

ORDINANCE 84-4

AN ORDINANCE PROVIDING FOR SOLID WASTE DISPOSAL SERVICE WITHIN THE CONFINES OF THE CORPORATE LIMITS OF THE VILLAGE OF JAMAICA BEACH, TEXAS; PROVIDING FOR PRIVATE COLLECTIONS UPON ISSUANCE OF PERMITS; AND PROVIDING PENALTIES FOR THE VIOLATION OF THIS ORDINANCE, REPEALER.

WHEREAS, based on an investigation of the various forms of solid waste disposal systems being used by inhabitants, both permanent and temporary and by visitors to the Village of Jamaica Beach, Texas, it was determined that a uniform solid waste disposal service need be implemented within the corporate limits of Jamaica Beach, Texas,

NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL OF THE VILLAGE OF JAMAICA BEACH, TEXAS:

SECTION 1. ORDINANCE GOVERNING: That all garbage, trash, and refuse collection within the Village shall be controlled by the provisions of this Ordinance.

SECTION 2. DEFINITIONS:

A. Garbage: "Garbage" shall mean every refuse accumulation of animal, fruit or vegetable matter attending the preparation, use, cooking, and dealing in or storage of meat, fish, fowl, fruits, vegetables, or grains and may also include waste paper and other miscellaneous household rubbish.

B. Trash. "Trash" shall mean paper of all kinds, rags, old clothing, paper and cardboard containers (when broken down), weeds, grass, twigs, leaves, and other similar type of material.

C. Brush. "Brush" shall mean tree limbs and other trimmings from branches and trees and shrubs.

SECTION 3. SERVICE OFFERED: From and after the effective date of this act, garbage, trash, and brush service shall be offered and extended to owners and/or inhabitants of all improved lots, tracts or parcels of land located within the corporate limits of the Village of Jamaica Beach, Texas.

SECTION 4. PRIVATE COLLECTIONS: Permits. Any person who desires to provide private collection service to his own premises or to the premises of another shall secure a permit from the Village Secretary in accordance with the following requirements.

- A. Permits shall be granted only after furnishing to said Village Secretary all relevant information desired.
- B. The Village Secretary may impose all reasonable restrictions as a condition precedent to issuing said permit and as a condition subsequent to it's continuing validity. Such restrictions may include, but are not necessarily restricted to, type of vehicle to be used in collection, number of pickups required, methods and route for transporting said collections, appropriate disposal locations, and identification of trucks.
- C. All permits provided for in this section shall be revokable by the governing body at public hearing for good cause shown.
- D. For the permit to be granted to a private collector, a sum of \$75.00 per calendar year per truck, shall be collected.
- E. All persons issued a private collector's permit shall at least once every 3 months furnish the Village Secretary a complete listing of all premises from which he is removing garbage, trash, and brush. All such permittees shall upon request of the Village Secretary furnish a list of collection points and furnish sufficient information so that the frequency of collection on any given account may be determined.

SECTION 4. GARBAGE AND TRASH; LOCATION AND NATURE OF RECEPTACLES;  
TIME OF PICK-UP.

- A. All materials shall be placed in a plastic bag and then in a plastic or metal water type container with close fitting lids that repel animals and pick-up shall not have a capacity in excess of 30 gallons, and shall have usable handles on both sides. Alternatively, plastic bags customarily used for disposal or household refuse shall be permissible.

- B. Any person responsible for making a payment of fees for collection of fees under this Ordinance shall also be responsible for maintaining the receptacles in a clean and sanitary manner.
- C. Receptacles and containers shall be placed for collection in one of the following locations; wherever possible:
1. Adjacent to the curb of the street in front of the property being serviced;
  2. In areas where no street curbing exists and surface drainage is conducted through open road-side ditches, point of collections shall be on the shoulder of the street between the edge of the pavement and the drainage ditch, if there is sufficient space; if not, containers should be placed on private property as close to the ditch as possible. No container shall ever be placed for collection in such location as to interfere with the normal flow of surface drainage along and through drainage ditches.
- D. All refuse containers shall be set out for collection prior to 8:00 A.M. on the regular day of collection.

SECTION 5. BRUSH; REGULATIONS.

1. Brush shall be collected from curb sides only.
2. Brush deposited at the collection site shall be neatly bundled in bundles under 5 feet in length and tied. Any such bundle shall never exceed 50 pounds in weight. No bundle of brush shall ever be deposited for collection in any place

which may cause interference with the normal flow of surface drainage along and through a drainage ditch.

SECTION 6. RATES: APPLICATION TO ALL IMPROVED PROPERTIES.

1. Every improved lot, tract, or parcel of land located within the Village of Jamaica Beach, shall be charged a garbage, trash and brush fee unless it can be shown that garbage, brush, and trash are being removed by a licensed, private collector.
2. The rate for residential collection shall be \$6.25 per units per month.

SECTION 7. COMMERCIAL PROPERTY.

1. Commercial properties must contract with a private collector and provide the City with a copy of the contract. If a business wishes to use city service, arrangements need to be made with the City Secretary. If the City is able to provide such service, fees will be negotiated based on quantity.

SECTION 8. FAILURE TO COMPLY WITH ORDINANCE.

1. Any person violating any provisions of this Ordinance shall be guilty of a misdemeanor, and upon conviction shall be fined not less than \$5.00 nor more than \$200.00. No collection service shall be provided when the provisions of this Ordinance are violated. Such collection service shall be suspended until such violations have been ceased and abated.

SECTION 9. Any Ordinance or Provision of Ordinance that are contrary to the division herein are expressly repealed.

SECTION 10. That this Ordinance shall be and become effective from and after it's adoption and publication as required by law.

PASSED AND ADOPTED this the 19<sup>th</sup> day of November, 1984.

  
JACK WESTBROOK  
Mayor

ATTEST:

  
\_\_\_\_\_  
City Secretary