

ORDINANCE 104-C

AN ORDINANCE AMENDING ORDINANCE 104B IN ITS ENTIRETY AS PASSED BY THE CITY COUNCIL ON JUNE 20, 1983.

AN ORDINANCE TO PREVENT LITTERING: PROVIDING DUTY OF BUSINESS OWNERS, OCCUPANTS, BUILDERS, TRUCKERS, CUSTOMERS, WORKMEN, VISITORS: PROVIDING FOR COMMERCIAL RECEPTACLES; MAKING VIOLATION PUNISHABLE BY A FINE NOT LESS THAN \$25.00 NOR MORE THAN \$500.00 PER VIOLATION; PROVIDING FOR ENFORCEMENT; AND PROVIDING FOR A SAVINGS CLAUSE.

Whereas, the City Council of the City of Roman Forest finds it necessary to protect the safety, health and general welfare of the citizens of the City of Roman Forest; and

Whereas, the City Council of the City of Roman Forest finds it necessary to protect the property of the citizens of the City of Roman Forest;

Now, therefore, be it ordained by the City Council of the City of Roman Forest, Texas:

Section 1. **DEFINITIONS**

A. **REFUSE** - shall mean garbage, rubbish, and other decayable and non-decayable waste, including vegetable matter and animal and fish carcasses. The term does not include sewage from a public or private establishment or residence.

B. **GARBAGE** - shall mean all decayable wastes from public and private establishments and restaurants, including vegetable, animal, and fish offal and animal and fish carcasses. The term does not include sewage, body wastes, or industrial by-products.

C. **RUBBISH** - shall mean all non-decayable wastes, except ashes, from a public or private establishment or residence.

D. **JUNK** - shall mean all worn-out, worthless, and discarded material, including odds and ends, old iron or other metal, tires, non-licensed motor vehicles, glass, paper and cordage.

SECTION II. **LITTERING**

It shall be unlawful for any person to throw, drop, cast, deposit or dispose of any refuse, junk, garbage or rubbish upon any street, alley, sidewalk, any yard or premises or into any ditch, sewer, or body of water, public or private, within the corporate city limits of the City of Roman Forest.

SECTION III. DUTY OF BUSINESS OWNERS, OCCUPANTS, BUILDERS AND TRUCKERS

The owner or occupant of any store, restaurant, apartment complex, or other business shall at all times keep said premises in a clean and sanitary condition and free from any refuse, garbage, rubbish or junk. All refuse, garbage, rubbish or junk on such premises shall be properly stored in receptacles designed specifically for the purpose of storing such refuse, garbage, rubbish or junk.

SECTION IV. COMMERCIAL RECEPTACLES

Commercial receptacles of sufficient size, not less than two (2) cubic yards, nor more than thirty (30) cubic yards shall be placed on the premises of all stores, restaurants, apartments complexes, and any other business establishment. Receptacles shall be placed behind building line of property. Receptacles shall be kept in a clean and sanitary condition. There shall be no garbage, refuse, rubbish or junk showing from receptacle. Receptacles shall be emptied at least once a week.

SECTION V. GRAFFITI

It shall be unlawful for property owners to allow any graffiti to remain on any fencing, building, concrete or property of any kind. Any graffiti must be removed or covered within 72 hours of existence.

SECTION VI. WASHING OF CONCRETE TRUCKS

The washing of concrete trucks or dumping of excess concrete within the corporate limits of the City of Roman Forest shall be prohibited without the written consent of the owner or occupant of the premises or the appropriate governmental authority.

SECTION VII. DEPOSIT BY TRUCKS

It shall be unlawful for trucks to deposit mud, excavation, dirt, or concrete upon public thoroughfares or on any premises, public or private, without the written consent of the owner, or appropriate governmental authority.

SECTION VIII. DUTY OF CUSTOMERS, OCCUPANTS, VISITORS AND WORKMEN

It shall be unlawful for any customer, occupant, workman, or visitor going upon the premises of another to in any manner dispose of junk, rubbish, garbage, or refuse except in receptacle provided for such purpose.

SECTION IX. ENFORCEMENT

It shall be the duty of the Chief of Police or duly authorized agent(s) to enforce this Ordinance.

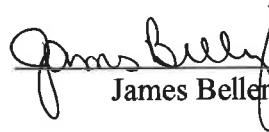
SECTION X. PENALTY FOR VIOLATION

Any person or persons who shall violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined in an amount not to exceed \$500.00. Each violation and each day of violation shall constitute a separate offense.


SECTION XI. SAVINGS CLAUSE

In the even any section, paragraph, subdivision, clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional, and the City Council of the City of Roman Forest, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

PASSED AND APPROVED this the 16th day of February, 1998.


James Bellerby - Mayor

ATTEST:


Gina McDowell - City Secretary