

ORDINANCE NO. O-2017-4778

AN ORDINANCE AMENDING CHAPTER 32, SECTION 32-19, SECTION 32-22, SECTION 32-24, SECTION 32-28, SECTION 32-29, AND SECTION 32-34, CODE OF ORDINANCES (2010 EDITION), CITY OF ROUND ROCK, TEXAS, REGARDING GARBAGE REGULATIONS; AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROUND ROCK, TEXAS:

I.

That Chapter 32, Section 32-19. Definitions, Code of Ordinances (2010 Edition), City of Round Rock, Texas is hereby amended to read as follows:

Sec. 32-19. Definitions.

The following words when used in this article shall have the meanings ascribed to them in this section:

City shall mean the City of Round Rock, Texas.

Container shall mean a privately-owned cart, metal or plastic can, securely fastened trash bags, or other sturdy receptacle for refuse or recyclable materials.

Garbage shall mean all animal and vegetable matter, such as waste material and refuse from kitchens, residences, grocery stores, butcher shops, cafes, restaurants, drug stores, hotels, rooming, boarding, and apartment houses, and other deleterious substances, not to include dirt, concrete, tile, plaster, rocks and other substances.

Person shall include both singular and plural and shall mean and embrace any person, firm, or corporation, their agents, servants, tenants and employees.

Premises shall mean business houses, boarding houses, offices, theaters, hotels, restaurants, cafes, eating houses, tourist camps, apartments, sanitariums, rooming houses, schools, private residences, vacant lots, and other places within the city limits where refuse, either garbage or trash, accumulates.

Recyclable materials or *recyclables* shall mean materials that have been designated by the city to be recovered or diverted from the nonhazardous solid waste stream for purposes of reuse, recycling or reclamation.

Recycling-container cart shall mean ~~any container~~ a cart used, approved and issued by the city or the city's contractor for the collection of recyclable materials.

Refuse shall mean all solid wastes, including garbage or trash.

Refuse-container cart shall mean any ~~container~~ a cart used, approved, and issued by the city or the city's contractor for the collection of refuse.

Trash shall mean rubbish such as feathers, coffee grounds, ashes, tin cans, paper bags, boxes, glass, newspapers, magazines, and other such paper products, grass, shrubs, flowers, yard cleanings, grass clippings, leaves, and tree trimmings; not to include dirt, concrete, tile, plaster, rocks, and other such substances, and including handbills except when such handbills are distributed in a manner prescribed by the city council and with written permission from the city manager certifying conformity with the outline requirements of the council.

1 II.

2 That Chapter 32, Section 32-22, Code of Ordinances (2010 Edition), City of Round
3 Rock, Texas, is hereby amended to read as follows:

4 **Sec. 32-22. Residential refuse.**

5 (a) ~~Container~~Cart requirements. The city or its contractor will provide every person owning, managing,
6 operating, leasing or renting any residential premises, a refuse ~~container cart~~. When, in the discretion
7 of the city manager or his designee, the refuse ~~container cart~~ is no longer serviceable, it shall be
8 replaced. In cases of abuse or neglect, the customer will be charged a replacement fee equal to the
9 cost of the refuse ~~container cart~~.

10 (1) Refuse ~~containers carts~~ shall be kept clean and free from accumulations of any substance
11 remaining attached to the inside of ~~containers carts~~ which would attract or promote the breeding
12 of mosquitoes or other insects.

13 (2) Excess refuse may be stored in ~~sturdy securely fastened plastic bags one or more containers~~
14 ~~placed~~ directly adjacent to the ~~provided~~ refuse container.

15 (b) *Manner of disposal.* It shall be the duty of every person owning, occupying, managing, operating,
16 leasing or renting any premises to place the daily accumulations of refuse in the refuse ~~container cart~~
17 described in subsection (a) herein. It shall be the duty of every person placing garbage or trash in
18 refuse ~~containers carts~~ to eliminate as far as possible all water and liquid from such refuse. Refuse
19 shall be placed in ~~containers carts~~ in such a way that no ~~container or refuse cart~~ which is to be loaded
20 ~~manually hydraulically~~ shall weigh more than 80 pounds.

21 (c) *Excess refuse.* If the accumulation of refuse will not fit within a refuse cart, customers may place a
22 limited amount of refuse next to the refuse cart that meets the requirements below. Leaves and grass
23 clippings shall be placed in a container, and where possible, other excess refuse should be placed in
24 a container. Excess refuse such as tree limbs, cardboard boxes, and scrap lumber that cannot be
25 placed in a refuse cart or container, shall be neatly stacked and tied in a bundle not exceeding four
26 feet in length, width, or height. Each container or bundle shall not exceed 40 pounds. No more than
27 seven containers and/or bundles may be placed at the curb per collection day.

28
29 (ed) *Collection by city.* The city or its contractor will collect refuse from residential customers once weekly
30 and it shall be the duty of any person owning, occupying, managing, operating, leasing or renting any
31 residential premises to place the refuse ~~containers carts~~ at the curb on the street prior to 7:00 a.m. on
32 the day established for collection, but no earlier than 7:00 a.m. the day prior to the established
33 collection day. Refuse containers shall be removed no later than 7:00 p.m. on the day after the
34 collection day. ~~Ordinary accumulations of rubbish such as tree limbs, paper boxes, and scrap lumber,~~
35 ~~which cannot conveniently be placed in the refuse containers as described herein, shall be tied or~~
36 ~~stacked in compact bundles; provided, however, that tree limbs shall be cut into lengths not exceeding~~
37 ~~three feet and shall not exceed six inches in diameter. Leaves and grass clippings shall be placed in~~
38 ~~containers or plastic bags.~~

39 (de) *Storage of containers.* Refuse containers shall be stored behind the front building wall of the
40 residential structure when not placed out for collection.

