

ORDINANCE NO. 4-30-20

AN ORDINANCE OF THE CITY OF YORKTOWN, TEXAS, AMENDING CHAPTER 13 UTILITIES, ARTICLE 13.03 SOLID WASTE, DIVISION 1 GENERALLY OF THE CODE OF ORDINANCES OF THE CITY OF YORKTOWN, TEXAS; PROVIDING FOR REGULATIONS CONCERNING CLOSURE OF BULK CONTAINER LIDS; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR PROPER NOTICE AND MEETING.

WHEREAS, the City of Yorktown, Texas (“City”) is a General Law municipality incorporated and operating under the laws of the State of Texas; and

WHEREAS, pursuant to Texas Local Government Code § 51.001, the City Council of the City of Yorktown, Texas (“City Council”) has the authority to adopt, publish, amend or repeal an ordinance that is for the good government, peace or order of the City; and

WHEREAS, when the lids of bulk waste containers, such as dumpsters, are not properly closed the containers attract rodents and other vermin; and

WHEREAS, the City Council finds that it is necessary and proper for the good government, peace, and order of the City to amend Article 13.03 to require the lids on bulk waste containers to be closed when not in operation;

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

I. FINDINGS OF FACT

All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council, and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

II. AMENDMENTS

Chapter 13 Utilities, Article 13.03 Solid Waste, Division 1 Generally of the Code of Ordinances, City of Yorktown, Texas is hereby amended by adding Section 13.03.004 to read as follows:

Sec. 13.03.004 Bulk Waste Containers.

- (a) The lids of all bulk waste containers, such as a dumpster, shall be kept closed and locked except when refuse is being loaded into the containers.

- (b) Any person who commits a violation of this section shall, upon conviction, be guilty of a misdemeanor and punished by a fine in accordance with section 1.01.009 of this code for each offense. Each day a violation is committed or continues shall constitute a separate offense.

Secs. 13.03.005–13.03.050 Reserved

III. EFFECTIVE DATE

This Ordinance shall be and become effective immediately upon and after its passage and publication as may be required by governing law.

IV. REPEALER

All ordinances or parts of ordinances in force when the provisions of this Ordinance become effective which are inconsistent or in conflict with the terms and provisions contained in this Ordinance are hereby repealed only to the extent of such conflict.

V. SEVERABILITY

Should any part, sentence or phrase of this Ordinance be determined to be unlawful, void or unenforceable, the validity of the remaining portions of this Ordinance shall not be adversely affected. No portion of this Ordinance shall fail or become inoperative by reason of the invalidity of any other part. All provisions of this Ordinance are declared to be severable.

VI. PROPER NOTICE AND MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was adopted was open to the public and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

PASSED AND APPROVED THIS THE 1ST DAY OF JUNE 2020.



Hon. Bill Baker, Mayor
City of Yorktown, Texas

ATTEST:



John Barth
City Administrator/City Secretary