

ORDINANCE NO. 029-88

AN ORDINANCE REGULATING BURNING OF GARBAGE,
TRASH, BRUSH, OR WASTE MATERIAL WITHIN
THE CORPORATE LIMITS OF THE TOWN OF HACKBERRY, TEXAS:
PROVIDING FOR SEVERABILITY, PENALTY, EMERGENCY CLAUSE,
AND EFFECTIVE DATE

WHEREAS, all residents within the corporate limits of the Town of Hackberry, Texas have access to weekly pick-up service for household garbage, limbs and brush properly bundled, bagged trash and bagged grass and leaves;
and

WHEREAS, the burning of trash by citizens of the Town of Hackberry, Texas has caused uncontrollable fires which have endangered life and property;
and

WHEREAS, in order to protect the life, property, health, and general welfare of the citizens of Hackberry, Texas, it is incumbent upon the Hackberry, Texas governing body to provide rules and regulations pertaining to open burning within the Town of Hackberry, Texas;

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE TOWN OF HACKBERRY, DENTON COUNTY, TEXAS:

SECTION I. BURNING OF GARBAGE, TRASH, BRUSH OR WASTE MATERIAL.

It shall be unlawful for any person to burn within the town limits of the Town of Hackberry, Texas, any garbage, trash, brush or other waste materials.

SECTION II. PENALTY.

Any person violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor, and, upon conviction, shall be subject to a fine of not more than one hundred dollars (\$100). Each transaction in violation of any of the provisions hereof shall be deemed a separate offense.

SECTION III. SEVERABILITY.

It is hereby declared to be the intention of the Town Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are separable, and, if any phrase, clause, sentence, paragraph, or section shall be declared unconstitutional or invalid by the valid judgement or decree of any court of competent jurisdiction, such unconstitutionality or

invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this Ordinance, since the same would have been enacted by the Town Council without the incorporation in this Ordinance of unconstitutional or invalid phrases, clauses, sentences, paragraphs, or sections.

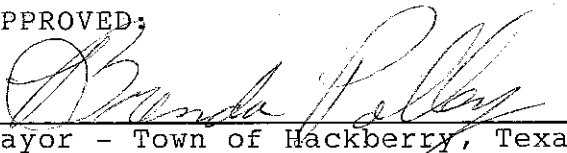
SECTION IV. EMERGENCY.

The fact that the Town is in immediate need of the relief afforded by the provisions of this Ordinance creates an emergency and imperative public necessity requiring and demanding that any and all rules requiring Ordinances to be read and repassed at more than one (1) meeting be suspended, and that this Ordinance take effect immediately upon its passage.

SECTION V. This Ordinance shall take effective immediately upon its being read and passed at one (1) regular Board of Aldermen meeting; and its being published one (1) time in the Town's designated newspaper, The Frisco Enterprise; and it is do ordained by the Board of Aldermen of the Town of Hackberry, Denton County, Texas.

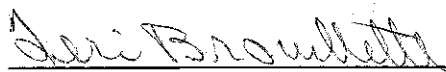
PASSED AND APPROVED THIS THE 13th DAY OF Sept., 1988

APPROVED:



Mayor - Town of Hackberry, Texas

ATTEST:



City Secretary - Town of Hackberry, Texas