

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF UNIVERSITY PARK, TEXAS, AMENDING CHAPTER 13, ARTICLE 13.05, OF THE CODE OF ORDINANCES OF THE CITY OF UNIVERSITY PARK, TEXAS, BY AMENDING SECTION 13.05.031 TO PROVIDE A DEFINITION OF APPROVED CONTAINER OR CONTAINER; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS the purpose of this ordinance is to promote the health, safety, and general welfare of the citizens of the City; now therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF UNIVERSITY PARK, TEXAS:

SECTION 1. That the Code of Ordinances of the City of University Park, Texas, is hereby amended by amending Section 13.05.031 “Definitions” of the Code of Ordinances of the City of University Park, Texas, in part as follows:

“Section 13.05.031 **Definitions.**

Approved container or container. A container constructed of metal or plastic or other substantial material, with handles sufficiently strong for workers to empty the garbage or trash from the container conveniently. The container shall not exceed a capacity of thirty-two (32) gallons and a weight of fifty (50) pounds when filled and shall be equipped with a tight fitting lid or cover. Where trash is placed adjacent to the alley for collection, the lid shall be attached to a rack, pole, fence, or other permanent structure by a metal cable, chain, or other means so it remains at the storage place for the container.

....”

SECTION 2. All ordinances of the City of University Park in conflict with the provisions of this ordinance are hereby repealed.

SECTION 3. Should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance or the Codes or amendments adopted hereby be adjudged or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this ordinance as a whole or any part or

provision thereof, or the Code of Ordinances as a whole, other than the part so declared to be invalid, illegal, or unconstitutional.

SECTION 4. Any person, firm or corporation violating any of the provisions of a Code adopted by this ordinance shall be deemed guilty of a misdemeanor and, upon conviction in the municipal court of the City of University Park, shall be fined in an amount not to exceed the sum of two thousand dollars (\$2,000.00) for each offense, and each and every day such offense continues shall constitute a separate offense.

SECTION 5. This ordinance shall take effect immediately from and after its passage, and the publication of the caption, as the law and Charter in such cases provide.

DULY PASSED by the City Council of the City of University Park, Texas, on the ____ day of _____ 2024

APPROVED:

TOMMY STEWART, MAYOR

ATTEST:

CHRISTINE GREEN, CITY SECRETARY

APPROVED AS TO FORM:

CITY ATTORNEY

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DULY PASSED by the City Council of the City of University Park, Texas, on the ____ day of _____ 2024.

APPROVED:

MAYOR

ATTEST:

CITY SECRETARY