

ORDINANCE NO. 378

AMENDING CHAPTER 6 "HEALTH AND SANITATION", OF THE CITY OF BANDERA CODE OF ORDINANCES IS HEREBY AMENDED BY ADDING ARTICLE 6.04 "SOLID WASTE"; REGULATING THE DISPOSAL OF RESIDENTIAL AND COMMERCIAL SOLID WASTE WITHIN THE CITY; PROVIDING A FINE NOT TO EXCEED \$2000 PER VIOLATION; PROVIDING FOR ENACTMENT, REPEALER, AND SEVERABILITY CLAUSE; PROVIDING FOR EFFECTIVE DATE; FINDING PROPER NOTICE AND MEETING.

WHEREAS, the City of Bandera is a Type A General Law City in the State of Texas, authorized to establish a solid waste collection, transportation and disposal program for all residents and businesses of the city; and

WHEREAS, the accumulation of garbage, rubbish, brush and other refuse constitutes a public nuisance, a health hazard, a fire hazard and a safety hazard; and,

WHEREAS, pursuant to Texas Local Government Code Section 51.012, the City has general authority to adopt an ordinance not inconsistent with state law, that is necessary for the government, interest, welfare, or good order of the municipality; and,

WHEREAS, the City Council finds it necessary and proper for the government, interest, welfare, and good order of the City to regulate the solid waste within the City's boundaries; and,

WHEREAS, these proposed regulations cover all aspects of municipal solid waste management under the authority of the state and are based primarily on the stated purpose of V.T.C.A. Health and Safety Code Ch. 361, as amended, the Texas Solid Waste Disposal Act; and,

WHEREAS, pursuant to Texas Local Government Code Section 54.001, the City has general authority to impose a fine or penalty of up to \$2000 for violation of an ordinance,

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

PART 1. Chapter 6 "Health and Sanitation", of the City of Bandera Code of Ordinances is hereby amended by adding Article 16.04 "Solid Waste" as set forth in the attached Exhibit A.

PART 2. That the recitals contained in the preamble hereto are hereby found to be true and such recitals are hereby made a part of this Ordinance for all purposes and are adopted as a part of the judgment and findings of the Council.

PART 3. The City Administrator is hereby authorized to procure and have erected appropriate traffic control signs as required by the law of the State of Texas, providing notice of the restrictions imposed by this Ordinance.

PART 4. It shall be unlawful for any person, firm, or corporation to operate a vehicle in violation of this ordinance. Any person, firm or corporation violating any provision of this Ordinance of failing to observe any provision hereof shall upon conviction be guilty of a misdemeanor and shall be fined a sum not more than Two Thousand Dollars (\$2000) and each and every day or fraction of a day in which this Ordinance or any part thereof shall be violated shall be deemed a separate offense and punished as such.

PART 5. It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this ordinance be severable, and, if any phrase, clause, sentence, paragraph, or section of this ordinance shall be declared invalid by judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this ordinance and the remainder of this ordinance shall be enforced as written.

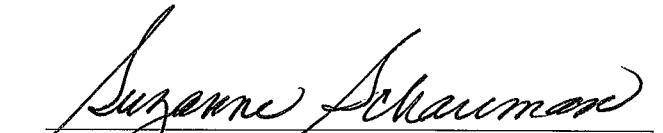
PART 6. That it is officially found, determined and declared that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this ordinance, was given, all as required by Chapter 551, as amended, Texas Government Code.

PART 7. This ordinance shall take effect immediately from and after its second reading, passage and publication as may be required by governing law.

PART 8. The repeal or amendment of any ordinance or part of ordinances effectuated by the enactment of this ordinance shall not be construed as abandoning any action now pending under or by virtue of such ordinance or as discontinuing, abating, modifying, or altering any penalty accruing or to accrue or as affecting any rights of the City under any section or provisions of any ordinances in effect at the time of passage of this ordinance.

PART 9. The provisions of this ordinance shall be cumulative of all ordinances not repealed by this ordinance and ordinances governing or regulating the same subject matter as that covered herein.

PASSED, APPROVED, and ADOPTED on this 3rd day of September, 2020.