41 (ef) *Recycling containers.* The requirements set forth in Section 32-22 (a), (b), and (c) pertaining to
42 refuse containers shall also apply to recycling containers.

1 III.

2 That Chapter 32, Section 32-24, Code of Ordinances (2010 Edition), City of Round
3 Rock, Texas, is hereby amended to read as follows:

4 **Sec. 32-24. Pilfering from carts and containers, etc.**

5
6 Pilfering or scattering contents of refuse carts or containers, or meddling with refuse carts or containers
7 in any way, is prohibited.

8 IV.

9 That Chapter 32, Section 32-28, Code of Ordinances (2010 Edition), City of Round
10 Rock, Texas, is hereby amended to read as follows:

11 **Sec. 32-28. Disposal of dead animals.**

- 12 (a) *Small animals.* Dogs, cats, or any other small dead animal shall not be placed in refuse carts or
13 containers. The animal warden of the city will remove such small dead animal, upon notice to do so.
14 (b) *Heavy animals.* Heavy dead animals, such as horses, cows, and mules, shall be removed and
15 disposed of at the expense of the owner or person having charge of same and by burial at some
16 location as approved by the ~~sanitation superintendent~~ city.

17
18 V.

19 That Chapter 32, Section 32-29, Code of Ordinances (2010 Edition), City of Round
20 Rock, Texas, is hereby amended to read as follows:

21 **Sec. 32-29. Disposal of bulky, heavy materials.**

- 22 (a) *Size restrictions.* Heavy accumulation such as brush, broken concrete, ashes, appliances, sand or
23 gravel, automobile frames, dead trees, ~~or tree limbs exceeding three feet in length or six inches in~~
24 ~~diameter, any excess refuse exceeding the limits of Sec. 32-22 above,~~ and other bulky materials, shall
25 be disposed of at the expense of the owner or persons controlling same.
26 (b) *Disposition of waste from building operations.* Rock, dirt, concrete, brick, tile, plaster, waste, scrap
27 building materials, or other trash resulting from a general cleanup of vacant or improved property, or
28 resulting from sizable amounts of trees, brush, and debris cleared from property in preparation for
29 construction, will not be removed by the city. The owner will have such debris removed at his own
30 expense.
31 (c) *Wastes from tree trimming operations.* It shall be the duty of any person employing, engaging, or
32 otherwise paying a contractor, student, professional tree trimmer, or any other person, to trim and
33 prune his trees or shrubs, to have the trimmings and debris removed at the owner's expense. The city
34 will not remove trimmings and debris created by such persons as regular service.
35 (d) *Brush collection by city's contractor.* Upon the request of an owner or occupant of a residence or
36 business, the city's ~~contractor will~~ may pick up tree trimmings and/or brush from such owner or
37 occupant of a residence or business. ~~The tree trimmings and/or brush must be placed in or adjacent~~
38 ~~to the street right-of-way. The owner or occupant will be charged an amount as currently established~~

1 ~~or as hereafter adopted by resolution of the city council from time to time. The owner will be responsible~~
2 ~~for the expense of removing such brush.~~

3 VI.

4 That Chapter 32, Section 32-34, Code of Ordinances (2010 Edition), City of Round
5 Rock, Texas, is hereby amended to read as follows:

6 Sec. 32-34. Recycling.

- 7 (a) The city or its contractor will provide recycling ~~containers~~ carts to every person owning, managing,
8 operating, leasing, or renting any residential premises for the purpose of separating and storing
9 recyclable materials for collection. When in the discretion of the city manager or his designee, the
10 recycling ~~container~~ cart is no longer serviceable, it shall be replaced. In cases of abuse or neglect, the
11 customer will be charged a replacement fee equal to the cost of the recycling ~~container~~ cart.
- 12 (b) The city shall collect recyclable materials from residential customers once every other week and it
13 shall be the duty of any person owning, occupying, managing, operating, leasing or renting any
14 residential premises to place the recycling ~~container~~ cart at the curb on the street prior to 7:00 a.m. on
15 the day established for collection.
- 16 (c) Recyclable materials shall be limited to the following: Office paper; newsprint; magazines and catalogs;
17 aluminum, steel and tin containers, glass bottles and containers, HDPE and PET plastic bottles #1,
18 #2, #3, #4, #5, #6, #7; and household paper products to include junk mail, envelopes, cereal boxes,
19 cardboard, boxboard and telephone books.

21 VII.

22 A. All ordinances, parts of ordinances, or resolutions in conflict herewith are
23 expressly repealed.

24 B. The invalidity of any section or provision of this ordinance shall not
25 invalidate other sections or provisions thereof.

26 C. The City Council hereby finds and declares that written notice of the date,
27 hour, place and subject of the meeting at which this Ordinance was adopted was posted
28 and that such meeting was open to the public as required by law at all times during which
29 this Ordinance and the subject matter hereof were discussed, considered and formally
30 acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government
31 Code, as amended.

1 **READ** and **APPROVED** on first reading this the _____ day of
2 _____, 2017.

3 **READ, APPROVED** and **ADOPTED** on second reading this the _____ day of
4 _____, 2017.

CRAIG MORGAN, Mayor
City of Round Rock, Texas

ATTEST:

SARA L. WHITE, City Clerk