

ORDINANCE NO. 187

Repealed
01.10.2000
Ord #319

-CO
Ch6

PROHIBITING THE BURNING OF CERTAIN WASTES

AN ORDINANCE FOR THE CITY OF SEVEN POINTS, TEXAS AMENDING ORDINANCE NO. 180, SECTIONS I, II, III, IV AND V; REPEALING ANY EXISTING AND OR CONFLICTING ORDINANCES; THIS AMENDMENT IS AN ORDINANCE DEFINING GARBAGE, HAZARDOUS WASTE, BULKY WASTE, CONSTRUCTION DEBRIS, DEAD ANIMALS, RUBBISH AND REFUSE; PROHIBITING THE BURNING OF CERTAIN WASTES; PROHIBITING THE BURNING AFTER HOURS; CREATING HEALTH AND WELFARE HAZARDS; UNATTENDED OR UNCONTROLLED BURNING; PROVIDING A PENALTY CLAUSE PUNISHABLE BY FINE FOR EACH VIOLATION OF THIS ORDINANCE.

AFTER THE 2nd READING

BE IT ORDAINED BY THE CITY COUNCIL OF SEVEN POINTS, TEXAS:

SECTION I
SECTION IV

The following definitions shall apply when used in this ordinance:
OFFENSIVE SMOKE AND ASHES

Garbage - This term shall refer to every accumulation of waste, (animal, vegetable and/or other matter) that results from the preparation, processing, consumption, dealing with, handling, packing, canning, storage, transportation, decay or decomposition of meats, fowl, fish, birds, fruits, grains or other animal or vegetable matter (including, but not by way of limitation, used tin cans and other food containers; and all putrescible or easily decomposable waste animal or vegetable matter which is likely to attract flies or rodents); except bulky waste, construction debris or hazardous waste.

CONTROLLED BURNING

Hazardous Waste - Any chemical, compound, mixture, substance or article which is designated by the United States Environmental Protection Agency or appropriate agency of the State to be "hazardous", as that term is defined by or pursuant to Federal or State law. **Bulky Waste** - Stoves, refrigerators, water tanks, washing machines, furniture and other similar waste materials.

Construction Debris - Waste building materials resulting from construction remodeling, repair or demolition operations.

FINES AND PUNISHMENT

Dead Animals - Animals or portions thereof (except dogs and cats) that have expired for any cause, except those slaughtered or killed for human use. guilty of a misdemeanor and upon conviction in the Municipal Court of Seven Points shall be fined two hundred dollar

Rubbish - All wastewood, wood products, tree trimmings, grass cuttings, dead plants, weeds, leaves, dead trees or branches thereof, chips, shavings, sawdust, printed matter, paper or pasteboard, rags, straw, used and discarded mattresses, used and discarded clothing, used and discarded shoes and boots, combustible waste pulp and other products such as are used for packaging, or wrapping crockery and glass, ashes, cinders, floor sweepings, glass, mineral or metallic substances and any and all other waste materials not included in the definition of bulky waste, construction debris, dead animals, garbage or hazardous waste and emergency, in the preservation of public health, safety and welfare and requires

Refuse - This term shall refer to garbage, rubbish, bulky waste, construction debris and dead animals generated by residential units, light commercial units or heavy commercial units.

PROHIBITING THE BURNING OF CERTAIN WASTES

It shall be unlawful to burn garbage, hazardous wastes, bulky wastes, dead animals, certain rubbish being used or discarded mattresses, used and discarded clothing, rags or any other type or kind of cloth or material as defined in Section I.

Paul E. Mooneyhan
Paul E. Mooneyhan
Mayor

SECTION III

AFTER HOURS BURNING

It shall be unlawful for any person to burn or set fire to any rubbish before daylight in the morning and after dark in the evening.

Shirley Seagraves
City Secretary

SECTION IV

OFFENSIVE SMOKE AND ASHES

It shall be unlawful for any person to burn any rubbish that emits smoke that is obnoxious, disagreeable, offensive or hazardous to the environment of any citizen of Seven Points. Further it shall be unlawful to permit the escape of soot, ashes or other solid products or results of combustion so as to be wind blown or scattered.

SECTION V

CONTROLLED BURNING

It is further ordained that any person desiring to burn refuse first notify the Seven Points Fire Department for permission for a controlled burn. That the Seven Points Fire Department shall, if deemed necessary, supervise such burning. That the controlled burn will be located on the person's property so as to not endanger or spread to another's property.

SECTION VI

FINES AND PUNISHMENT

Any person, firm, association or corporation in violation of this ordinance shall be deemed guilty of a misdemeanor and upon conviction in the Municipal Court of Seven Points shall be fined two-hundred dollars (\$200.00) for each violation.

SECTION VII

EMERGENCY

Whereas, the present ordinance of the City of Seven Points does not adequately regulate the burning of refuse within the limits of the City increases an urgency and emergency in the preservation of public health, safety and welfare and requires preservation of public health, safety and welfare and requires that this ordinance shall take effect immediately upon passage by the governing body of the City of Seven Points and publication of the caption of said ordinance as the law in such case provides.

PASSED AND APPROVED THE 13 DAY OF November, 1990.


Paul E. Mooneyham
Mayor

ATTEST:

Shirley Seagraves
City Secretary