Suzanne Schauman, Mayor

ATTEST:


Jill Shelton, City Secretary

EXHIBIT A

CHAPTER 6 HEALTH AND SANITATION OF THE CITY OF BANDERA CODE OF ORDINANCES IS HEREBY AMENDED BY ADDING ARTICLE 6.04 SOLID WASTE AS FOLLOWS:

ADD:

ARTICLE 6.04 SOLID WASTE

Division 1. General Provisions

Sec. 6.04.001 Solid waste program established.

The city's solid waste collection, transportation and disposal program is hereby established for all utility customers.

Sec. 6.04.002 Purpose of chapter; duties of property owners and occupants.

The accumulation of garbage, rubbish, brush and other refuse constitutes a public nuisance, a health hazard, a fire hazard and a safety hazard. Therefore, it shall be required that owners and tenants of private residences, private commercial buildings and businesses, and the occupants of all private noncommercial buildings which accumulate refuse, deposit their garbage, rubbish, brush, and other refuse for removal by the agent designated by the city. Such owners, renters and occupants shall maintain the premises of the buildings and property free of accumulations of all other waste materials and nuisance materials. All waste materials shall be disposed of in a place and by methods deemed appropriate by the city. The purpose of this chapter is to provide for a method of collecting and disposing of garbage, rubbish, brush, and other refuse, and to maintain neighborhood quality and aesthetics and maintenance of property values by providing for the general health and welfare.

Sec. 6.04.004 Defined terms.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

100-year flood means a flood that has a 1.0 percent or greater chance of recurring in any given year or a flood of a magnitude equaled or exceeded once in 100 years on the average over a significantly long period.

Bags means plastic sacks designed to store garbage, rubbish, brush, or other refuse with sufficient wall strength to maintain physical integrity when lifted by the top. The total weight of a bag and its contents shall not exceed 35 pounds.

Brush means plants or grass clippings, leaves or tree trimmings, including bags and/or bundles of landscape waste.

Bulky waste means Any item not measuring in excess of either forty-eight (48) inches in length or fifty (50) pounds in weight, including, but not limited to, refrigerators, stoves, washing machines, water

tanks, chairs, couches, and other similar household items with weights or volumes greater than those allowed for trash collection containers.

Bundle means tree, shrub and brush trimmings or newspapers and magazines securely tied together forming an easily handled package not exceeding four feet in length or 50 pounds in weight.

Commercial means any non-manufacturing commercial facility that generates and accumulates Municipal Solid Waste, Construction and Demolition Waste during, or as a result of, its business, including, but not limited to, restaurants, stores, warehouses, hotels, motels, residential structures containing three or more dwellings, and residential care facilities.

Commercial garbage means all normal establishment waste products of commercial buildings or establishments, including multifamily dwellings, other than single-family and duplex residential development, other than sewage and body waste, manure, dead animals over ten pounds in weight, special and hazardous waste, large tree trimmings, demolition or remodeling debris, or any other waste material that cannot be broken down to fit into commercial garbage containers herein specified.

Commercial garbage compactor means all steel or metallic containers provided by the city or its contractor. Designed to hold compacted commercial garbage shall specifically include 20, 30 and 40 yard compactors.

Commercial garbage container means all steel or metallic containers, provided by the city or its contractor, designed to hold commercial garbage, and shall specifically include all roll-off containers, roll-off compaction containers, and all such containers with a volume of between 2-8 cubic yards and ten cubic yards.

Dead animals means animals or portions thereof equal to or greater than ten pounds in weight that have expired from any cause, except those slaughtered or killed for human use.

Extra accumulations means quantities of waste that are containerized or bundled that cannot be fitted into the 95-gallon residential garbage receptacle, not exceeding ten bundles of brush or normal bags of waste (for amounts in excess described herein refer to unusual accumulations).

Garbage. See "commercial garbage" or "residential garbage."

Generator means any person whose acts or processes produces or causes solid waste.

Hazardous waste means any solid waste identified or listed as a hazardous waste by the administrator of the U.S. Environmental Protection Agency (EPA) pursuant to the Federal Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act, 42 U.S.C. § 6901 et seq., as amended.

Landfill means facility operated by and approved by TCEQ.

Municipal solid waste or MSW means garbage, trash, refuse, brush, yard waste, and other waste generated in residences and commercial establishments as well as debris resulting from traffic accidents in the city (excluding wrecked or disabled vehicles which are removable by a wrecker service).

