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ORDINANCE NO. 1530

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS AMENDING SECTION 9-2.6 OF THE CODE OF THE CITY OF MESQUITE, TO PROVIDE FOR THE PLACEMENT OF SIGNS PROHIBITING THE DEPOSIT OF RUBBISH AND TRASH UPON PRIVATE PROPERTY; BY PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY NOT TO EXCEED TWO HUNDRED (\$200.00) DOLLARS FOR EACH OFFENSE; AND DECLARING AN EMERGENCY.

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

SECTION 1. That Section 9-2.6 of the Code of the City of Mesquite be and is hereby amended as follows, said code in all other respects to remain in full force and effect:

"Sec. 9-2.6. Maintenance of property free of trash or rubbish.

It shall be unlawful for any owner, occupant, or other person in control of any private real property to fail to maintain such property free of trash or other rubbish; provided however, that this section shall not prohibit the storage of trash or rubbish in authorized private receptacles for collection.

Any owner, occupant, or other person in control of such private real property shall, before the solicitation, acquiescence or acceptance of the deposit of any dirt, sand, rock, or other material used for the purpose of filling said property, or after actual or constructive notice of the dumping or other deposit of any litter, trash, or rubbish upon said property by other persons, erect a sufficient number of signs prohibiting the dumping or deposit of said litter, trash, or rubbish upon said property. Such signs shall be of a size no less than 18 by 24 inches with lettering of a size clearly legible at a distance of 200 feet or more, and shall contain the following text:

NO DUMPING

THE DEPOSIT OF TRASH AND RUBBISH ON THESE PREMISES IS PROHIBITED. VIOLATORS WILL BE PROSECUTED AND SHALL BE SUBJECT TO A MAXIMUM FINE OF TWO HUNDRED (\$200.00) DOLLARS.

An owner, occupant or other person in control of such property shall maintain at least one (1) sign upon each 200 feet of the property abutting a public street."

SECTION 2. Should any word, phrase, sentence, paragraph or section of this ordinance be held to be invalid or unconstitutional the remaining provisions of this ordinance shall remain in full force and effect.

SECTION 3. That any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction therefor, shall be subject to a fine not to exceed two hundred (\$200.00) dollars for each offense.

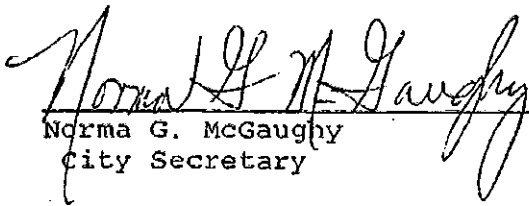
SECTION 4. The fact that the City of Mesquite has no adequate ordinance regulating the dumping of litter, trash and rubbish creates an urgency and an emergency and requires that this ordinance shall take effect immediately from and after its passage and publication as the law in such cases provides.

DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on the 16th day of July, A.D., 1979.


D. J. SMITH
MAYOR

ATTEST:

APPROVED AS TO FORM:


Norma G. McGaughey
City Secretary

Elland Archer
City Attorney