

ORDINANCE NO. 27

AN ORDINANCE DEFINING GARBAGE AND REFUSE, REGULATING THE CONTAINERS IN WHICH TO ACCUMULATE THE SAME, AND THE PLACING OF SUCH CONTAINERS FOR COLLECTION BY THE CITY GARBAGE DEPARTMENT: REQUIRING ANNUAL PERMITS FOR ALL COLLECTORS OF GARBAGE AND REFUSE, AND PROHIBITING DISPOSAL OF SUCH MATERIALS WITHIN THE CITY LIMITS OF THE CITY OF WHEELER AND A GIVEN DISTANCE THEREFROM; RECOMMENDING APPROVED METHODS OF GARBAGE AND REFUSE DISPOSAL; STATING OWNERSHIP, AND PROHIBITING REMOVAL OF MATERIALS FROM THE DUMP GROUND; PROVIDING FOR SERVICE CHARGES DECLARING UNCOLLECTED GARBAGE A NUISANCE; AND PRESCRIBING A PENALTY.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WHEELER, TEXAS:
SECTION 1. Definitions. The term "garbage" shall be interpreted to mean all putrescible waste, except sewage and body wastes, including vegetable and animal offal and carcasses of dead animals, but excluding recognized industrial by-products, and shall include all such substances from all public and private establishments and from all residences.

Item 2. Refuse. The term "refuse" shall include all non-putrescible wastes.

SECTION 2. Accumulation of Garbage and Refuse.

Item 1. Requiring accumulation in approved containers. No owner or lessee of any public or private premises shall permit to accumulate upon his premises any garbage or refuse except in covered containers approved by the health officer. Such containers shall be constructed of metal or wood in such manner as to be strong, not easily corrodible, rodent proof, insect proof, and shall be kept covered at all times except when refuse is being deposited therein or removed therefrom. In case garbage and one or more types of refuse are disposed of separately, separate containers may be required by the health officer.

SECTION 3. Collection of Garbage and Refuse.

Item 1. Permits. No person, firm or corporation shall collect garbage or refuse who does not possess a permit from the health officer. Said permit shall be issued only upon the payment of an annual permit fee of \$0.00 per collecting vehicle and only after said health officer has satisfied himself that the licensee is capable of complying with the requirements of this code. The permit may be revoked when deemed necessary to the public welfare by the health officer.

Item 2. Placing of containers. No garbage or refuse shall be collected by any authorized agency or person unless it is placed as designated by the health officer.

Item 3. Individual disposal of garbage and refuse in any place within the city limits or within 100 feet outside the city limits, except at the designated dumping grounds, or incinerator, is prohibited.

SECTION 4. Disposal of Garbage and Refuse.

Item 1. Approved methods of disposal. All disposal of garbage and refuse shall be by one of the following methods; incineration, land fill and cover, or by dumping at a dumping ground designated by the city or its authorized representative and approved by the city and county health officers, provided that said method or methods shall include the maximum practicable rodent, insect, and nuisance control at the place or places of disposal, and provided further, that animal offal and carcasses of dead animals shall be buried or cremated as directed by the health officer, or shall be rendered at 40 pounds per square inch pressure or higher, or heated by equivalent cooking. Kitchen slops and other garbage fed to hogs should be cooked and the hog-feeding places kept in such a manner as to cause no nuisance to adjoining property owners.

Item 2. Ownership of refuse. All junk and other material of the dump ground is the property of the City of Wheeler, and no person is allowed to separate and collect, carry off or dispose of the same except under the direction of the City of Wheeler.

SECTION 5. Service Charge and Non-collection.

Item 1. Rates for Garbage Service. There shall be charged assessed and collected from each residential unit within the city limits the monthly amount of 25¢ and from each business establishment within said city limits the monthly amount of \$1.00. The city secretary shall collect these garbage fees either through the water department as a separate item on each water bill or by any other practicable means of collection.

Item 2. Uncollected garbage declared a nuisance. No garbage or refuse shall be collected from any premises where the owner or lessee is in arrears for a period of one month. Fermenting, putrefying, or odoriferous garbage in containers uncollected due to failure to pay garbage fees shall be declared a nuisance.

SECTION 6. Penalty. Any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined in any sum not more than \$100.00