Motion was made by DON PURDOM, seconded by AL TATOM, that the following Ordinance be passed:

NO. 97-231

AN ORDINANCE BY THE CITY OF PANORAMA VILLAGE, TEXAS PROHIBITING THE STORAGE OF COMBUSTIBLE REFUSE MATERIALS IN THE CITY LIMITS; LIMITING THE STORAGE OF FLAMMABLE LIQUIDS OVER FIVE GALLONS ABOVE GROUND; PROVIDING FOR CUTTING OF WEEDS, GRASS AND VINES ON PUBLIC AND PRIVATE PROPERTY IF LIABLE TO BE IGNITED; PROHIBITING BUILDING OF BONFIRES; PROHIBITING BURNING OUTDOORS IN THE CITY; MAKING IT UNLAWFUL TO DEPOSIT REFUSE AND GARBAGE ON PUBLIC AND PRIVATE PROPERTIES OR PLACES WHERE SAME MAY BE BLOWN BY WIND; PROHIBITING BURNING SHAVINGS AND REFUSE; PROHIBITING THE DEPOSIT OF GRASS, DEBRIS AND RUBBISH IN PUBLIC STREETS; MAKING ANY VIOLATION OF THIS ORDINANCE A MISDEMEANOR; PROVIDING A PENALTY OF UP TO A $500 FINE; PROVIDING A SAVINGS CLAUSE; A REPEALING CLAUSE; AND AN EFFECTIVE DATE AFTER NOTICE BY PUBLICATION.

WHEREAS, the City Council of the City of Panorama Village finds that it is in the best interest of the residents of the City that outdoor burning should be prohibited; and

WHEREAS, the City Council wishes to consolidate and amend the provisions of City Ordinance No. 75-47 and its amendments;

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PANORAMA VILLAGE, TEXAS:

SECTION 1.

COMBUSTIBLE REFUSE

(a) It shall be unlawful to permit or store any combustible refuse in such a way as to create a fire hazard or to store or throw away any refuse of any kind in an alley, street or public way in the City.

(b) Accumulations of waste paper, hay, grass, straw, weeds, litter or combustible or flammable waste or rubbish of any kind shall not be permitted to remain upon any roof or in any court, yard, vacant lot or open space or upon any public street, sidewalk, easement or alley abutting thereon. All weeds, grass, vines or other growth, when the same endangers property or is liable to be ignited, shall be cut down and removed by the owner or occupant of the property, including all weeds, grass, vines or other growth growing in or upon any public street, sidewalk, easement or alley abutting said property.

(c) It shall be unlawful to store flammable liquids, such as gasoline, kerosene, diesel fuel, and all other liquid flammable products, in excess of five (5) gallons unless such storage containers meet all state and federal regulations for such storage.

SECTION 2.

FIRES

It shall be unlawful for any person to build or light any bonfire in the City.

SECTION 3.

BURNING LEAVES, RUBBISH AND TRASH

It shall be unlawful for any person to burn any rubbish, trash, waste, leaves, cut grass, lumber or any other combustible materials outside of any building at any time in the City.

SECTION 4.

BURNING OF UNCUT WEEDS OR GRASS

It shall be unlawful for any person, firm, or corporation, owning or occupying, or being in charge and control of any premises within the City to burn or cause to be burned any uncut weeds or grass growing on said premises.

SECTION 5.

WIND-BLOWN REFUSE

It shall be unlawful to deposit or leave any refuse or material in such a place or condition that it can be blown by the wind so as to be scattered or cause clouds of dust or particles; and it shall be unlawful to permit the escape of soot, ashes or other solid products or results of combustion so as to be wind-blown or scattered.

SECTION 6.

DEPOSIT OR REFUSE OR GARBAGE ON PRIVATE PREMISES

It shall be unlawful to place, deposit, leave or dump any trash, ashes, broken articles, garbage, junk, refuse or waste material of any kind on any premises in the City without the consent of the owner or tenant in possession thereof. For the purpose of this section vehicles or parts of vehicles not in condition for normal use shall be considered as junk or trash.

SECTION 7.

DEPOSIT OF GRASS AND RUBBISH PROHIBITED IN PUBLIC STREETS

It shall be unlawful for any person, firm or corporation to dump or deposit, or cause to be dumped or deposited any grass, leaves, branches, or any other things in the roadway, easement or ditch of any public street in the City.

SECTION 8.

DEBRIS ON STREETS

It shall be unlawful to throw or deposit any glass, tacks, nails or other similar articles on any street, alley or sidewalk or other public place in the City.

SECTION 9.

PENALTY

Any person violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be fined in any sum not exceeding Five Hundred and No/100 ($500.00) Dollars.

SECTION 10.

SAVINGS CLAUSE

If any section, or any part of any section of this Ordinance shall be held unconstitutional or invalid for any reason, such invalidity of any section hereof, or any part of any section hereof, shall not affect the validity of the remaining sections or portions of sections of this Ordinance.

SECTION 11.

REPEALING CLAUSE

This Ordinance supersedes and repeals City Ordinance No. 75-47, and Ordinances No. 76-54A and 80-104 which amend same. All Ordinances or parts of Ordinances and motions in conflict with the provisions of this Ordinance are hereby expressly repealed.

SECTION 12.

PUBLICATION AND PASSAGE

The importance of this Ordinance and its intent and purpose is declared to be for the benefit of the citizens and property owners in the City of Panorama Village, Texas, and shall take effect immediately from and after its passage and notice by publication is given as provided by law.

PASSED AND APPROVED this the 27th day of MAY, 1997.

HOWARD KRAVETZ, Mayor

ATTEST:

LISA EVANS, City Secretary

APPROVED AS TO FORM AND CONTENT:

LARRY L. FOERSTER, City Attorney