

ORDINANCE NO. 433

AN ORDINANCE OF THE TOWN OF LAKESIDE, TEXAS, AMENDING CHAPTER 51 OF THE GARBAGE ORDINANCE, AS AMENDED.

BE IT ORDAINED BY THE CITY COUNCIL OF TOWN OF LAKESIDE, TEXAS AS FOLLOWS:

WHEREAS, the City Council (*"Council"*) of TOWN OF LAKESIDE (*"City"*) finds and declares that the amendments to Chapter 51 of the Garbage Ordinance promote the health safety and welfare of the public; and

WHEREAS, this ordinance is adopted under the authority of the Constitution and laws of the State of Texas, as promulgated by Chapter 212 of the Texas Local Government Code, as well as the Charter for the City; and

WHEREAS, the Council has determined that it is necessary and desirable to amend the Code of Town of Lakeside (*"Code"*) as hereinafter provided; and

WHEREAS, the meeting at which this Ordinance was passed was open to the public, and notice of the time, place and purpose of said meeting was given as required by law, all in strict accordance with the requirements of the Texas Open Meetings Act;

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

SECTION 1: The Council officially finds and declares that the facts and recitations set forth in the preamble to this Ordinance are true and correct.

SECTION 2: Chapter 51, Garbage; of the Code is hereby amended, to read as follows:

§ 51.16 DUMPSTER REQUIREMENTS.

- A. Except as otherwise provided herein, every owner, occupant, or lessee using or occupying a building or structure within the corporate limits of the city for other than residential purposes, and all residential structures required by this chapter to have a dumpster, or have an adequate area for a dumpster pad site as described herein, or purposes accessory thereto, shall maintain on such premises a dumpster meeting the requirements of this section.
- B. Dumpsters and associated screening required by this section shall be maintained in good order and condition. When the Code Enforcement Officer determines a container to be unsafe or unsightly, notice shall be given to the occupant of the premises upon which the dumpster is located for corrective action. The occupant of the premises upon which the dumpster is located shall cause corrective action to be taken in conformity with such notice within ten days of receiving such notice.
- C. Dumpsters shall be placed on a concrete pad.

- D. All dumpsters must be fully screened from view by an enclosure consisting of two side walls and a rear wall, plus a gate in the front, as required by this division.
- E. Minimum height. Screening walls and gates must be not less than six feet or more than eight feet in height.
- F. Screening materials. Materials approved for use in screening walls are based upon the dumpster's location on the site.
- G. If the enclosure is visible from any public street or right-of-way, dumpster screening must be masonry, brick, stone, reinforced concrete, or other similar masonry materials. Materials allowed by this section must match the materials, style, finish and appearance of the principal building located on the same lot.
- H. If the enclosure is not visible from any public street or right-of-way, dumpster screening must be wood, metal, masonry, brick, stone, reinforced concrete, or other similar masonry materials. Any metal screening must be painted to blend with the primary building on the same lot. Corrugated metal, R panel and U panel sheet metal, and fiberglass panels are prohibited and may not be used as screening material.
- I. Gates. Screening gates must be solid metal and must screen the dumpster from view when closed. Gates must swing out to an angle greater than 90 degrees and create an opening at least 12 feet wide for the collection truck to enter the enclosure. Each gate must be equipped with a pin capable of holding the gate in its fully opened position while the dumpster is being accessed. Gates must swing clear of all fire lanes. People authorized to use the dumpster must keep the gates closed unless the dumpster or enclosure is in the actual process of being emptied, filled, painted, cleaned, constructed, installed, repaired, or otherwise maintained.
- J. There shall be affixed to the exterior of each gate a sign that is conspicuous and readily visible. The sign shall state "GATES TO REMAIN CLOSED WHEN NOT IN USE" in block letters at least three inches high. All sign lettering must appear in contrasting colors against the background.
- K. Bollards. A minimum of four bollards shall be provided within the enclosure, two in the rear, and one on each side, to prevent the dumpster from striking or damaging the screening enclosure. The city's Planning and Development Director may approve another type of protection device in writing if the Director determines that such device protects the enclosure as well as bollards.

§ 51.17 OWNER OR OCCUPANT RESPONSIBLE FOR CONTAINERS.

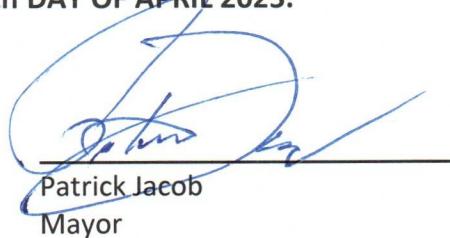
Every owner, occupant, tenant, or lessee of a house or building used for residential, public, business, or commercial purposes is required to maintain supervision and surveillance over the containers or

dumpsters servicing their premises. If the contents of solid waste containers are not removed by the collection contractor for a period exceeding seven days, such owner, occupant, or lessee must thereafter immediately notify the City Manager. The City Manager shall promptly investigate the matter, and if he finds that the contractor has failed to collect trash or garbage from the subject premises without cause, he shall issue a collection order requiring the contractor to collect such solid waste or bundled brush within 12 hours.

SECTION 3: The City Secretary is hereby directed to publish the caption and penalty clause of this ordinance at least once in the official newspaper of the City, as required by Section 52.011 of the Local Government Code.

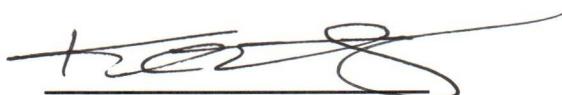
SECTION 4: This ordinance shall be in full force and effect from and after its passage and publication as required by law, and it is so ordained.

PASSED AND APPROVED ON THIS 10th DAY OF APRIL 2025.



Patrick Jacob
Mayor

ATTEST:



Kenneth E. East
Attorney