

300-A

AN ORDINANCE OF THE CITY OF BELLS, TEXAS,  
LIMITING SIZE AND LOCATION OF SOLID WASTE  
DISPOSAL SITES WITHIN THE CITY LIMITS OF  
THE CITY OF BELLS AND ITS EXTRATERRITORIAL  
JURISDICTION, AND PROVIDING FOR INJUNCTIVE  
RELIEF AND A CIVIL PENALTY OF \$999.00 PER  
DAY OF VIOLATION

The City Council finds:

- (1) rural solid waste sites located or to be located in or around the City of Bells can potentially cause health problems to nearby residents, can attract insects, rodents, and other vectors, and can create conditions that destroy the beauty and quality of the environment of the City of Bells; and
- (2) a five-acre site for solid waste disposal and/or processing is adequate for projected needs of the City of Bells for the next twenty (20) years; and
- (3) the growth patterns for towns and cities in North Texas are generally to the north, and will likely be the same for the City of Bells; and
- (4) the City of Bells is likely to grow toward new U. S. Highway 82, toward which considerable growth has recently occurred; and
- (5) that portion of the City of Bells which has shown the least growth in the last several years is located to the south of existing U. S. Highway 82, and to the west of existing U. S. Highway 69.

NOW, THEREFORE, BE IT ORDAINED THAT:

- (1) The processing of solid waste and the disposal of solid waste is prohibited within the boundaries of the City of Bells except as may specifically be allowed hereafter;
- (2) The processing and disposal of solid waste is allowed within that portion of the city limits of the City of Bells which is both south of existing U. S. Highway 82 and west of existing U. S. Highway 69;

(3) The size of solid waste processing or disposal sites within such designated area is limited to five (5) contiguous acres. However, subject to applicable requirements of State and Federal law, there may be more than one site in such designated area of the City, if appropriate need therefor has been shown;

(4) Any solid waste processing or disposal site(s) within the said designated area of the City of Bells shall be subject to all applicable Federal, State, County, City or other governmental permits, rules, regulations and restrictions.

(5) In no event shall any such site be used for processing or disposal of solid waste so as to endanger life, property, or the purity of city or well water of the residents of the City of Bells, or of its extraterritorial jurisdiction;

(6) Solid waste disposal sites located within the extraterritorial jurisdiction of the City of Bells shall be limited to five (5) contiguous acres in size, and to that area of such jurisdiction which is south of existing U. S. Highway 82 and west of existing U. S. Highway 69;

(7) Any provision of prior ordinances in specific conflict herewith is repealed;

(8) The City of Bells shall be entitled to all commonlaw and statutory remedies, including injunctive relief, for the enforcement of this ordinance;

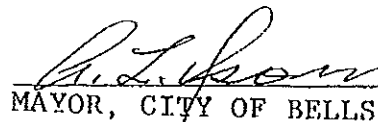
(9) In addition, any person, firm or corporation in violation of this ordinance shall be subject to a civil penalty of NINE HUNDRED NINETY-NINE AND NO/100 DOLLARS (\$999.00) per day. Each day this ordinance is violated shall constitute a separate violation, for which a separate daily civil penalty shall lie;

(10) The provisions of this ordinance are severable; should any provision or section be stricken by court interpretation, the remaining provisions shall continue to be effective.

ORDAINED ON THIS THE 6<sup>th</sup> DAY OF MARCH, 1984.

ATTEST:

  
SEC/TREAS., CITY OF BELLS

  
MAYOR, CITY OF BELLS

CITY COUNCIL:

Jerry Kepler

Ray Smith

Larry McMillin

Ralph Thomas

Douglas Lansford: Absent