

TOWN OF NEW HOPE
COUNTY OF COLLIN
STATE OF TEXAS

ORDINANCE NO. 89-05

AND ORDINANCE OF THE TOWN OF NEW HOPE, COLLIN COUNTY, TEXAS PROHIBITING OPEN STORAGE OF TRASH, HOUSEHOLD APPLIANCES AND JUNK PROVIDING FOR PROCEDURES FOR NOTIFICATION AND ENFORCEMENT, FOR CONFLICTS AND INVALIDITY FOR AN EFFECTIVE DATE AND A PENALTY OF A FINE UP TO \$1,000.00 PER DAY FOR EACH DAY OF VIOLATION.

WHEREAS, the Town Council hereby finds and determines that trash, garbage, household appliances and junk which are acted in any place where they are visible from a public place or public right-of-way or adjacent property are detrimental to the safety and welfare of the general public, tending to reduce the value of property, to create fire hazards, to constitute an attractive nuisance creating a hazard to the health and safety of minors and are detrimental to the economic welfare of the city, by producing urban blight, which is adverse to the maintenance and continuing development of the town, therefore open outside storage of such items is declared to be a public nuisance.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF NEW HOPE, COLLIN COUNTY, TEXAS;

Section I. It shall be unlawful for any person to store or permit the storage of trash, garbage, household appliances or junk in a place where they are visible from a public place or public right-of-way or adjacent property.

Section II. A. It shall be unlawful for any person to dump deposit or otherwise dispose of trash, garbage, junk or other waste products on any public or private property within the corporate limits of the Town except as provided by the terms of this ordinance.

B. Household trash and garbage may be properly placed in secure containers at curb side for removal by professional trash haulers.

C. Non toxic household trash may be disposed of by burning in secure metal containers screened on top to prevent escaping cinders.

D. Household trash may be stored in secure containers with lids awaiting removal by the property owner to an authorized dump site. The number of containers used for this purpose not to exceed six per household.

E. Junk, fixtures, and household appliances may be stored in enclosed buildings or behind appropriate fencing designed to shield any view of such items from public property, public right-of-way or adjacent properties.

F. Fencing materials referred to in Section E shall not in themselves create an esthetic nuisance and such fencing shall require a valid permit from and be approved by the Building Official.

G. Household appliances may not be stored in any manner that allows for the possible entrapment of minor children.

Section III. A. Upon viewing a violation of any section of this ordinance the Town Marshal or other appropriate Town official shall notify the property owner and or tenant of the property upon which the violation exists. Notification to abate the nuisance shall be given in writing and may be delivered in person or by certified mail.

B. The written notification shall contain the following;

1. Nature of complaint.
2. Statement that nuisance must be abated within ten days from date of notification.
3. Statement that if nuisance is abated within ten days no further action will be taken.
4. Statement of the penalties provided for no compliance with such notice.

Section IV. Penalty:

A violation of any section of this Ordinance shall be punishable by a fine of up to \$ 1000.00. Each day a section of this article is violated shall be a separate offense and each violation shall constitute a common nuisance which may be abated by the Town in any manner authorized by law.

Section V. Conflicts.

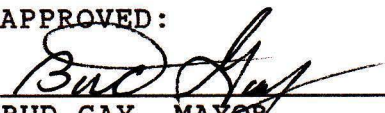
All ordinances and provisions of the town of New Hope, Texas, that are in conflict with this Ordinance shall be and the same are hereby repealed, and all ordinances and provisions of ordinances of said Town not so expressly repealed are hereby retained in full force and effect.

Section VI. Invalidity.

It is the intent of the Town Council that each paragraph, sentence, subdivision, clause, phrase or section of this ordinance be deemed severable, and should any such paragraph, sentence, subdivision, clause, phrase or section be declared invalid or unconstitutional for any reason, such declaration of invalidity or unconstitutionality shall not be construed to effect the validity of those provisions of this Ordinance left standing, nor the validity of the Code of Ordinances as a whole.

PASSED AND APPROVED BY THE BOARD OF ALDERMEN OF THE TOWN OF NEW HOPE, TEXAS, ON THIS 16th DAY OF February, 1989.

APPROVED:


BUD GAY, MAYOR
Town of New Hope, Texas

ATTEST:


SHIRLEY A. BLACKWOOD
CITY SECRETARY