

ORDINANCE NO. 1101

**AN ORDINANCE OF THE CITY OF ROBSTOWN, TEXAS
AMENDING ROBSTOWN CODE OF ORDINANCES CHAPTER 6
HEALTH & SANITATION, ARTICLE 6.07 SOLID WASTE,
DIVISION 1. SEC. 6.07.003; SEC. 6.07.004, DIVISION 3.
COLLECTION; DISPOSAL PROEDURES, SEC. 6.07.061; SEC.
6.07.062; SEC. 6.07.065 ; SEC. 6.07.070, SEC. 6.07.071.**

WHEREAS, the City Council has determined that it would be in the best interest of the citizens of the City of Robstown and would promote the health, safety and general welfare of the inhabitants of the City to amend the Solid Waste Ordinance to include a permit charge assessed by the City of Robstown; and

WHEREAS, the City Council of the City of Robstown has determined that these amendments are necessary to preserve or protect the public health of the citizens of Robstown, Texas;

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROBSTOWN, TEXAS,

THE FOLLOWING SECTIONS OF THE ORDINANCE ARE AMENDED AS FOLLOWS:

SECTION 1. Chapter 6, Article 6.07 Division 1, Section 6.07.003 and Section 6.07.004, Division 3. Collection: Disposal Procedures Section 6.077.061; Section 6.07.062; Section 6.07.065 Section 6.07.070 and Section 6.07.071 are hereby amended to read as follows:

Sec. 6.07.003 Public Works Director
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It shall be the duty of the Public Works Director (or other city designee) to see that provisions of this article are complied with, and to take appropriate steps to punish violations thereof.

Sec. 6.07.004 Use of public works yard to dispose with charge
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(a) In order to deposit you must apply for a \$15.00 permit from the code enforcement officer which will be valid for five days, show proof of residence or domicile within the city limits may be shown by a valid current state driver's license; a picture ID showing a current address within the city; or by any other means which reasonably substantiates current domicile or residence within the city limits.

Sec. 6.07.061 Collection times

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(b) For customers served by city roll-out containers, the time of placement of city roll-out containers shall be 7:00 a.m. on the date of collection and removed from the street or curb by the end of the date of the collection.

Sec. 6.07.062 Placement for collection

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(a) For customers served by city roll-out dumpster service, the Public Works Director (or other designated officer) will designate the area for placement of the containers for removal of garbage or refuse.

(c) Residential solid waste will be collected in front of the premises at the curb, on the right-of-way, unless the Public Works Director (or other designated officer) designates an alternate area or areas for collection of such solid waste.

(d) Commercial refuse receptacles may not be placed on the street pavement, in the gutter, or in a drainage ditch. Except that the Public Works Department (or other designated officer) may allow refuse receptacles to be placed in roadside drainage ditches when there is no practical alternative.

However, the person who places any refuse receptacles in a roadside drainage ditch may be liable for any flooding damage cause by the refuse receptacles.

Sec. 6.07.065 Dead animals; manure; waste oils

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(a) Heavy dead animals, such as cows, horses and mules, shall be removed from the city limits at the expense of the owner or person having same in charge, in the manner and by the method directed by the Public Works Director (or other city designee). Removal shall be made within a reasonable time before the health and welfare of the community is threatened. Dead dogs, cats or any other small animals shall not be placed in garbage or trash containers. The city-county health department will, upon notification, dispose of such small dead animals.

Sec. 6.07.070 Heavy brush and yard waste collection, placement, maximum size, and required preparation thereof

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(f) Heavy brush and yard waste may be placed in the right-of-way, but may not be placed on the street pavement, in the gutter, on the sidewalk, or in a drainage ditch. Except the Public Works Director (or other designated officer) may allow heavy brush and yard waste to be placed in roadside drainage ditches when there is no practical alternative. However, the person who places any heavy brush and yard waste in a roadside drainage ditch may be liable for any flooding damage caused by the heavy brush and yard waste. The owner or occupant of a residence or business, who authorizes, directs, or allows heavy brush and yard waste to be placed in a drainage ditch on or adjacent to the person's property, also may be liable for any flooding damage caused by the heavy brush and yard waste.

(2) When the Public Works Director (or other designated officer) determines the waste should be removed in the interest of public health, safety, aesthetics, or welfare prior to the next scheduled pickup.

(j) Heavy brush or yard waste collected from collection service customers shall be limited to one truck load per scheduled pickup.

(k) A fee of \$250.00 per load shall be charged for each additional truckload of heavy brush and yard waste after the first load and shall be billed at the time of removal. The fee shall be payable at city hall at the time of collection, and, if not paid it will be applied to the customers next monthly utility bill.

(l) Because mechanical equipment is used to pickup heavy brush and yard waste, any containers used to hold heavy brush and yard waste will be considered waste and will be picked up for disposal.

Sec. 6.07.071 Bulky items and clean wood waste

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(d) Bulky items and clean wood waste may be placed in the right-of-way, but may not be placed on the street pavement, in the gutter, on the sidewalk, or in a drainage ditch. Except the Public Works Director (or other designated officer) may allow bulky items to be placed in roadside drainage ditches when there is no practical alternative. However, the person who places any bulky items and clean wood waste in a roadside drainage ditch may be liable for any flooding damage caused by the bulky items and clean wood waste. The owner or occupant of a residence or business, who authorizes, directs, or allows any bulky items and clean wood waste to be placed in a drainage ditch on or adjacent to the person's property, also may be liable for any flooding damage caused by the bulky items and clean wood waste.

(l) It shall be unlawful for any person to place any bulky items and clean wood waste so as to obstruct the view of motorists at intersections, access to a mailbox, or covering or within five (5) feet of water meter boxes, telephone pedestals, gas meters, cable guywires, or any other public utility fixture.

SECTION 2. REPEALER. All ordinances, resolutions, and municipal orders in conflict herewith are repealed to the extent of such conflict.

SECTION 3. EFFECTIVE DATE. This Ordinance shall become effective immediately upon its passage.

That the foregoing ordinance was read for the First time and passed to its Second reading on this the 17th day of May 2021 with the following votes:

Mayor	Gilbert Gomez	Mayor	_____
Mayor Pro Tem	Mary Ann Y. Saenz	Place No. 1	_____
Council Members:	Nelda Sanchez	Place No. 2	_____
	Cordelia Bosquez	Place No. 3	_____
	Jimmy Morales	Place No. 4	_____
	Candace Rodriguez	Place No. 5	_____
	Victor Orona, Jr.	Place No. 6	_____

That the foregoing ordinance was read for the Second time and passed FINALLY on this the 21st day June 2021 with the following votes:

Mayor	Gilbert Gomez	Mayor	_____
Mayor Pro Tem	Mary Ann Y. Saenz	Place No. 1	_____
Council Members:	Nelda Sanchez	Place No. 2	_____
	Cordelia Bosquez	Place No. 3	_____
	Jimmy Morales	Place No. 4	_____
	Candace Rodriguez	Place No. 5	_____
	Victor Orona, Jr.	Place No. 6	_____

**PRESENTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF
ROBSTOWN, TEXAS ON THIS 21ST DAY OF JUNE 2021.**

ATTEST:

Salvador Ochoa, Jr.
City Secretary

Gilbert Gomez
Mayor

APPROVED AS TO FORM:

Frank Garza, City Attorney- Special Counsel