

ORDINANCE # 161

ORDINANCE SUPPLEMENTING CHAPTER 8,  
CREATING ARTICLE IV , SECTIONS 8-11 THROUGH 8-17  
OF THE CODE OF ORDINANCES OF THE CITY OF WHEELER, WHEELER COUNTY TEXAS

" DISPOSAL OF YARD TRASH IN CITY TRASH RECEPTACLES PROHIBITED"  
and "USE OF CITY TRASH RECEPTACLES BY NON-RESIDENTS", MAKING IT  
UNLAWFUL TO DISPOSE OF YARD TRASH IN CITY TRASH RECEPTACLES  
and DEFINING THE TERMS UNDER WHICH NON-RESIDENTS OF THE CITY OF  
WHEELER MAY UTILIZE CITY TRASH RECEPTACLES FOR TRASH DISPOSAL;  
DECLARING A VIOLATION OF THIS ORDINANCE TO BE A MISDEMEANOR AND  
PROVIDING A PENALTY UPON CONVICTION THEREOF; PROVIDING FOR A SAVINGS  
CLAUSE AND PROVIDING FOR PUBLICATION.

WHEREAS, the City Council has determined that the Ordinance set forth below would be in the best interest of the citizens of Wheeler, Texas, NOW, THEREFORE:

BE IT ORDAINED BY THE CITY OF WHEELER, WHEELER COUNTY, TEXAS:

ARTICLE IV

Disposal of Yard Trash in City Trash Receptacles Prohibited

SECTION 8-11

Unlawful to Dispose of Yard Trash in City Trash Receptacles

Yard trash is defined as waste accumulation of lawn, grass, or shubbery cuttings or clippings, bushes, and dry leaf rakings.

No person shall dispose of yard trash in trash receptacles owned or provided by the City of Wheeler.

SECTION 8-12

Penalty

Any person, firm, or corporation who violates the provisions of this Article is guilty of a misdemeanor, and upon conviction thereof, shall be fined not more than \$500.00. Each and every act which constitutes a violation of this Article shall constitute a separate and distinct offense.

ARTICLE V

USE OF CITY TRASH RECEPTACLES BY NON RESIDENTS

SECTION 8-13

Terms Under Which Non-Residents May Dispose of Trash  
in City Trash Receptacles

No person who resides outside the city limits of the City of Wheeler, Texas may dispose of trash, garbage, or other refuse in trash receptacles or other designated refuse containers or disposal units owned or operated by the City of Wheeler without first contracting through the office of City City Secretary for the payment of the sum of \$11.90 per month to the City for each month in which trash is to be so disposed of, and the City reserves the right to designate those trash receptacles or other refuse containers or disposal units in which trash may be disposed of by those persons, firms, or corporations so contracting with the City.

SECTION 8-14  
Penalty

Any person, firm, or corporation who violated the provisions of this Article is guilty of a misdemeanor, and upon conviction thereof, shall be fined not more than \$500.00. Each and every act which constitutes a violation of this Article shall constitute a separate and distinct offense.

SECTION 8-15

Should any provision of this Ordinance be declared invalid for any reason, such declaration shall not affect the validity of other provisions of this ordinance, it being the intent that the provisions of this Ordinance be severable and remain valid notwithstanding such declaration.

SECTION 8-16

This Ordinance shall become effective from and after its final passage and publication as provided by law.

SECTION 8-17

The City Secretary is hereby authorized to cause publication of the descriptive caption of this Ordinance as an alternative method provided by law.

AND IT IS SO ORDERED

Passed by the Council on first reading this 21 day of October, 1997.

Wanda Hess  
MAYOR

ATTEST:

Claudia J. Insterwald  
CITY SECRETARY