

AN ORDINANCE REGULATING THE HAULING AND DISPOSAL OF WET GARBAGE AND DRY GARBAGE: REQUIRING ALL CITIZENS TO PLACE GARBAGE IN METAL CANS OF NOT MORE THAN 30 GALLON CAPACITY: REGULATING THE COLLECTION AND DISPOSAL OF ANIMAL MANURE, DECAY MATTER, DEAD ANIMALS AND REFUSE OF ALL KINDS: PRESCRIBING RATES TO BE CHARGED FOR THE HAULING AND DISPOSAL OF GARBAGE: CONTAINING VARIOUS DEFINITIONS AND MISCELLANEOUS PROVISIONS: PRESCRIBING A PENALTY OF NOT LESS THAN ONE DOLLAR NOR MORE THAN ONE HUNDRED DOLLARS FOR EACH VIOLATION HEREOF: CONTAINING A SAVING CLAUSE AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF DE LEON:

SECTION I.

DEFINITIONS:

(a) The words "Wet Garbage" shall be held and construed to mean all animal or vegetable matter such as waste material from kitchens, grocery stores, butcher shops, restaurants, cafes, hotels, tourist courts, rooming and boarding houses, such as scraps of meat, bread, bones, peeling of fruit and vegetables.

(b) The term "Dry Garbage" as used herein shall be held and construed to mean refuse, trash, ^{and/or} rubbish such as feathers, coffee grounds, tin cans, paper, boxes, glass, ashes, cinders, ~~ashes~~, old clothes and shoes, broken dishes and utensils, old iron, tin, zinc and all kinds of junk and useless material and waste of every description, including grass shrubs and tree trimmings and cuttings.

SECTION II

ALL GARBAGE REQUIRED TO BE PLACED IN METAL GARBAGE CANS OF NOT MORE THAN 30 GALLON CAPACITY:

Each owner, occupant, tenant or lessee using and occupying any residence, building, house or structure within the corporate limits of the City of De Leon is hereby required to keep and maintain at all times at a convenient place at his house or dwelling and/or at his place of business, adequate metal garbage can or cans of standard type and construction and in sufficient numbers to properly receive and hold all wet garbage and/or dry garbage, as herein defined, being disposed of from his house or dwelling and/or his business, which garbage can or cans shall be equipped with an adequate lid or covering and which shall be covered by such lid or covering at all times, except when placing garbage therein or removing the same therefrom. Said garbage cans are to be of not more than 30 gallon capacity.

SECTION III.

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ALL GARBAGE AND REFUSE CANS SHALL BE PLACED IN THE REAR OF THE PREMISES ON ALLEYS OR WHERE READILY ASSESSIBLE TO COLLECTORS:

The owners, occupant, or lessee of said premises as defined in this ordinance shall at all times keep and maintain such cans and receptacles at the rear of the lot or premises abutting on the alley or in such place that the same may be readily accessible to the employees of the City Sanitary Department who remove such garbage and refuse.

SECTION IV.

RATES TO BE CHARGED FOR THE HAULING AND DISPOSAL OF GARBAGE:

The monthly charge for the gathering and removal of all garbage, trash and rubbish from dwelling units situated within the corporate limits of the City of De Leon shall hereafter be as follows:

- Each single dwelling unit \$ 1.00
- Each duplex or apartment consisting of one unit \$ 1.00
- The second unit in a duplex or apartment \$ 1.00
- The third and all additional units in a duplex or apartment (each) \$ 1.00

The monthly charge for the gathering and removal of all garbage, trash and rubbish from each place of business located within the corporate limits of the City of De Leon, shall be set by the City Sanitary Department, subject to the approval of the City Council, within the following minimum and maximum rates:

	Minimum	Maximum
Hotels and tourist courts	3.00	15.00
Appliances, furniture and hardware stores	3.00	15.00
Dry goods, clothing and shoe stores	3.00	15.00
Drug and jewelry stores	1.00 3.00	15.00
Cafes and drive-ins	3.00	15.00
General stores	3.00	15.00
Automobiles, sales and service	5.00 3.00	15.00
Grocery stores and produce	1.00 3.00	15.00
Service stations, tires and accessories	3.00	15.00
Tailor shops and laundries	1.00	15.00
Hospitals and clinics	3.00	15.00
Manufacturers and industries	3.00	15.00
Paint stores and printing shops	3.00	15.00
Building materials and plumbing	1.00 3.00	15.00
Theaters and studios	3.00	15.00
Tractor sales and service	3.00	15.00
Office buildings	3.00	15.00
Offices (single)	1.00 2.00	10.00
Barber and beauty shops	3.00	10.00
Newstand, novelties and specialties	1.00	10.00
Florist, shoe shops and transfers	2.00 1.00	10.00

Laundries 3.00
all others not otherwise classified 3.00

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The foregoing minimum fees to be charged each place of business mentioned above, respectively, shall entitle the owner or manager thereof to the removal of cubic yards of garbage per month by the City Sanitary Department. In the event the amount of garbage per month by the City Sanitary Department. In the event the amount of garbage customarily being removed from any place of business exceeds cubic yards per month, the owner or manager thereof shall be required to pay an additional fee for the removal of such garbage and the City Sanitary Department is hereby authorized and directed to fix the monthly fee for the garbage and trash pickup for each place of business within thirty days from the effective date of this ordinance based upon the amount of garbage and trash hauled or picked up from each of such places of business in the City of Comanche, which shall be fixed within the minimum and maximum rates of fees set forth herein, and which fees when so fixed shall be the fees to be charged thereafter to each of such places of business, subject to the approval of the City Council.

