

ORDINANCE NO. 1037

**AN ORDINANCE  
AMENDING CHAPTER 13, GARBAGE & REFUSE BY ESTABLISHING  
NEW RULES FOR GARBAGE CONTAINERS AND REGULATIONS**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CASTLE HILLS, TEXAS that Chapter 13, Garbage & Refuse, of the Code of Ordinances is amended by revising Section 13.104 of Chapter 13, Garbage & Refuse, to read as follows:

**“§ 13.104 UNLAWFUL TO REFUSE COLLECTION.**

It shall be unlawful for any resident of the city or person dwelling therein to refuse to use the garbage and refuse collection services provided by the city or its contractor and to refuse to pay the charges for their services established by the City Council.”

BE IT FURTHER ORDAINED BY THE CITY COUNCIL OF THE CITY OF CASTLE HILLS, TEXAS that Chapter 13, Garbage & Refuse, of the Code of Ordinances is amended by revising Section 13.106 of Chapter 13, Garbage & Refuse, to read as follows:

**“§ 13.106 DEFINITIONS.**

**GARBAGE.** Includes refuse, kitchen and household waste of all kinds, food scraps, food containers, ashes, tin cans, glass, paper, trash, and, in addition, all other substances capable of causing noxious odors.”

**TRASH.** Includes anything other than household garbage and landscape debris. Trash does not include building materials, debris resulting from building or repair activities, motor oil, or hazardous chemicals.

BE IT FURTHER ORDAINED BY THE CITY COUNCIL OF THE CITY OF CASTLE HILLS, TEXAS that Chapter 13, Garbage & Refuse, of the Code of Ordinances is amended by revising Section 13.107 of Chapter 13, Garbage & Refuse, to read as follows:

**“§ 13.107 CONTAINERS; REQUIREMENTS.**

Garbage containers must meet the following requirements: the container shall be a water tight receptacle of a solid and durable grade of metal or plastic, not to exceed 32-gallons in capacity. The combined weight of the container and its contents shall not exceed 40 pounds. It shall be provided with suitable lifting handles and a close-fitting cover of metal or plastic equipped with its own handle. The container must not have any inside bands, reinforcing angles, or anything to prevent the free discharge of the contents. Containers that have deteriorated, or that have been damaged to the extent of having jagged or sharp edges capable of causing injury to collectors, or have covers that

will not fit securely, shall be condemned by the city. If such containers are not replaced after ten-day notice to the owner or user (to be evidenced by certified mail) of their defective condition, such containers shall be abated as a public nuisance by being removed as if garbage.”

BE IT FURTHER ORDAINED BY THE CITY COUNCIL OF THE CITY OF CASTLE HILLS, TEXAS that Chapter 13, Garbage & Refuse, of the Code of Ordinances is amended by repealing Section 13.108, which is replaced by the new Sections 13.108 adopted hereinabove.

**“§ 13.108 GARBAGE & TRASH REGULATIONS.**

(a) Every owner, agent, lessee, tenant, or occupant of any single family or duplex residential dwelling in the city shall provide one or more containers of the type set out above as may be required to adequately handle all garbage originating thereat, and to regularly set out such garbage collection.

(b) Such containers shall be set out in the alley, where there is one, or be placed so as to be easily accessible to the collector from the street where there is no alley.

(c) The collector shall not service more than equivalent of three (3) 32-gallon garbage cans during any one call. Garbage collection service shall be provided twice a week at such times as may be set by the city.

(d) Garbage containers shall not be placed curbside or in the right-of-way for collection earlier than 6 pm the day before collection day.

(e) Garbage, as hereby defined, must be placed in the container(s) and must be bagged.

(f) Bags not containing garbage can be placed next to container. All bags must be tied.

(g) All boxes and cartons shall be broken down and may not exceed 40 pounds in weight.

(h) After a garbage container has been emptied by the city it shall be removed from the right-of-way of a street at the earliest possible time on the same day of collection and returned to an area of storage on private property not readily visible from the street.

(i) Garbage containers may be placed or stored in the alley abutting the property in an orderly manner so as to not block the alley.”

BE IT FURTHER ORDAINED BY THE CITY COUNCIL OF THE CITY OF CASTLE HILLS, TEXAS that Chapter 13, Garbage & Refuse, of the Code of Ordinances is amended by revising Section 13.111 of Chapter 13, Garbage & Refuse, to read as follows:

**“§ 13.111 DISPOSAL OF DEAD ANIMALS.**

The remains of dogs, cats, and other small animals will be picked up by the city when it is reported to the City. Heavy dead animals, such horses, mules and potbelly pigs, shall be removed by the owner at the owner’s expense.”

This ordinance shall become effective March 1, 2010.

PASSED AND APPROVED this 8<sup>th</sup> day of December 2009

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MAYOR

ATTEST:

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CITY SECRETARY

APPROVED AS TO FORM:

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MICHAEL S. BRENAN, City Attorney