Nonresident means persons residing other than within the corporate city limits.

Nuisance means solid waste that is stored, processed or disposed of in an unsightly manner that causes the pollution of surrounding land, the contamination of groundwater or surface water, the breeding of insects or rodents, or the creation of odors adverse to human health, safety or welfare.

Person means any person, firm, corporation, business trust, partnership, association, organization or municipal entity, incorporated or unincorporated, other than the city.

Premises means all public and private establishments, including individual residences, all multifamily dwellings, residential care facilities, hospitals, schools, businesses, other buildings and all vacant lots.

Provider means entity providing solid waste collection and disposal services.

Recyclable material means any material, substance or byproduct that has been recovered or diverted from the non-hazardous waste stream for purposes of reuse, recycling or reclamation, and is any material or product designated in writing by the city's director of public works or his or her designee as being suitable for reuse, recycling or reclamation.

Recycle means to collect, buy, sell, and store and/or produce any material, substance or product from waste material or byproducts and to keep such from being included in the waste stream intended for disposal.

Refuse means all solid waste except hazardous wastes.

Residential garbage means all normal waste products of single-family and duplex residential development, other than sewage and body waste, manure, dead animals over ten pounds in weight, special and hazardous waste, large tree trimmings, demolition or remodeling debris, or any other waste material that cannot be broken down to fit into residential garbage receptacles herein specified.

Residential garbage receptacle means a plastic or metal receptacle, designed for automated or semi-automated solid waste collection systems, and having a tight fitting lid capable of preventing littering and the entrance into the container by small animals. The weight of the receptacle and its contents shall not exceed 75 pounds and shall be designed for ease of movement and use. One receptacle shall be provided in designated areas unless customer wants to pay for each additional container, with ownership of the receptacle retained by the contractor.

Residents means City of Bandera utility account holders.

Rubbish means any non putrescible solid waste, including aluminum cans, paper, boxes, glass, yard trimmings, leaves, feathers and any other matter commonly understood to be rubbish.

Solid waste means garbage, rubbish, refuse, sludge from a wastewater treatment plant, water supply treatment plant or air pollution control facility, and other discarded material, including solid, liquid, semi-solid or contained gaseous material resulting from industrial, municipal, commercial, mining and agricultural operations and from community and institutional activities. The term does not include:

- (1) Solid or dissolved material in domestic sewage, or solid or dissolved material in irrigation return flows, or industrial discharges subject to regulation by permit issued under V.T.C.A. Water Code, Ch. 26, as amended.
- (2) Soil, dirt, rock, sand or other natural or manmade inert solid materials used to fill land if the object of the fill is to make the land suitable for the construction of surface improvements; or
- (3) Waste materials that result from activities associated with the exploration, development or production of oil or gas or geothermal resources and other substance or material regulated by the Railroad Commission of Texas under V.T.C.A. Natural Resources Code, Chapter 91, as amended, unless the waste, substance or material results from activities associated with gasoline plants, natural gas liquids processing plants, pressure maintenance plants or re-pressurizing plants and is hazardous waste as defined by the administrator of the United States Environmental Protection Agency under the Federal Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act, as amended (42 U.S.C. § 6901 et seq.).

Special waste means solid waste or a combination of wastes that, because of its quantity, concentration, physical or chemical characteristics or biological properties, requires special handling and disposal to protect the human health or the environment. If improperly handled, transported, stored,

processed or disposed of or otherwise managed, it may pose a present or potential danger to human health or the environment. Special waste includes, but is not limited to:

