

ARTICLE IX. SOLID WASTE AND VEGETATION

DIVISION 1. IN GENERAL

Sec. 3-148. Definitions.

In this article:

Commercial property means real property that is not a residential property.

Commercial solid waste means any solid waste generated from any improved real property, other than improved real property used for single or two-family dwellings.

Commercial solid waste operator means any person who collects, hauls, or transports commercial solid waste industrial solid waste, or residential construction debris for a fee by use of a motor vehicle.

Garbage means the waste resulting from the handling, preparation, cooking or consumption of produce, food and other biodegradable matter.

Hazardous waste means any waste identified or listed as hazardous waste by any state or federal agency.

Household waste means solid waste generated from a residential property that can be enclosed in a container designed for solid waste. Household waste does not include bulk building materials or construction debris.

Industrial solid waste has the meaning as defined in V.T.C.A, Health and Safety Code, Ch. 361, as amended.

Recycled solid waste means solid waste that is not disposed in a landfill after collection by a commercial solid waste operator, but is processed for reuse for the purpose for which the material was made or for another purpose.

Refrigerant means a Class I or Class II substance as listed in 42 U.S.C. Section 7671a and rules adopted under that section, as amended.

Residential property means real property containing a building designed for use as a single- or a two-family residence.

Solid waste means all garbage, rubbish, refuse, or other solid waste materials normally generated from commercial or residential properties, other than hazardous waste. For residential properties, solid waste may include household waste, garbage, dead animals, tree limbs, lawn trimmings, appliances, and recyclable material.

Weeds means all rank and uncultivated vegetable growth or matter which is liable to become an unwholesome or decaying mass or breeding place for flies, mosquitoes, or vermin. (Ord. No. 981, § 1, 1-16-96; Ord. No. 1412, § 2, 9-16-03; Ord. No. 1425, § 2, 12-2-03; Ord. No. 1504, § 1, 6-21-05; Ord. No. 1577, § 19, 8-1-2006; Ord. No. 1656, § 2, 12-4-2007, eff. 3-1-2008)

Sec. 3-149. Improper disposal or removal of solid waste.

(a) It is unlawful for any person to transport any solid waste generated from any private real property and place that solid waste into a container located on public property owned or controlled by the city without the city's consent.

(b) It is unlawful for any person to place solid waste into any solid waste container not owned by, rented to, or under the control of that person, unless the person placing the solid waste has the consent of the owner or person exercising control of the container.

(c) It is unlawful for any person to transport solid waste from any place outside the city limits to any place within the city limits for the purpose of causing the same to be collected as residential solid waste by the city.

(d) It is unlawful for any person to remove any solid waste, including any recyclable solid waste, from any container located on any residential property after the container has been placed in a location for collection by the city. It is a defense to prosecution under this section that the person was authorized by the city to collect the solid waste or the person owns or has the right to use the solid waste container.

(Ord. No. 981, § 1, 1-16-96; Ord. No. 1412, § 3, 9-16-03; Ord. No. 1577, § 19, 8-1-2006)

Secs. 3-150--3-154. Reserved.

DIVISION 2. RESIDENTIAL SOLID WASTE

Sec. 3-155. Solid waste containers.

Every owner or occupant of residential property must:

- (1) Place household waste in a receptacle designed to contain waste. Reusable receptacles must be constructed of plastic, metal, or fiberglass, have a capacity of not less than 20 gallons or more than 40 gallons, and have an opening diameter greater than the diameter of the base. The weight of the container and the container's contents must not exceed 60 pounds. Disposable or one-way containers must be plastic bags designed to store solid waste and refuse with enough wall strength to withstand the weight of the contents when lifted from the top;
 - (2) Provide and maintain sufficient numbers of containers to hold all the solid waste generated from the property;
 - (3) Keep all solid waste containers on the property in a clean and sanitary condition and in good repair, free of holes, cracks and splits;
 - (4) Keep the area surrounding any solid waste containers on the property free of any solid waste spillage and debris and in a sanitary and clean condition; and
 - (5) Not place or maintain any solid waste container upon any street or sidewalk or in a location that blocks or interferes with the use thereof.
- (Ord. No. 1412, § 4, 9-16-03; Ord. No. 1577, § 19, 8-1-2006)

Sec. 3-156. Requirements for collection.

- (a) It is unlawful for any person to violate any of the following requirements for the collection of residential solid waste:
 - (1) Tree limbs placed for collection must be:
 - a. No longer than four feet in length with a diameter of four inches or less; or
 - b. No longer than two feet in length with a diameter between four and six inches.
 - (2) To place at curbside for collection any automobile parts, tires, lead batteries, motor oil, gasoline, paint, construction debris, tree stumps and logs, dirt, concrete, bricks, rocks, roofing materials, metal poles, fence pickets with nails, chemicals, corrosives and other hazardous or toxic materials;
 - (3) An appliance designed to use refrigerants that is placed for collection must:
 - a. Have all doors removed if it is a refrigerator or freezer; and
 - b. Have a tag prominently displayed on the appliance issued by a person licensed to perform air conditioning and refrigeration work under Chapter 1302, Texas Occupations Code, as amended, certifying that all refrigerants have been removed.
 - (4) The total volume of waste placed for collection for each residence must not exceed 15 cubic yards per collection day;
 - (5) All solid waste must be placed no farther than six feet from the curb for collection no later than 7:00 a.m. of the day of collection, and no earlier than 6:00 p.m. the evening before. Reusable containers must be removed from the curb no later than 8:00 a.m. on the morning following collection.
 - (b) The city is not required to collect any residential solid waste that does not comply with the requirements of this section.
- (Ord. No. 1412, § 4, 9-16-03; Ord. No. 1577, § 19, 8-1-2006; Ord. No. 1656, § 3, 12-4-2007, eff. 3-1-2008)