

ORDINANCE

Original

(Motion was made by Councilman Len Snider and seconded by Councilwoman Billye Furnell that the following Ordinance be passed:)

ORDINANCE NO. 101

AN ORDINANCE DECLARING IT UNLAWFUL TO HAUL OR TRANSPORT GARBAGE, RUBBISH OR TRASH WITHIN THE CITY OF MAGNOLIA WITHOUT OBTAINING AUTHORIZATION FROM THE CITY; PROVIDING FOR A PENALTY DECLARING ALL ORDINANCES IN CONFLICT HEREWITH REPEALED; AND DECLARING AN EMERGENCY.

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

SECTION 1

No person, except those who are duly-authorized by the City of Magnolia shall transport or haul garbage, rubbish or trash within the City of Magnolia for residential or commercial customers without the express authorization of the City Council of the City of Magnolia. Nothing herein shall apply to a person or company hauling or transporting their own garbage.

SECTION 2

It shall be unlawful for any person to dump, unload, discharge or in any manner place or cause to be placed any garbage, trash or other waste material of any kind or description whatsoever on any lot, tract or parcel of land located within the city limits of Magnolia except in such places as are designated for garbage disposal by the City Council.

SECTION 3

Any person convicted of a violation of any provision of this Ordinance shall be fined a sum of not less than \$25 nor more than \$200. A separate offense shall be deemed committed on each day during, on or which a violation occurs or continues.

SECTION 4

If any section, subsections, sentence, clause, or phrase of this Ordinance for any reason is held to be unconstitutional, void, or invalid, the validity of the remaining portions of this Ordinance shall not be effected thereby. It being the intent of the City Council in adopting this Ordinance that no portion thereof or provision or regulation contained herein shall become inoperative or fail by

reason of the unconstitutionality or invalidity of any section, subsection, sentence, clause, phrase or provision of this Ordinance.

SECTION 6

Any Ordinance in conflict with this Ordinance is expressly repealed.

SECTION 7

The importance of this Ordinance and its intent and purposes being declared to be for the benefit of the citizens and the property owners in the City of Magnolia, Texas, constitutes an emergency and an imperative public necessity that it be declared to be an emergency measure and that this Ordinance shall take effect immediately from and after its passage and it is so enacted.

PASSED AND APPROVED this 8 day of May, 1984.

CITY OF MAGNOLIA, TEXAS

ATTEST:

By:  Mayor

By:  City Secretary