

# Littering

## Whitesboro Texas

### Texas code of ordinances

#### Littering

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#### 94.10 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**LITTER.** Any quantity of un-containerized paper, metal, plastic, glass, garbage, refuse, rubbish, weeds, grass, lawn clippings or other solid waste material.

**LITTERING.** Dumping, throwing, placing, depositing, leaving, sweeping, blowing, or causing to be dumped, thrown, placed, deposited, or left any refuse or waste of any kind or any object or substance which tends to pollute, mar, or deface any public street, highway, alley, road, right-of-way, park, or other public place and private property.

**PRIVATE PROPERTY.** All property not owned by a governmental entity including vacant land or any land, building, or structure, together with any yard, grounds, walk, driveway, fence, porch steps, or other appurtenant structure.

(Am. Ord. 966, passed 7-10-07)

#### § 94.11 LITTERING PROHIBITED.

It shall be unlawful for any person to throw, sweep, blow, or deposit litter on any private or public property within this municipality, whether owned by such person or not, except in authorized trash receptacles for the collection of litter and in such manner that the litter may be prevented from being carried or deposited by the elements upon any street, sidewalk, or other private or public property within the municipality.

(Am. Ord. 966, passed 7-10-07) Penalty, see § 10.99

#### § 94.12 PLACING LITTER IN RECEPTACLES TO PREVENT SCATTERING.

Persons placing litter in public receptacles or in authorized private receptacles shall do so in such a manner as to prevent it from being carried or deposited by the elements upon any street, sidewalk, or other public place or upon private property.

Penalty, see § 10.99

#### § 94.13 SWEEPING OR BLOWING LITTER INTO STREET OR GUTTER PROHIBITED.

It shall be unlawful for any person to sweep or blow into or deposit in any gutter, street, or other public place within the municipality the accumulation of litter from any building or lot or

from any public or private sidewalk or driveway. Persons owning or occupying property shall keep the sidewalk in front of their premises free from litter.

(Am. Ord. 966, passed 7-10-07) Penalty, see § 10.99

#### § 94.14 DUTY TO KEEP PROPERTY FREE OF LITTER.

It shall be unlawful for any owner or occupant of property within the municipality to place, deposit, throw, or permit litter to accumulate on any lot or premises located in the municipality unless the same has been deposited in an authorized receptacle for collection.

Penalty, see § 10.99

#### § 94.15 OWNER TO REMOVE LITTER UPON NOTICE.

It shall be the duty of any owner or occupant of property within the municipality to remove or cause to be removed all such litter as may be necessary to comply with these provisions hereof. Whenever any such condition as described in §§ 94.11 through 94.14 is found to exist on a lot or premises within the municipality, the owner or occupant shall be notified in writing by certified mail, return receipt requested, to correct, remedy, or remove the condition within ten days after such notice is given. Such notice shall either be served personally or by registered mail with a return receipt requested to the last known address of the owner.

Penalty, see § 10.99

#### § 94.16 MUNICIPALITY MAY ABATE NUISANCE; PROVISION FOR LIEN.

If the owner or occupant of any lot or premises upon which any condition described in §§ 94.11 through 94.14 is not corrected, remedied, or removed within ten days after notice to do so is given, the municipality may do such work at the expense of the municipality on the account of owners of the premises and charge the expenses incurred to the owner of such lot upon which such expenses are incurred. The doing of such work by the municipality shall not relieve the owner or occupant of the lot or premises from prosecution for failure to comply with such notice for violation of §§ 94.11 through 94.14.

Penalty, see § 10.99

Cross-reference:

Procedures for filing of a statement of expenses, see § 94.01

Statutory reference:

Authority to regulate rubbish, other unsanitary matter and places, see Tex. Health & Safety Code §§ 342.001 and 342.004

Texas Litter Abatement Act, see Tex. Health & Safety Code Ch. 365