- (1) Hazardous waste from conditionally exempt small-quantity generators that may be exempt from full controls under 30 V.T.C.A. Texas Administrative Code §§ 335.401—335.419, as amended, relating to household materials which could be classified as hazardous waste;
- (2) Class I industrial nonhazardous waste not routinely collected with municipal solid waste;
- (3) Special waste from health-care-related facilities (refers to certain items of medical waste);
- (4) Municipal wastewater treatment plant sludge's, other types of domestic sewage treatment plant sludge's, and water-supply treatment plant sludge's;
- (5) Septic tank pumping's;
- (6) Grease and grit trap wastes;
- (7) Wastes from commercial or industrial wastewater treatment plants, air pollution control facilities, and tanks, drums, or containers used for shipping or storing any material that has been listed as a hazardous constituent in 40 C.F.R. Ch. 261, Appendix VIII, as amended, but has not been listed as a commercial chemical product in 40 C.F.R. § 261.33(e) or (f), as amended;
- (8) Slaughterhouse wastes;
- (9) Dead animals;
- (10) Drugs, contaminated foods, or contaminated beverages, other than those contained in normal household waste;
- (11) Pesticide (insecticide, herbicide, fungicide, or rodenticide) containers;
- (12) Discarded materials containing asbestos;
- (13) Incinerator ash;
- (14) Soil contaminated by petroleum products, crude oils, or chemicals;
- (15) Used oil;
- (16) Light ballasts and/or small capacitors containing polychlorinated biphenyl (PCB) compounds;
- (17) Waste from oil, gas, and geothermal activities subject to regulation by the state railroad commission when those wastes are to be processed, treated, or disposed of at a solid waste management facility permitted under this chapter;
- (18) Waste generated outside the boundaries of the state that contains:
 - a. Any industrial waste;
 - b. Any waste associated with oil, gas and geothermal exploration, production or development activities; or
 - c. Any item listed as a special waste in this definition;
- (19) Any waste stream other than household or commercial garbage, refuse or rubbish;
- (20) Lead acid storage batteries; and
- (21) Used-oil filters from internal combustion engines.

Unusual accumulations means:

- (1) For residences, each regular collection that cannot fit into a residential garbage receptacle;

- (2) For commercial establishments, accumulations that would not occur in the ordinary course of business;
- (3) Bulky waste;
- (4) Materials judged by the director of public works or his duly appointed representative to be hazardous, such as oil, acid or caustic materials; and
- (5) Existing conditions favorable to the harboring and/or breeding of any agent, such as an insect, reptile, rodent or other agents capable of transferring a pathogen from one organism to another.

Sec. 6.04.005 Sanitation service deposits and fees.

Deposits and fees are as specified in the Utility Rates adopted by the City Council and on file with the City Secretary which may be amended from time to time shall be required of all customers requesting the collection and disposal of refuse by the city's designated contractor. The charges for collection service shall be included on the monthly utility bill of the customer. For partial months, such charges shall be prorated for each and every day of the month during which such service is available and provided to the residential customers. An increase in monthly fees may be made upon approval of the city council. A penalty for overdue payment of the monthly utility bill may be charged.

Sec. 6.04.006 Garbage, rubbish, brush and refuse nuisances.

The storing or keeping of garbage, rubbish, brush, refuse and/or that is unsightly or a health, fire or safety hazard or a harbor for reptiles, rodents, insects, or other animals is prohibited and shall constitute a public nuisance. Removal of all such materials is the owner's responsibility and shall be done at the owner's expense.

Sec. 6.04.007 Dumping.

Dumping of any garbage, solid waste, rubbish, brush and/or other refuse in any place and in any manner other than that designated in this chapter is prohibited. No unauthorized use of any customer's dumpster without written permission.

Sec. 6.04.008 Collection containers and receptacles for garbage, and trash.

- (a) Every owner, tenant, occupant or lessee using or occupying any building, house, or structure within the corporate city limits of the City for residential, church, school, commercial, business or other purpose shall use a collection container that is only in designated areas or receptacle authorized by this article provided by the city, its designated contractor, or a hauler. All garbage and trash mixed with water or other liquids shall be drained before being placed in the collection container or receptacle this would include the ETJ.
- (b) Every owner, tenant, occupant or lessee using or occupying any building, house or structure within the corporate city limits of the City of Bandera for residential, church, school, commercial, business or other purpose shall notify the city of any loss, theft or damage to the collection container or receptacle and shall be responsible for replacement costs unless the damage is a result of collection by contractor.
- (c) It shall be the duty of every residential customer to keep the residential garbage receptacle in a clean and sanitary condition.

- (d) Except when placed for collection, residential garbage receptacles shall be stored behind the front building line if collection occurs from a public street, or stored adjacent to the main structure if collection occurs from an alley.
- (f) The city administrator or his Code Enforcement cause regular inspections to be made to ensure compliance with the terms of this section, and if any unsanitary collection container or receptacle is found, a notice shall be placed upon such collection container or receptacle informing the owner to clean the same within five days. Failure to comply with such notice shall constitute a violation of this section.

