal.

***GARBAGE.*** Any and all dead animals of less than ten pounds in weight, except those slaughtered for human consumption; every accumulation of waste (animal, vegetable and/or other matter) that results from the preparation, processing, consumption, dealing in, handling, packing, canning, storage, transportation, decay or decomposition of meats, fish, fowl, birds, fruits, grains or other animal or vegetable matter (including, but not by way of limitation, that used in tin cans and other food containers, and all putrescible or easily decomposable waste, animal or vegetable matter that is likely to attract flies or rodents); except (in all cases) any matter included in the definition of bulky waste, construction debris, dead animals, hazardous waste or rubbish.

***GARBAGE BAG.*** A plastic sack designed to store garbage and refuse with sufficient wall strength to maintain physical integrity when lifted by the top. The total weight of the bag and its contents shall not exceed 35 pounds.

***GARBAGE CONTRACTOR.*** The person or partnership performing garbage and refuse collection and disposal under contract or franchise agreement with the city.

**HAZARDOUS WASTE.** Any chemical, compound, mixture, substance or article that is designated by the United States Environmental Protection Agency or appropriate agency of the State of Texas to be “hazardous,” as that term is defined by or pursuant to federal or state law.

**LANDFILL.** A facility used by the garbage contractor where trash, garbage and refuse are disposed of by burying between layers of earth.

**PRODUCER.** An occupant of a commercial and industrial unit or a residential unit who generates garbage or refuse.

**REFUSE.** Residential refuse and bulky waste, construction debris generated at a residential unit, unless the context otherwise requires, and commercial and industrial refuse.

**RESIDENTIAL REFUSE.** All garbage and rubbish generated by a producer at a residential unit.

**RESIDENTIAL UNIT.** A dwelling within the city limits occupied by a person or group of persons comprising not more than four families. A unit shall be deemed a residential unit when either water or domestic light and power services are being supplied thereto. A condominium dwelling, whether of single or multi-level construction, consisting of four or less contiguous or separate single-family dwelling units, shall be treated as a residential unit, except that each single-family dwelling within any such residential unit shall be billed separately as a residential unit.

**RUBBISH.** All waste wood, wood, wood products (except tree trimmings, grass cuttings, dead plants, weeds and leaves), dead trees or branches thereof, chips, shavings, sawdust, printed matter, paper, pasteboard, rags, straw, used and discarded clothing, used and discarded shoes and boots, combustible waste pulp and other products such as are used for packaging or wrapping crockery and glass, ashes, cinders, floor sweeping, glass, mineral or metallic substances and any and all waste, construction debris, dead animals or garbage.

(`97 Code, § 12-27) (Ord. 1993-U, passed 11-1-93; Am. Ord. 1997-M, passed 9-23-97)

## § 50.02 GARBAGE SERVICE MANDATORY.

Every owner, occupant, tenant or lessee using or occupying any building, house or structure within the city limits shall be required to take garbage service.

(`97 Code, § 12-26) (Ord. 1993-U, passed 11-1-93)

## § 50.03 RESIDENTIAL GARBAGE AND REFUSE RATES.

Charges for residential services, including each unit of duplex, apartment or apartment house and a mobile home park, shall be as provided for in the fee schedule on file in the City Secretary's office.

(`97 Code, § 12-39) (Ord. 1993-U, passed 11-1-93; Am. Ord. 1997-A, passed 1-28-97)

**§ 50.04 COMMERCIAL GARBAGE AND REFUSE RATES.**

The rates applicable to any and all commercial or business establishments and off-public road customers shall be based upon number of times each week that collection and removal of garbage or refuse is required and on the container size, in cubic yards, used for the collection and removal of garbage or refuse.

(`97 Code, § 12-40) (Ord. 1993-U, passed 11-1-93; Am. Ord. 1997-A, passed 1-28-97)

***REGULATIONS*****§ 50.20 APPROVED RECEPTACLES FOR GARBAGE AND REFUSE.**

Every owner, occupant, tenant or lessee using or occupying any building, house or structure within the city limits for residential, church, school, commercial, business or other purpose shall utilize an approved receptacle to hold the garbage and refuse that normally accumulates on the premises.

(`97 Code, § 12-28) (Ord. 1993-U, passed 11-1-93; Am. Ord. 1997-M, passed 9-23-97)

**§ 50.21 PROHIBITED RECEPTACLES.**

All garbage and refuse must be placed in an approved receptacle. Garbage cans are not permitted as waste receptacles in the city. No receptacle is permitted for waste disposal in residential areas other than those expressly authorized by this chapter.

(`97 Code, § 12-29) (Ord. 1993-U, passed 11-1-93; Am. Ord. 1997-M, passed 9-23-97)

**§ 50.22 REQUIREMENTS FOR RECEPTACLES AND CONTENTS.**

(A) Receptacles shall be constructed of substantial material and shall be equipped with a tight fitting lid or cover.

(B) All approved receptacles shall comply with the applicable ordinance or franchise agreement in effect. The approved receptacle shall not be overloaded by weight or volume and shall be used only for its proper and intended purpose.

(C) Approved receptacles shall at all times be secured and fastened so that flies and other insects may not have access to the contents thereof.

(D) The contents of approved receptacles shall be protected so that the wind cannot scatter same over the premises or over the streets of the city.

(E) All garbage and refuse mixed with water or other liquids shall be drained before being placed in the approved receptacle.

(F) All garbage and refuse that has been drained shall be well wrapped in paper or other combustible materials before being placed in the approved receptacle.

(G) It shall be the duty of every residential customer placing an approved receptacle from which garbage or refuse is collected to keep the same in a clean and sanitary condition.

(H) The city code enforcement officer or his or her designated representative shall cause regular inspections to be made to ensure compliance with the terms of this chapter, and if any violation of this chapter is found, a notice shall be placed upon the approved receptacle or given to the owner, occupant, tenant or lessee of the property in violation of this chapter to correct the violation within five days. Failure to comply with the notice shall constitute a violation of this chapter.

(`97 Code, § 12-30) (Ord. 1993-U, passed 11-1-93; Am. Ord. 1997-M, passed 9-23-97) Penalty, see § 10.99

### **§ 50.23 LOCATION OF APPROVED RECEPTACLES.**

Each approved receptacle shall be placed at curbside on the day of scheduled garbage pick up within arm's length of the road, without interfering with or endangering the movement of vehicles or pedestrians and be removed within 24 hours from the curbside. Curbside refers to that portion of right-of-way adjacent to paved or traveled city roadways, excluding alleys. In the event construction work is being performed, or the curbside is otherwise unavailable, approved receptacles shall be placed as close as practicable to an access point for the collection vehicle.

(`97 Code, § 12-31) (Ord. 1993-U, passed 11-1-93; Am. Ord. 1997-M, passed 9-23-97)

### **§ 50.24 UNAUTHORIZED HANDLING OF GARBAGE AND REFUSE PROHIBITED.**

(A) It shall be unlawful for any person other than the owner, occupant, tenant, lessee of the property, city employees or a garbage contractor to empty garbage bags or approved receptacles or to transport garbage and refuse on the public streets of the city.

(B) It shall be unlawful for any person other than the owner, occupant, tenant, lessee of the property, city employees or a garbage contractor to disturb or tamper with the contents of any garbage container or approved receptacle in the city.

(`97 Code, § 12-32) (Ord. 1993-U, passed 11-1-93; Am. Ord. 1997-M, passed 9-23-97) Penalty, see § 10.99

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