

AN ORDINANCE OF THE CITY OF SEAGOVILLE, TEXAS

ORDINANCE NO. 15-16

AN ORDINANCE OF THE CITY OF SEAGOVILLE, TEXAS, AMENDING THE CODE OF ORDINANCES BY AMENDING ARTICLE 19.02, SOLID WASTE, BY REPEALING SECTION 19.02.007, PLACEMENT FOR COLLECTION, AND REPLACING WITH A NEW SECTION 19.02.007 TO PROVIDE FOR THE LOCATION, DAY AND TIMES FOR PLACEMENT OF RECEPTACLES, SMALL BRUSH AND LARGE/BULKY ITEMS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 19.02.007 currently provides, in relevant part, "In areas where garbage or small brush or large/bulky items are collected from the street, the garbage receptacles shall be placed at the curblin no earlier than 6:00 p.m. of the date preceding that on which it is to be collected and no later than 7:00 a.m on the day of collection..."; and,

WHEREAS, Council desires to separate out the small brush and large/bulky items from the household garbage for the convenience of the citizens; and

WHEREAS, after discussion and consideration, the City Council determined that Section 19.02.007 should be repealed and replaced with a new Section 19.02.007 to provide for the location, day and times of placement for collection.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SEAGOVILLE, TEXAS:

SECTION 1. That the Code of Ordinances of the City of Seagoville, Texas be, and the same is, hereby amended by amending Article 19.02, SOLID WASTE, by repealing Section 19.02.007, Placement for collection, and replacing with a new Section 19.02.007, which shall read as follows:

"CHAPTER 19. UTILITIES

....

ARTICLE 19.02 SOLID WASTE

Division 1. Generally

Sec. 19.02.007 Placement for collection

(a) Every owner, occupant, tenant or lessee of a dwelling or public building used for residential, business or commercial purposes shall be required to maintain or cause to be maintained constant supervision and surveillance over the garbage receptacles and small brush on his premises. In areas where garbage or small brush are collected from the street, the garbage receptacles shall be placed at the curblin no earlier than 6:00

p.m. of the date preceding that on which it is to be collected and no later than 7:00 a.m. on the day of collection, and shall be removed from the curblin no later than 8:00 p.m. on the day on which it is collected.

(b) Large brush shall be stacked loose with the large end facing the street in piles no taller than five (5) feet high and free of any foreign objects. Large brush and large/bulky items may be placed at the curblin no earlier than 7:00 a.m. on Saturday immediately preceding bulk collection week.”

SECTION 2. If any section, article paragraph, sentence, clause, phrase or word in this ordinance, or application thereto any persons or circumstances is held invalid or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this ordinance; and the City Council hereby declares it would have passed such remaining portions of this Ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

SECTION 3. That all provisions of the Ordinances of the City of Seagoville, Texas, in conflict with the provisions of this ordinance be, and the same are hereby amended, repealed, and all other provisions of the Ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 4. That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Code of Ordinances of the City of Seagoville, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of five hundred dollars (\$500.00) for each offense.

SECTION 5. This Ordinance shall become effective from and after its date of passage in accordance with law.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF SEAGOVILLE, TEXAS THIS 7th day of MARCH, 2016.

APPROVED:



MAYOR

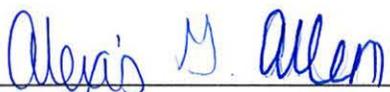
ATTEST:



CITY SECRETARY



APPROVED AS TO FORM:



CITY ATTORNEY

(:cdb 02/26/2016)