

ORDINANCE NO. 636-24

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF SANSOM PARK, TEXAS, AMENDING CHAPTER 13 UTILITIES; ARTICLE 13.04 SOLID WASTE; SECTION 13.04.011 "BULKY ITEMS" TO AMEND RESTRICTIONS PERTAINING TO THE DISPOSAL OF BULKY ITEMS AS WASTE; PROVIDING A CUMULATIVE CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY FOR VIOLATION; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION; AND ESTABLISHING THE EFFECTIVE DATE.

WHEREAS, the City of Sansom Park, Texas, is a Type A General-Law municipality; and

WHEREAS, the City Council of the City of Sansom Park desires to update the regulations related to the disposal of bulky items as waste; and

WHEREAS, the City Council of the City of Sansom Park finds that the provisions adopted herein are in the best interest of the health, safety and general welfare of the citizens of the City of Sansom Park.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SANSOM PARK, TEXAS, THAT:

**SECTION I
FINDINGS OF FACT**

The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

**SECTION II
AMENDED CODE PROVISIONS**

That Chapter 13 "Utilities," Article 13.04 "Solid Waste" of the Code of Ordinances of the City of Sansom Park, Texas, is hereby amended by amending Section 13.04.011, "Bulky items." to read as follows:

"Sec. 13.04.011 Bulky items

- (a) Bulky items shall be collected beginning on a designated Monday in each of the following months: January, March, May, July, September, and November.
- (b) Every person that owns, operates, manages, occupies or controls any premises within the city limits shall place bulky items for pickup only as follows:
 - (1) Bulky items shall be placed within five feet (5') of the driving surface of the street no earlier than 7:00 p.m. the Friday prior to the Monday scheduled for bulky items collection and no later than 7:00 a.m. on the Monday scheduled for bulky items collection;
 - (2) Individual bulky items and containerized items shall weight less than 100 pounds each;

- (3) Bulky items shall only be placed at a premises with an active water account with the City;
- (4) Bulky items placed for collection may not exceed 10 cubic yards (8 feet long by 6 feet wide by 6 feet tall);
- (5) Bulky items may not be placed near low-hanging limbs, wires, mailboxes, parked cars, fences or other obstructions;
- (6) All limbs and brush placed for collection on bulk item collection days shall be tied in bundles not to exceed four feet (4') in length and each such bundle shall weight less than fifty pounds (50 lbs.); and
- (7) Bulky items placed for collection shall not contain any hazardous waste or special waste, including but not limited to, tires, electronics or appliances with coolant or gas."

SECTION III CUMULATIVE CLAUSE

This Ordinance shall be cumulative of all provisions of ordinances and of the Code of Ordinances of the City of Sansom Park, Texas, as amended, except where the provisions of this ordinance are in direct conflict with the provisions of other ordinances, in which event the conflicting provisions of the other ordinances are hereby repealed.

SECTION IV SEVERABILITY CLAUSE

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

SECTION V PENALTY CLAUSE

Any person, firm or corporation, violating any of the provisions or terms of this Ordinance shall be fined for each and every day during which any violation of any provision of this ordinance is committed, continued or permitted as provided in Section 13.04.004 of the Code of Ordinances of the City of Sansom Park, Texas.

SECTION VI SAVINGS CLAUSE

All rights and remedies of the City of Sansom Park, Texas, are expressly saved as to any and all violations of the provisions of any ordinances affecting the securing and placement of garbage containers within the City which have accrued at the time of the effective date of this ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this ordinance but may be prosecuted until final disposition by the Courts.


**SECTION VII
PUBLICATION CLAUSE**

The City Secretary of the City of Sansom Park is hereby directed to publish the caption, penalty clause and effective date clause in the official newspaper of the City of Sansom Park as authorized by Section 52.011 of the Texas Local Government Code.

**SECTION VIII
EFFECTIVE DATE**


This Ordinance shall be in full force and effect from and after its passage and publication as provided by law, and it is so ordained.

PASSED AND APPROVED by the City Council of the City of Sansom Park, Texas, this 18th day of July, 2024.



Jim Barnett, Jr., Mayor


ATTEST:



Wendy Blocker, TRMC
City Secretary



APPROVED AS TO FORM:



Will Pruitt, City Attorney