Sec. 6.04.009 Residential collection regulations.

- (a) There shall be solid waste collection once weekly, and as scheduled in designated areas for bulky waste.
- (b) It shall be the duty of the owner, occupant, tenant or lessee of a residence, commercial establishment or other building to place the garbage in proper receptacles at the curb line or at the alley most accessible to the collection crew vehicle as determined by the contractor and the city administrator or his duly appointed representative.
- (c) Garbage material shall not be placed at the point of collection before 6:00 p.m. prior to the designated day of collection and any garbage receptacles shall be removed within 24 hours from the point of collection and stored in accordance with this Article.
- (d) Unusual accumulations, brush or bulky wastes shall not be placed for regular garbage pickup. Removal of unusual accumulations, brush or bulky wastes may be requested for a special collection, and there shall be an additional fee for such service as determined from time to time by city council. The city shall be the authority to determine what constitutes unusual accumulations if there is a difference of opinion between a customer and the contractor.
- (f) It shall be the duty of the owner, occupant, tenant or lessee of any premises to report the failure to collect properly prepared property garbage for a consecutive period of two weeks to the city where the holder of a franchise granted by the city is responsible for such collection; and if the owner, occupant, tenant or lessee elects to regularly remove garbage and recyclable material from his premises, it shall be unlawful for such owner, occupant, tenant or lessee to remove such accumulation less often than required under this section.
- (g) All putrescible waste must be placed in the residential garbage receptacles.
- (h) From the time of placement of solid waste at the point of collection by the owner, occupant, tenant or lessee of a residence for collection in accordance herewith, such solid waste shall be delivered by the designated contractor, to the appropriate facility for disposition pursuant to contract with the city.

Sec. 6.04.010 Residential collection fees.

- (a) For the collection and removal of solid waste and brush in a residential garbage receptacle once a week, a monthly charge shall be as determined from time to time by the city council.
- (b) For each additional residential garbage receptacle, the monthly charge shall be as determined from time to time by the city council.
- (c) For the collection of unusual accumulations, there shall be a fee as determined from time to time by the city council.

- (d) For other solid waste collection or disposal services not listed, the city and contractor shall work together to determine a reasonable fee, pending council approval of the fee within 60 days.

Sec. 6.04.011 Commercial collection regulations.

- (a) Collection containers commonly used by commercial garbage, including residential garbage (for commercial use), shall be placed at a location on the premises mutually agreeable to the customer, the city, and its designated contractor. The city administrator or his duly appointed representative may authorize the use by a commercial customer of residential garbage on a case by case basis after the commercial customer makes request for use of such residential receptacles. The collection and removal of garbage from buildings and premises used for commercial and institutional purposes shall not be made less than one time per week and as often as necessary in order to maintain such premises free of accumulations of garbage, trash and brush. A commercial business shall be responsible for the collection and lawful disposal of hazardous waste generated by that commercial business.
- (b) From the time of placement of solid waste at the point of collection by the commercial business for collection in accordance herewith, such solid waste shall be delivered by the designated contractor to the appropriate facility for disposition pursuant to contract with the city.

Sec. 6.04.012 Commercial collection fees.

The service charge for commercial collections shall be based on the frequency of collection necessary and the amount regularly collected.

- (a) *Minimum service level.* The minimum service level is one 95-gallon garbage collection container picked up one time a for a fee as determined from time to time by the city council. Additional collection containers can be requested for an additional fee as determined from time to time by the city council. The property owner is responsible for replacement of the collection containers in the case of theft, loss, or damage. There shall be a fee as determined from time to time by the city council charged for collections of unusual accumulations.
- (b) *Other solid waste collection and disposal services.* For other solid waste collection or disposal services not listed, the city and contractor shall work together to determine a reasonable fee, pending city council approval of the fee within 60 days.
- (c) Service charges for additional services shall be by customer agreement with the contractor.

Sec. 6.04.014 Collection contractor.