SECTION V.

REGULATING THE COLLECTION AND DISPOSAL OF ANIMAL MANURE AND DECAYING MATTER BY THE OWNER THEREOF:

Manure from private stables or offal or refuse from animals or night soil and dead animals and all other waste not herein mentioned must be kept in a separate suitable receptacle and not dumped in the alleys or retained on the premises so as to become a nuisance and the same is to be disposed of by the owners thereof. It shall be the duty of the City Sanitary Department to see that said refuse is properly disposed of by the owner thereof when so ordered. Such refuse shall be hauled away from the premises of the owner thereof at his own expense and by his own means and such refuse shall not be considered garbage and shall not be picked up by the garbage trucks of the City Sanitary Department.

SECTION VI.

MANNER OF COLLECTION OF FEES FOR GARBAGE PICKUP:

The charges fixed herein for the removal and disposal of all garbage, trash or rubbish shall be entered by the City Secretary of the City of De Leon in their respective amounts as charges against each such person or persons, owners, occupant or lessee described herein on the water and sewer bill of such person or persons, owner, occupant or lessee and the amount so fixed and charged shall be collected monthly in connection with and as a part of the water and sewer bills of the City of De Leon. It is further provided that should any person or persons, owner, occupant or lessee of any place of

or of any place of business fail or refuse to pay the charges fixed against him and his place of abode or his place of business when due, the City of De Leon shall be authorized to cutt off and disconnect the water and sewer services to his place of abode or place of business and against which such garbage pickup fees have been fixed and assessed, and in addition thereto shall be authorized to discontinue garbage pickup services until such fees have been paid in full.

SECTION VII.

CREDIT FOR VACANCY:

No credit will be given to any person, owner, occupant or lessee of any residence or place of business for vacancy thereof unless the City is notified by such person, owner, occupant or lessee within five days after such property is vacated. Such notice shall be given to the City Sanitary Department. If no notice is given to the Sanitary Department within five days after such property is vacated, credit will only be given from the date of nearest billing period after such notice is given to the Sanitary Department.

SECTION VIII

MISCELLANEOUS PROVISIONS:

All brush, shrubs, tree trimmings and cuttings shall be cut into not more than five foot lengths and tied in bundles weighing not more than fifty pounds nor more than eighteen inches in diameter. All refuse of large dimensions must be broken into sizes not to exceed 24 inches by 24 inches by five (5) feet in length.

No rocks or dirt shall be placed in any garbage can

Garbage shall not be placed in open bins where collectors have to remove same by hand or forks.

The City Sanitary Department shall have the right to refuse to pick up garbage on any property where dogs are loose in the yard.

No dead fowls, manure, chicken or rabbit droppings, human excretion, or dead animals shall be placed in garbage cans. The same shall be placed in separate refuse receptacles and disposed of by the owner at his own expense in accordance with the foregoing provisions of this ordinance.

SECTION IX.

CONTROL OF HAULING BY INDIVIDUAL TO DUMP GROUND:

Should any person haul all or any part of his garbage to the City dump-ground, he shall nevertheless be required to pay garbage fees in accordance

with the schedule set forth herein, and shall be required to dump his garbage at the City dumpground in accordance with and subject to the rules and regulations of the Sanitary Department and shall dump his garbage in the area designated by the Sanitary Department or those working under his direction and shall comply in every way with all rules and regulations of the Sanitary Department with respect to said City dumpground.

SECTION X

PENALTY:

Any person or persons, firm or corporation who violates any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be fined not less than One Dollar (\$1.00) and not more than One Hundred Dollars (\$100.00) for each offense, with costs of court, and each violation hereof shall be deemed a separate offense and each day's continuance or failure to comply herewith shall constitute a separate and distinct offense for each of said days and shall be punishable as such.

SECTION XI

SEVERABILITY:

Should any Section, Paragraph, Sentence, Clause or Phrase of this ordinance be declared unconstitutional or invalid for any reason, the remainder of said ordinance shall not be affected thereby.

SECTION XII

EMERGENCY CLAUSE:

The fact that there is no adequate ordinance providing for and regulating garbage disposal in the City of De Leon, at this time, affects the health, safety, and welfare of the citizens of De Leon, and creates an imperative public necessity and demand, requiring the suspension of the rule requiring the reading of ordinances at two separate meetings prior to their final passage, and it is accordingly ordered that this ordinance be, and is hereby passed as an emergency measure, effective immediately from any after the necessary publication thereof as provided in the City Charter. The City Secretary shall note hereon the effective date of this ordinance.

PASSED, APPROVED AND ADOPTED this the 23rd day of May, A. D. 1961.

ATTEST:

Eula Weaver
CITY SECRETARY

W. B. Weaver
MAYOR

This ordinance shall be in full force and effect on and after the 6th

day of June, A. D. 1961.

Eula Weaver
City Secretary.