

REVISED ORDINANCE NO. 91-4-4

AN ORDINANCE OF THE CITY OF LAVON, TEXAS, MAKING IT UNLAWFUL FOR THE OWNER OR PERSON IN CONTROL OF ANY PRIVATE PROPERTY WITHIN THE CITY TO FAIL TO MAINTAIN THE PREMISES THEREOF FREE OF LITTER; DEFINING THE TERM "LITTER"; PROVIDING A SEVERABILITY CLAUSE; PROVIDING PENALTIES FOR THE VIOLATION OF THIS ORDINANCE NOT TO EXCEED THE SUM OF TWO HUNDRED DOLLARS (\$200.00) FOR EACH OFFENSE, AND DECLARING AN EMERGENCY.

WHEREAS, the City Council recognizes the need to control the accumulation or waste material and other matter on private property which, by its nature and manner of accumulation, tends to create a breeding place for flies, rodents and other disease-creating vermin or creates a danger to the public from fire or otherwise;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAVON, TEXAS:

SECTION 1. It shall be unlawful for any owner or person in control of any private property within the corporate limits of the city of Lavon, Texas, to fail to maintain such premises free of litter.

SECTION 2. The term "litter", as used in this ordinance shall; mean any accumulation of matter under such circumstances as to create a danger to public health, safety and welfare, including but not limited to accumulations of garbage, trash, rubbish, waste materials, ashes, dead animals, paper, cardboard, tin cans, scrap lumber, debris remaining after fires, of vehicle tires, refrigerators, stoves, vehicle parts and bodies, and other items of property or waste materials.

SECTION 3. This ordinance shall be cumulative and shall not have the effect of repealing any other ordinance of the City.

SECTION 4. SEVERABILITY CLAUSE. If any article, paragraph or subdivision, clause, phrase or provision of this ordinance shall be adjudged invalid or held unconstitutional, the same shall not affect the validity of this ordinance as a whole or any part of provision thereof, other than the part so decided to be invalid or unconstitutional.

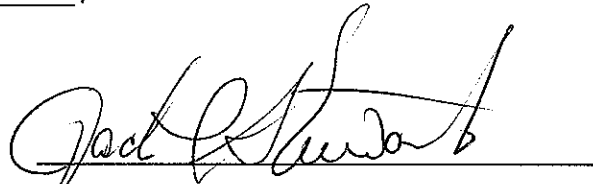
SECTION 5. PENALTY CLAUSE. Notification of violation of this ordinance shall be made by certified letter to the person(s) responsible for the property. After 10 days from the notification, any person, firm or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined not to exceed the sum of Two Hundred Dollars (\$200.00) for each offense and each and every day such offense is continued shall constitute a

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new and separate offense.

SECTION 6. EMERGENCY CLAUSE. The fact that the present City regulations are inadequate to properly protect the public health, safety and welfare, creates an urgency and an emergency and requires that this ordinance shall take effect immediately from and after the publication of its caption all the law in such cases provides.

DULY PASSED BY THE CITY COUNCIL OF THE CITY OF LAVON, TEXAS, THIS
21 DAY OF SEPT, 1995.


MAYOR

ATTEST:



CITY SECRETARY