- (a) The city shall designate a contractor to regularly collect and remove all garbage, rubbish, and solid waste, excluding hazardous waste, from all premises within the corporate city limits. This agent shall operate by contract with the city. The city administrator shall take action to see that the terms of the contract are fulfilled. In the event of any conflict between the terms of the contract and the city's ordinances on the collection of solid waste, the ordinances shall control. The designated collection contractor shall not be responsible for the collection of hazardous waste except.
- (b) In the event that the designated collection contractor lacks adequate and/or appropriate resources to collect and remove solid waste from public improvement projects, the city administrator may authorize solid waste removal by another contractor.

Sec. 6.04.015 Disposal of solid waste.

- (a) Individual residents may remove garbage, rubbish, brush or unusual accumulations from their own residences, provided that the garbage, rubbish, brush or unusual accumulations are secured.
- (b) It shall be unlawful for any person to engage in the business of collecting solid waste within the city except as may be specifically authorized by contract with the city and the payment of a license fee to so operate.
- (c) It shall be unlawful for any person to engage in the business of collecting solid waste within the city except as may be specifically authorized in accordance with this article.

Sec. 6.04.016 Prohibited acts.

- (a) Pilfering, scattering contents or meddling with garbage, rubbish, or collection containers or receptacles by any person other than the owner, occupant or authorized agent is prohibited.
- (b) It shall be unlawful for any person to deposit any burning match, charcoal, ember or other burning material in any collection container or receptacle used for the disposal of garbage, rubbish, or brush.
- (c) It shall be unlawful for any person to deposit any materials not included in the definitions of garbage, rubbish and brush in any collection container or receptacle used for the disposal of garbage, or rubbish.
- (d) It shall be unlawful for any unauthorized person, other than the commercial customer or its employees or agents, to deposit any materials in a commercial collection container or receptacle.
- (e) It shall be unlawful to deposit solid waste generated from within the corporate city limits in any place other than a landfill unless authorized by the city administrator or his duly appointed representative.
- (f) It shall be unlawful to store or place in a screening enclosure that is provided for garbage and/or receptacles any debris, solid waste or any other item for storage that is not a solid waste and/or receptacle.
- (g) It shall be unlawful to bring in waste for disposal from outside of City limits.

Sec. 6.04.018 Wastes from tree-trimming operations.

It shall be the duty of any person employing a contractor, tree-trimmer, or other person to trim or prune trees or shrubs to have said trimmings removed from the premises at his own expense.

Sec. 6.04.019 Applicability of state law.

The provisions of this article are adopted under V.T.C.A., Health and Safety Code Ch. 361.

The regulations promulgated in this article cover all aspects of municipal solid waste management under the authority of the state and are based primarily on the stated purpose of V.T.C.A. Health and Safety Code Ch. 361, as amended, hereafter referred to as the Texas Solid Waste Disposal Act. The owner or operator of a municipal solid waste landfill (MSWLF) facility shall comply with any other applicable federal rules, laws, regulations or other requirements.

Sec. 6.04.020 Enforcement.

The provisions of this article shall be enforced by the city administrator works or his duly appointed representative, and it shall be unlawful for any person to interfere with or hinder the city administrator or his duly appointed representative in the exercise of his duties under this article. Notwithstanding any provisions contained herein to the contrary, the city administrator or his duly appointed representative are hereby granted the authority to issue immediate citations to persons violating any provision of this article.

Sec. 6.04.021 Offense.

- (a) Any person violating or failing to comply with any provision or requirement of this article, who continues to violate or fails to comply with same, shall also be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined in an amount not to exceed \$2,000.00, such offenses listed herein being violations of the health and safety ordinance of the city. A separate offense shall be deemed committed upon each day during or on which a violation or failure to comply occurs or continues to occur. This section shall be in addition to and cumulative of the provisions for abatement by the city of any nuisance created by the violation of this article and the charging of the cost of abatement of said nuisance against the owner of the property.
- (b) Notwithstanding the foregoing, any violation of any provision of this article which constitutes an immediate danger or threat to the health, safety and welfare of the public may be enjoined in a suit brought by the city for such purpose.
- (c) In addition to any other remedies or penalties contained herein, the city may enforce the provisions of this article pursuant to the applicable provisions of V.T.C.A. Local Government Code ch.54, which chapter provides for the enforcement of municipal ordinances.
- (d) Allegation and evidence of a culpable mental state is not required for the proof of an offense defined by this article.

Sec. 6.04.022-040 Reserved