

ORDINANCE # 24-0008

AN ORDINANCE AMENDING ORDINANCE 6.300, BREEDING PLACES FOR FLIES AND MOSQUITOES, ENTITLED PROVIDING FOR PUBLIC HEALTH NUISANCE IN THE CITY OF TRINITY, TEXAS;

Be it ordained by the City Council of the City of Trinity, Texas:

NUISANCE:

Each of the following is a Public Health Nuisance:

- (1) a condition or place that is a breeding place for flies and that is in a populous area;
- (2) spoiled or diseased meats intended for human consumption;
- (3) a restaurant, food market, bakery, other place of business, or vehicle in which food is prepared, packed, stored, transported, sold, or served to the public and that is not constantly maintained in a sanitary condition;
- (4) a place, condition, or building controlled or operated by a state or local government agency that is not maintained in a sanitary condition;
- (5) sewage, human excreta, wastewater, garbage, or other organic wastes deposited, stored, discharged, or exposed in such a way as to be a potential instrument or medium in disease transmission to a person or between persons;
- (6) a vehicle or container that is used to transport garbage, human excreta, or other organic material and that is defective and allows leakage or spilling of contents;
- (7) a collection of water in which mosquitoes are breeding in the limits of a municipality or a collection of water that is a breeding area for mosquitoes that can transmit diseases regardless of the collection's location other than a location or property where activities meeting the definition of Section 11.002(12)(A), Water Code, occur;
- (8) a condition that may be proven to injuriously affect the public health and that may directly or indirectly result from the operations of a bone boiling or fat rendering plant, tallow or soap works, or any other similar establishments;
- (9) a place or condition harboring rats in a populous area;
- (10) the presence of ectoparasites, including bedbugs, lice, and mites, suspected to be disease carriers in a place in which sleeping accommodations are offered to the public;
- (11) the maintenance of an open surface privy or an overflowing septic tank so that the contents may be accessible to flies; and
- (12) an object, place, or condition that is a possible and probable medium of disease transmission to or between humans.

Whenever the county health officer or city health officer, or either of them determine that a nuisance dangerous to the public health, as here defined, exists or is being maintained within the corporate limits of the City of Trinity, he/she shall issue a notice directed to the person, location of the nuisance, shall direct the abatement thereof, shall specify a reasonable time, not less than five days from receipt of such notice, within which such abatement shall be accomplished and shall state that the failure or refusal to abate such nuisance shall constitute a misdemeanor, Such notice shall be immediately delivered to the Chief of Police of the City of Trinity who shall thereupon cause a true copy of such notice to be served upon the person, firm, or corporation to whom it is directed.

It shall hereafter be unlawful for any person, firm, or corporation, upon being duly served with the notice provided for in the preceding subsection, to fail or refuse to abate the nuisance specified in such notice within the time specified in such notice.

Sec 6.404 Fines; Violations.

Violations of municipal ordinances that govern public health and sanitation, including dumping refuse, vegetation and litter violations in which the maximum fine shall be \$2,000.00 for each offense.

However, no penalty shall be greater or less than the penalty provided for the same similar offense under the laws of the state.

Each day any violation of this code or of any ordinance shall continue, shall constitute a separate offense. Any violation of any provision of this Code of Ordinances which constitute an immediate danger to the health, safety, and welfare of the public may be enjoined in a suite brought by the city for such purpose.

The Code Enforcement Officer of the City of Trinity, Texas, will establish a schedule of fines for the violation of any provisions of any sections of this order. This schedule of fines will be subject to review and approval by the city council and will by subject to proper implementation and enforcement of the provision contained herein. The following is the initial schedule of fines for violations of any of the provisions of this article. The fines shall be mandatory for each offense.

(1) BREEDING PLACES FOR FLIES, MOSQUITOES AND RODENTS

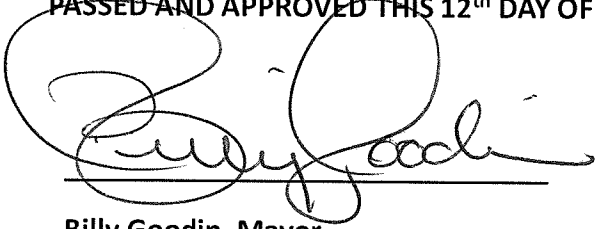
1 st Offense.....	\$250.00. plus court costs.
2 nd Offense.....	\$350.00. plus court costs.

3rd Offense.....\$500.00. plus
court costs.

Records. It shall be the duty of the Code Enforcement Officer of the City of Trinity, Texas, to maintain such records as deemed necessary to the enforcement of al provisions of this order and to have those records available for display to the city council, or to the public at any time during regular business hours of the police department.


(HSC 341.011)

~~PASSED AND APPROVED THIS 12th DAY OF SEPTEMBER 2024.~~

A handwritten signature in black ink, appearing to read "Billy Goodin", written over a horizontal line.

Billy Goodin, Mayor

ATTEST:

A handwritten signature in black ink, appearing to read "Phillip Morrison", written over a horizontal line.

Phillip Morrison, Mayor Pro-Tem