

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 24 OF THE CODE OF THE CITY OF ABILENE, TEXAS, 1957, AS AMENDED, BY DESIGNATING EXISTING SECTIONS 24-1 THROUGH 24-20 AS "ARTICLE I - REGULAR CITY COLLECTION SERVICE", AND ADDING THERETO A NEW ARTICLE TO BE KNOWN AS "ARTICLE II - CITY CONTAINER COLLECTION SERVICE", PROVIDING THEREUNDER THAT THE SUPERINTENDENT OF THE REFUSE DISPOSAL DEPARTMENT SHALL ESTABLISH A CITY CONTAINER COLLECTION SERVICE; PROVIDING CHARGES FOR THE USE OF CITY CONTAINERS; PROVIDING THAT USE OF THE CITY CONTAINER COLLECTION SERVICE SHALL BE MANDATORY IN THE CENTRAL BUSINESS DISTRICT OF THE CITY; PROVIDING IT SHALL BE UNLAWFUL FOR ANY PERSON OTHER THAN A DULY AUTHORIZED EMPLOYEE OF THE CITY TO REMOVE GARBAGE OR TRASH FROM ANY CONTAINER OF THE CITY CONTAINER COLLECTION SERVICE; PROVIDING THAT IT SHALL BE UNLAWFUL TO PARK A VEHICLE WITHIN SIX (6) FEET OF ANY CONTAINER USED IN THE CITY CONTAINER COLLECTION SERVICE; PROVIDING IT SHALL BE UNLAWFUL FOR ANY PERSON TO WILFULLY DAMAGE ANY PROPERTY OF THE CITY CONTAINER COLLECTION SERVICE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY; AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:

Section 1: That Chapter 24 of The Code of The City of Abilene, Texas, 1957, as amended, be and the same is hereby further amended by designating Sections 24-1 through 24-20 as "ARTICLE I - REGULAR CITY COLLECTION SERVICE".

Section 2: That Chapter 24 of The Code of The City of Abilene, Texas, 1957, as amended, be and the same is hereby further amended by adding thereto a new article to be known as "ARTICLE II - CITY CONTAINER COLLECTION SERVICE", which shall hereafter read as follows:

"ARTICLE II - CITY CONTAINER COLLECTION SERVICE

"Sec. 24-21: The Superintendent of the Refuse Disposal Department shall establish a City Container Service for collection and removal of refuse from businesses, institutions and apartment houses, and shall provide equipment for this service.

"Sec. 24-22: The owners and/or tenants of property served by the City Container Collection Service shall be subject to the charges prescribed in Sec. 24-4 of this Chapter. In addition, said persons shall be subject to an additional charge for the use of the containers owned by the City of Abilene as hereinafter designated. The Superintendent of the Refuse Disposal Department shall pro-rate among the persons and business firms using the City Container Collection Service the amounts hereinafter designated for each size container:

Container size	Monthly Rate
3 cubic yard	\$3.50
4 cubic yard	\$4.50
6 cubic yard	\$6.25
8 cubic yard	\$7.65

be subject to a minimum monthly

"Sec. 24-23: The owners and/or tenants of business firms using the City Container Collection Service whose property is located within the central business district as defined by the Building Code of the City of Abilene, Texas, shall be required to utilize the City Container Collection Service.

"Sec. 24-24: No person other than a duly authorized employee of the City of Abilene shall collect or remove any garbage or trash from any container utilized in the City Container Collection Service.

"Sec. 24-25: No person shall park any vehicle of any nature whatsoever within six feet (6') of any container used in the City Container Collection Service, or shall park any vehicle in such a manner which would interfere with the removal of refuse from said containers or block the approach to said container.

"Sec. 24-26: No person shall damage, either willfully or through negligence, any property of the City of Abilene used in the City Container Collection Service.

"Sec. 24-27: In the event any person or business firm receiving the City Container Collection Service shall desire a pick-up other than on regular schedule of the City Refuse Disposal Department, said Department shall provide such service at a charge of Two Dollars Fifty Cents (\$2.50) per pick-up.

"Sec. 24-28: The Refuse Disposal Department shall not provide regular City collection service and the City Container Collection Service simultaneously to any shopping center or district or apartment complex or central business district."

Section 3: That if any provision of this ordinance or the application thereof to any person or circumstance shall be held invalid, such invalidity shall not affect the provision or application of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

Section 4: That any person, firm or corporation violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than Two Hundred Dollars (\$200.00). Each such violation which shall continue or be permitted to continue shall be deemed a separate offense.

Section 5: That the City Council hereby finds that an emergency exists requiring suspension of the rule provided in Section 18 of the City Charter requiring ordinances to be read on two separate days, in that the immediate passage of said ordinance is necessary for the preservation of the public peace, safety and welfare,

and said rule is hereby...
full force and effect from and after its passage.

PASSED this 23rd day of April, A. D. 1964.

MAYOR

ATTEST:

CITY SECRETARY

APPROVED:
JOHN W. DAVIDSON, City Attorney
