

CITY OF PORT LAVACA
PART II – CODE OF ORDINANCES

EXHIBIT “A”

Chapter 20 – ENVIRONMENTAL AND HEALTH

ARTICLE XII. - LITTER

Sec. 20-511. Definitions.

Containers. City-approved metal or heavy plastic receptacles or city-owned dumpsters used for the storage or disposal of solid wastes, and pedestrian litter containers provided on public sidewalks and elsewhere for the disposal of litter by pedestrians.

Debris. Any dirt, concrete, rocks, brick or other building materials not being used for on-site improvements pursuant to a duly issued building permit.

Junk. Means all worn-out, worthless, and discarded matter.

Litter. Any solid waste, trash, debris, rubbish, refuse, garbage or junk not placed in a container includes but is not limited to yards, grounds, driveways, entranceways, passageways, parking areas, working areas, storage areas, vacant lots and recreation facilities owned by private individuals, firms, corporations, institutions and organizations.

Public property. Includes but is not limited to streets, street medians, roads, road medians, catchbasins, sidewalks, strips between streets and sidewalks, alleys, lanes, public rights-of-way, public parking lots, school grounds, parks, publicly owned recreation facilities and municipal bodies of water and waterways.

Refuse. means the term shall refer to residential and commercial refuse and bulk waste, commercial debris and stable matter generated at a residential or community unit unless context otherwise requires.

Rubbish. Any garbage, trash and other discarded articles and materials.

(Ord. No. G-8-23 , § 1(exh. A), 9-11-2023)

Sec. 20-512. Littering, dumping prohibited.

- (a) It shall be unlawful for any person to throw, discard, place or deposit litter in any manner or amounts on any public or private property within the corporate limits of the city except in containers.
- (b) Persons placing litter in public receptacles shall do so in such a manner as to prevent the litter from being carried or deposited by the elements.

CITY OF PORT LAVACA
PART II – CODE OF ORDINANCES

- (c) Any person who causes or permits the dumping of litter on right-of-way of any public highway, street, easement or thoroughfare, or upon any public park, private property, or on any premises, or in any container, without legal permission; or who causes, maintains or permits the accumulation of litter which creates an unsanitary condition or permits or encourages the accumulation or breeding of vectors, is guilty of an infraction.

(Ord. No. G-8-23 , § 1(exh. A), 9-11-2023)

Sec. 20-513. Litter from motor vehicle.

It shall be unlawful for any person, while a driver or passenger in or upon a motor vehicle, to throw or deposit litter, garbage, rubbish, or refuse or the like onto public or private property.

(Ord. No. G-8-23 , § 1(exh. A), 9-11-2023)

Sec. 20-514. Violation and penalty; continuing violations

A person who violates any other provision of this Code shall be punished upon conviction thereof by a fine not to exceed five hundred dollars (\$500.00).

A person who violates any provision of this Code pertaining to fire safety or public health and sanitation, including the dumping of refuse, shall be punished upon conviction thereof by a fine not to exceed two thousand dollars (\$2,000.00).

A separate offense shall be deemed committed upon each day during or on which a violation occurs or continues.

Such penalties shall apply to all violations of provisions of this Code which occur after the effective date of this section regardless of any contrary penalty provision contained in the various ordinances when originally approved and adopted.

******NOT TO BE INCLUDED IN THE ORDINANCE******

Texas Code Of Criminal Procedure

Art. 4.14. JURISDICTION OF MUNICIPAL COURT. (a) A municipal court, including a municipal court of record, shall have exclusive original jurisdiction within the territorial limits of the municipality in all criminal cases that: (1) arise under the ordinances of the municipality; and (2) are punishable by a fine not to exceed: (A) \$2,000 in all cases arising under municipal ordinances that govern fire safety, zoning, or public health and sanitation, other than the dumping of refuse; (B) \$4,000 in cases arising under municipal ordinances that govern the dumping of refuse; or (C) \$500 in all other cases arising under a municipal ordinance.

Secs. 20-514~~5~~ - 20-520. Reserved.