

TOWN OF ADDISON, TEXAS

ORDINANCE NO. _____

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS AMENDING CHAPTER 66 (SOLID WASTE) OF THE CODE OF ORDINANCES, TOWN OF ADDISON, TEXAS, TO PROVIDE REGULATIONS FOR THE PLACEMENT OF RECYCLE CONTAINERS; PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED THE SUM OF FIVE HUNDRED DOLLARS (\$500.00) FOR EACH OFFENSE; AND PROVIDING FOR SAVINGS, SEVERABILITY AND AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS, THAT:

Section 1. The Code of Ordinances, Town of Addison, Texas, Chapter 66 (Solid Waste), Section 66-32 – Location of receptacles; use, shall be renamed to read:

Sec. 66-32. – Location of trash receptacles; use.

Section 2. The Code of Ordinances, Town of Addison, Texas, Chapter 66 (Solid Waste), Section 66-33 – Receptacle capacity, shall be renamed to read:

Sec. 66-33. – Trash receptacle capacity.

Section 3. The Code of Ordinances, Town of Addison, Texas, Chapter 66 (Solid Waste) shall be amended to add a new Sec. 66-34 which shall read in its entirety as follows:

Sec. 66-34. – Times for trash and recycling container placement and removal.

All solid waste receptacles and recycling containers shall be placed at the designated collection area (curbside or alley as appropriate as required by Section 66-36) by 7:00 a.m. on the day of collection. Disposable trash receptacles and recycling containers shall not be set out earlier than 6 p.m. the night before collection day and must be removed from the collection point within 12 hours after collection.

Section 4. The Code of Ordinances, Town of Addison, Texas, Chapter 66 (Solid Waste) shall be amended to add a new Sec. 66-35 which shall read in its entirety as follows:

Sec. 66-35. – Recycling container use.

All materials shall be placed in the recycling container provided by the Town’s solid waste collection vendor in such a manner as to prevent littering or spilling of materials onto the ground.

Section 5. The Code of Ordinances, Town of Addison, Texas, Chapter 66 (Solid Waste) shall be amended to add a new Sec. 66-36 which shall read in its entirety as follows:

Sec. 66-36. – Placement of recycling container for collection.

If the house from which the recycling is to be collected is adjacent to an alley, the owner, occupant, tenant, or lessee of such premises shall place the recycling container adjacent to the alley in order that the recycling container may be easily accessible to the collection contractor. If it is not practicable to collect the recycling from an alley, or if there is no alley adjacent to the premises, the owner, occupant, tenant, or lessee of the premises shall place the recycling container at the curb-line in front of the residence, easily visible from the street as to provide easy access to the collection contractor.

Section 6. The Code of Ordinances, Town of Addison, Texas, Chapter 66 (Solid Waste) shall be amended to add a new Sec. 66-37 which shall read in its entirety as follows:

Sec. 66-37. – Storage of recycling container following collection.

Recycling carts removed from the front of the residence shall be stored in a place and screened in such a manner that it is not visible from the street. Recycling carts removed from an alley shall be stored on private property behind the alley's fence line and back from the alleyway.

Section 7. Penalty Clause.

Any person, firm or corporation violating any of the provisions or terms of this Ordinance or the Code of Ordinances, Town of Addison, Texas as amended hereby, commits a Class C misdemeanor punishable by a fine as set forth in Section 1-7 of the Code of Ordinances, Addison, Texas for each offense, and each and every day such violation shall continue shall constitute a separate offense.

Section 8. Savings.

The Code of Ordinance, Addison, Texas, shall remain in full force and effect save and except as amended by this Ordinance.

Section 9. Cumulative Clause.

This Ordinance shall be cumulative of all provisions of state or federal law and other ordinances of the Town of Addison, Texas, except where the provisions of this Ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such other ordinances are hereby repealed.

Section 10. 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 of this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

Section 11. Effective Date.

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

PASSED AND APPROVED by the City Council of the Town of Addison, Texas this the 27th day of October, 2015.

Todd Meier, Mayor

ATTEST:

Laura Bell, City Secretary

APPROVED AS TO FORM:

Brenda N. McDonald, City Attorney