

SEC. 18-10. REGULATING THE PROCESSING AND DISPOSAL OF SOLID WASTE MATERIALS.

(a) General regulations.

(1) A person commits an offense if he disposes of dry or wet solid waste or other waste materials inside the city, other than at a location and in a manner approved by the director of sanitation as complying with federal, state, and local law regulating solid waste processing and disposal. The owner, occupant, or person in control of premises to which illegally-deposited solid waste is traced is presumed to have illegally disposed of or caused the illegal disposal of the solid waste. If a vehicle is used to illegally dispose of solid waste, the owner of the vehicle is presumed to have illegally disposed of or authorized the illegal disposal of the solid waste. Proof of ownership of a vehicle may be made by a computer-generated record of the registration of the vehicle with the Texas Department of Public Safety showing the name of the person to whom state license plates were issued. This proof is prima facie evidence of the ownership of the vehicle by the person to whom the certificate of registration was issued.

(2) The director of sanitation shall be responsible for determining disposal procedures, authorized users, and methods of operation at municipal transfer stations and landfill sites inside the city.

(3) The director of sanitation shall have authority to approve the establishment and make inspections of non-municipal landfill sites inside the city to ensure compliance with federal, state, and local law regulating the establishment and operation of landfill sites.

(4) The director of sanitation shall have authority to regulate traffic at the city's transfer stations and landfill sites. Designated employees of the department of sanitation services shall direct traffic by voice, hand, or signal at the transfer stations and landfill sites. A person commits an offense if he fails or refuses to comply with a traffic directive of a designated employee of the department of sanitation services. A designated employee of the department of sanitation services may cause the removal from a transfer station or landfill site of any person or vehicle in violation of this paragraph.

(b) Processing and disposal of solid waste materials by private persons, firms, or corporations will be permitted only after application has been made to, and approved by, the director of sanitation as complying with all applicable city, county, state, and federal regulations pertaining to solid waste processing and disposal operations, and all fees required by this article have been paid.

(1) The director of sanitation shall have authority to curtail, temporarily suspend, or permanently halt any solid waste processing or disposal operation being conducted by any private person, firm, or corporation that does not conform to the requirements of city, county, state, or federal regulations pertaining to solid waste processing and disposal operations or that in any manner jeopardizes the public health, safety, and welfare. The director of sanitation shall have authority to maintain curtailment or suspension restrictions until, in the director's judgment, adequate measures have been taken to assure that removal of the restrictions will not jeopardize the public health, safety, or welfare.

(2) The director of sanitation shall have authority to cause to be rejected for processing or disposal any material that, in the director's judgment, would create a nuisance by reason of emission or disagreeable odors or would operate to make the processing or disposal facilities unwholesome or adversely affect the public health, safety, and welfare.

(c) Processing and disposal of solid waste materials by the city.

(1) A person commits an offense if he takes, removes, or carries away from any processing or disposal facility operated by the city any garbage, trash, or other solid waste material, article, thing, or object situated on the facility, whether or not the thing has monetary value, without prior written permission and approval of the director of sanitation. In prosecutions for this offense, it is not necessary to describe the thing taken, removed, or carried away other than as generally described in this subsection or as "article," "thing," or "item," and it is not necessary to allege that the thing had "value."

(2) The director of sanitation shall have authority to designate those processing or disposal sites operated by the city that will be open to public access and those that will not be open to public access. (Ord. Nos. 16367; 20599; 24743)

SEC. 19-15. THROWING TRASH UPON PUBLIC PLACES PROHIBITED.

No person shall throw, or permit anyone in his employ to throw upon any public place, any animal or vegetable substance whatever, or any tin, rock, brick or broken concrete, glass, glass bottle, nails, tacks, wire, cans, pieces of iron or any other substance likely to injure any person, animal or vehicle upon any public place. (Code 1941, Art. 86-61)

SEC. 49-43. WASTE DISPOSAL THROUGH VEHICLES, GREASE TRAPS/INTERCEPTORS, OR OTHER MEANS.

(a) Illegal waste disposal. A person commits an offense if:

(1) from a vehicle, portable tank, or other container used for transporting water, normal domestic wastewater, or industrial waste, the person discharges or causes the discharge of water, normal domestic wastewater, or industrial waste into the wastewater system or a private sewer facility directly or indirectly connected to the wastewater system;

(2) by any means, the person discharges or causes the discharge of water, normal domestic wastewater, or industrial waste into a part of the wastewater system generally used for maintenance or monitoring, including but not limited to manholes, cleanouts, or sampling chambers; or

(3) by means of a mechanical device or extraneous water, the person forces normal domestic wastewater or industrial waste collected in a grease trap/interceptor, sand trap/interceptor, or other waste collection device into the wastewater system or a private sewer facility directly or indirectly connected to the wastewater system.

(b) Defense. It is a defense to prosecution under Subsection (a) if the discharge of water, normal domestic wastewater, or industrial waste into the wastewater system, or into a private sewer facility directly or indirectly connected to the wastewater system, is from a motor vehicle:

(1) that is specially designed and adapted to treat water, normal domestic wastewater, or industrial waste to concentrations meeting the requirements of this article prior to discharge into the wastewater system; and

(2) the operator of which has written permission from the director to operate the vehicle within the city. (Ord. Nos. 19201; 26925)

SEC. 49-52. SAMPLING OF WASTE.

(a) When samples taken. The director shall take samples of industrial waste discharges from an establishment as often as the director determines is necessary to adequately monitor and control the discharges. If an owner desires additional samples, the director may require the owner to pay the cost of the additional service.

(b) How samples taken. A sample may be taken manually or by use of mechanical equipment. The method of sample collection will be determined by the director. The director shall use standard methods for determining concentrations of industrial waste.

(c) Inspection for compliance. The director shall conduct inspection, surveillance, and monitoring procedures to determine whether an industrial user is in compliance with applicable pretreatment standards and requirements. The inspection, surveillance, and monitoring must be independent of information received from the self- monitoring reports program.

(d) Self-monitoring program. The director may, to the extent permitted by the United States Environmental Protection Agency, delegate self-monitoring and reporting responsibilities to specific industrial waste discharge permittees, based upon the compliance history of a permittee and the volume and character of the waste discharge. (Ord. Nos. 19201; 20215; 21409; 26925)

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