

ORDINANCE NO. 3699

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING CHAPTER 14 OF THE CODE OF THE CITY OF MESQUITE BY PROVIDING CERTAIN AMENDMENTS THEREBY ESTABLISHING PROVISIONS FOR THE PROPER DISPOSAL OF MEDICAL SHARPS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; PROVIDING FOR A PENALTY NOT TO EXCEED TWO THOUSAND (\$2,000.00) DOLLARS FOR EACH OFFENSE; AND DECLARING AN EFFECTIVE DATE THEREOF.

WHEREAS, the City of Mesquite (the "City") has adopted provisions for collection and disposal of solid waste; and

WHEREAS, the City has provided regulations for solid waste, facilities and services pertaining to trash, waste and garbage; and

WHEREAS, it is in the best interest of the citizens of Mesquite that certain regulations relating to solid waste facilities and services be added and amended.

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

SECTION 1. That Chapter 14 of the Code of the City of Mesquite is hereby amended as follows, in all other respects said Code and Chapter to remain in full force and effect.

1. Amend Section 14-1 by adding the following to the list of definitions:

Sec. 14-1. Definitions.

Medical sharps include hypodermic needles, hypodermic syringes with attached needles, scalpel blades, razor blades, disposable razors and disposable scissors used in medical procedures or any other sharp item used in a medical procedure that has the ability to cut or puncture the skin.

2. Amend by adding a new Section 14-42 to read as follows:

Sec. 14-42. Disposal of medical sharps.

It shall be unlawful and an offense for any person to cause or to allow medical sharps to be put in solid waste placed outside for collection unless such medical sharps are encapsulated in a container designed for such medical sharps prior to placement in the solid waste.

SECTION 2. That should any word, sentence, clause, paragraph or provision of this ordinance be held to be invalid or unconstitutional, the validity of the remaining provisions of this ordinance shall not be affected and shall remain in full force and effect.

SECTION 3. That all ordinances or portions thereof in conflict with the provisions of this ordinance, to the extent of such conflict, are hereby repealed. To the extent that such ordinances or portions thereof are not in conflict herewith, the same shall remain in full force and effect.

SECTION 4. That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be deemed to be guilty of a Class C Misdemeanor and upon conviction in the Municipal Court shall be punishable by a fine not to exceed Two Thousand (\$2,000.00) Dollars for each offense.

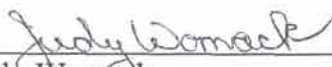
SECTION 5. That the present ordinances of the City of Mesquite are inadequate in providing for the proper disposal of medical sharps, creates an urgency and an emergency for the preservation of the public health, safety and welfare, and requires that this ordinance shall take effect February 1, 2005, as the law in such cases provides.

DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on the 6th day of December, 2004.



Mike Anderson
Mayor

ATTEST:



Judy Womack
City Secretary

APPROVED:



B.A. Smith
City Attorney