

Motion was made by Tom Miller, seconded by Wendell, that the following Ordinance be passed:

NO. 196

AN ORDINANCE BY THE TOWN OF STAGECOACH, TEXAS, ADOPTING THE PROVISIONS OF ARTICLES I AND II OF ARTICLE 4477-9a. OF VERNON'S TEXAS CIVIL STATUTES, AS AMENDED, PROVIDING FOR CERTAIN PROHIBITIONS AND RESTRICTIONS REGARDING THE DISPOSAL OF SOLID WASTE AND THE DUMPING OF REFUSE ON OR NEAR A PUBLIC HIGHWAY OR ON PUBLIC OR PRIVATE PROPERTY, PROHIBITING THE THROWING OF INJURIOUS SUBSTANCES ON A HIGHWAY, THE POLLUTING OF WATER, PROVIDING FOR LIABILITY OF THE OPERATOR OF A BOAT OR MOTOR VEHICLE, PROHIBITING THE ILLEGAL DUMPING FROM A MOTOR VEHICLE, AND PROVIDING FOR PENALTIES FOR VIOLATION; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING FOR SAVINGS CLAUSE; AND EFFECTIVE DATE.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF STAGECOACH, TEXAS:

SECTION I.

There is hereby adopted by the Town Council of the Town of Stagecoach, Texas, the provisions of Articles I and II of Article 4477-9a. of Vernon's Texas Civil Statutes, as amended, commonly known as the "Texas Litter Abatement Act," providing for certain prohibitions and restrictions on the disposing of solid waste upon public highways, rights-of-way, other public or private property, or into inland or coastal waters of Texas, prohibiting the dumping of refuse on or near a public highway, prohibiting the throwing of injurious substances on the highway, prohibiting the polluting of water in the State of Texas; providing for liability of the operator of a boat or motor vehicle wherein litter is thrown or discharged from the boat or motor vehicle into the State's inland or coastal waters or onto a public highway, prohibiting the use of a motor vehicle for the purpose of "illegal dumping," and providing for certain fines of not less than Fifty and No/100 (\$50.00) Dollars nor more than Four Hundred and No/100 (\$400.00) Dollars, as applicable, for the violation of various sections of said statute, and providing for a fine in an amount not to exceed Two Thousand and No/100 (\$2,000.00) Dollars in the event a motor vehicle is used in connection with such illegal dumping.

SECTION II.

The provisions of Articles I and II of Article 4477-9a., Vernon's Texas Civil Statutes, as amended, shall be controlling and applicable as to the enforcement of this Ordinance in the corporate limits of the Town of Stagecoach.

SECTION III.

All Ordinances or parts of Ordinances inconsistent or conflicting with the provisions of this Ordinance are hereby repealed.

SECTION IV.

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid, unenforceable or unconstitutional by any court of competent jurisdiction, such portion shall be deemed to be a separate, distinct and independent provision, and such holding shall not affect the validity or enforceability of the remaining portions of this Ordinance.

SECTION V.

This Ordinance shall take effect and be in full force and effect from and after its passage.

PASSED AND APPROVED this 17 day of Nov., A. D. 1987.

George Parker
Mayor

ATTEST:

Janet Winters
Town Secretary

APPROVED AS TO FORM AND CONTENT:

Town Attorney

