

ORDINANCE NO. 3820

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING CHAPTER 14 OF THE CODE OF THE CITY OF MESQUITE BY ADDING A TEMPORARY EXCEPTION TO SECTION 14-13 THEREBY TEMPORARILY ALLOWING THE CONTINUATION OF THE CURRENT METHOD OF SOLID WASTE COLLECTION AT LOCATIONS IN THE AREA ANNEXED TO THE CITY BY ACTION OF THE CITY COUNCIL ON AUGUST 21, 2006; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY NOT TO EXCEED TWO THOUSAND (\$2,000.00) 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 Chapter 14 of the Code of the City of Mesquite, Texas, is hereby amended by adding an exception to Section 14-13 to read as follows, in all other respects said Code, Chapter and Section to remain in full force and effect:

*Exception:*

The collection of solid waste by a privately owned solid waste management service provider shall be permitted to continue in newly annexed areas for the period prescribed by State law. In addition, in the area annexed by the City by action of the City Council on August 21, 2006, a property owner not under contract with a service provider may, in a manner consistent with State law, collect and dispose of solid waste which is generated on the property where the owner resides through August 31, 2007.

SECTION 2. That all ordinances or portions thereof in conflict with the provisions of this ordinance, to the extent of such conflict, are hereby repealed, except that this ordinance shall not affect any provision of the Mesquite Zoning Ordinance. To the extent that such ordinances or portions thereof are not in conflict herewith, the same shall remain in full force and effect.

SECTION 3. 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 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 punished 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 to provide for the proper regulation of solid waste collection creates an urgency and an emergency for the preservation of the public health, safety and welfare, and requires that this ordinance shall take effect immediately from and after its passage and publication of said ordinance, as the law in such cases provides.

DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on the 5th day of September, 2006.



Mike Anderson  
Mayor

ATTEST:

APPROVED:



Judy Womack  
City Secretary



B. J. Smith  
City Attorney