

ORDINANCE # 2003 - 02

AN ORDINANCE TO PROTECT THE PUBLIC HEALTH AND PROMOTE THE PUBLIC WELFARE OF THE CITY OF WELLS, TEXAS, BY ESTABLISHING A BAN ON BURNING OF TRASH WITHIN THE CITY LIMITS ON ALL WEEKENDS EXCEPT THE FIRST FULL TWO (2) DAY WEEKEND (SATURDAY AND SUNDAY) IN EACH MONTH.

A. BURNING TRASH IN CITY LIMITS:

1. It shall be unlawful for any person to burn any trash, waste, rubbish, household garbage, tires, automobile parts, chemicals, industrial or other waste anywhere in the city limits.

2. EXCEPTIONS:

This ordinance shall not apply to the burning of leaves, tree limbs, grass or other materials from trees or shrubs during the following periods:

a. Monday through Friday and

b. The first full two-day weekend, (Saturday and Sunday) of each month. The burn ban **shall apply to all other weekends during the month.**

B. STATE OF "NO BURNING" DECLARATION:

When climatic conditions dictate the City, County or State officials may declare a "NO BURNING" ban. Any person desiring to ignite a fire may verify the current status of any burning bans by calling the City Secretary.

C. THE FIRE CHIEF:

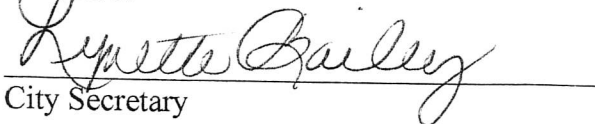
The Fire Chief or Assistant Fire Chief may upon request, inspect and approve the burning of material otherwise prohibited, that is not adaptable to being hauled. This approval must be obtained prior to burning in each instance.

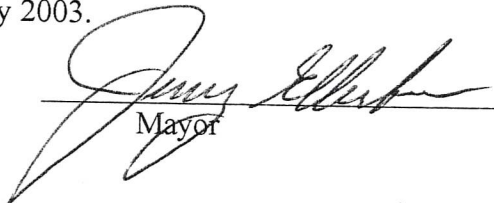
D. PENALTIES:

Any person violating any of the provisions of this ordinance shall be punished by a fine not to exceed \$200.00 for each conviction and each violation shall be deemed a separate offense. Since this ordinance has a penalty for violation, it shall become effective upon its publication in the newspaper.

PASSED AND APPROVED this 12th day of May 2003.

ATTEST:


City Secretary


Mayor

AMENDED

AMENDMENT TO ORDINANCE # 2003-02

ON THIS 8TH DAY OF JANUARY 2018, THE CITY COUNCIL VOTED TO AMEND ORDINANCE # 2003-02 BY STICKING THE WORDS UNDER ITEM A; NUMBER 2 EXCEPTIONS:

- a) MONDAY THROUGH FRIDAY
- b) THE FIRST FULL TWO DAY WEEKEND. (SATURDAY AND SUNDAY) OF EACH MONTH. THE BURN BAN SHALL APPLY TO ALL OTHER WEEKENDS DURING THE MONTH.

AND CHANGING THE EXCEPTIONS TO THE FOLLOWING:

THIS ORDINANCE SHALL NOT APPLY TO LEAVES, TREE LIMBS, GRASS AND OTHER MATERIALS FROM TREES OR SHRUBS DURING THE FOLLOWING PERIODS:

- A. BURING OF MATERIALS FROM TREES IS APPROVED 7 DAYS PER WEEK BUT NOT IN EXCESS; THE TERM EXCESS MEANING NO LARGE PILES BEING BURNED CAUSING EXCESSIVE SMOKE IN THE NEIGHBORHOODS.
- B. NO BURING ANY LEAVES, TREE LIMBS, GRASS AND OTHER MATERIALS FROM TREES OR SHRUBS IN THE CITY DITCHES, CREEKS OR ROADWAYS.
- C. EXCESS BURING WILL BE JUDGED BY LAW ENFORCEMENT. THE FIRST NOTICE WILL BE ISSUED AS A WARNING WITH ALL OTHER VIOLATIONS RESULTING IN A FINE.

PASSED AND APPROVED ON THIS THE 8TH DAY OF JANUARY, 2018.

C. W. W. Stearns
Mayor

ATTEST:

Melanie Williamson
City Secretary

AMENDMENT TO ORDINANCE # 2003-02

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF WELLS, TEXAS COUNTY OF CHEROKEE, TEXAS. EXERCISING THEIR DISCRETION TO AMEND ORDINANCE NO. 2003-02.

AN ORDINANCE TO PROTECT THE PUBLIC HEALTH AND PROMOTE THE PUBLIC WELFARE OF THE CITY OF WELLS, TEXAS, BY ESTABLISHING A BAN ON BURNING OF TRASH WITHIN THE CITY LIMITS OF WELLS AND ESTABLISHING BURING REQUIREMENTS FOR CITIZENS.

BY ADDING/REPLACING THE FOLLOWING:

SECTION A: ALLOW THE BURING BOX BUT NOT IN EXCESS.

SECTION B: ADD NO BURING ON THE CITY RIGHT-OFWAY- (ROW).

THE STATE OF TEXAS
COUNTY OF CHEROKEE
CITY OF WELLS

BE IT HEREBY ORDAINED BY THE CITY COUNCIL, IN AND FOR THE CITY WELLS, CHEROKEE COUNTY, TEXAS.

ON THIS 12TH DAY OF JUNE 2023, THE CITY COUNCIL VOTED TO AMEND ORDNANCE # 2003-02 BY CHANGING THE DESCRIPTION OF THE ORDINANCE AS LISTED ABOVE.

PASSED AND APPROVED THIS THE 12th DAY OF JUNE 2023.



MAYOR

ATTEST:



CITY SECRETARY

AMENDMENT TO ORDINANCE # 2003-02

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF WELLS, TEXAS COUNTY OF CHEROKEE, TEXAS. EXERCISING THEIR DISCRETION TO AMEND ORDINANCE NO. 95-01:

AN ORDINANCE TO PROTECT THE PUBLIC HEALTH AND PROMOTE THE PUBLIC WELFARE OF THE CITY OF WELLS, TEXAS, BY ESTABLISHING A BAN ON BURNING OF TRASH WITHIN THE CITY LIMITS OF WELLS AND ESTABLISHING BURING REQUIREMENTS FOR CITIZENS

BY ADDING THE FOLLOWING TO:

SECTION A:

ALLOW THE BURNING OF CARDBOARD BOXES BUT NOT IN EXCESS.

ADD NO BURNING ON CITY RIGHTS-OF-WAY (STREETS, VACANT STREETS, ALLEY WAYS, OR DITCHES. ADD NO UNATTENDED FIRES DAY OR NIGHT.


SECTION D:

ADD CITATIONS WILL BE ISSUED BY LAW ENFORCEMENT OFFICERS WHEN A VIOLATION OCCURS.

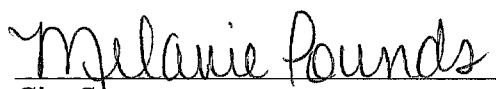
THE STATE OF TEXAS
COUNTY OF CHEROKEE
CITY OF WELLS

BE IT HEREBY ORDAINED BY THE CITY COUNCIL, IN AND FOR THE CITY WELLS, CHEROKEE COUNTY, TEXAS.

PASSED AND APPROVED THIS THE 11th DAY OF DECEMBER 2023.


Mayor

ATTEST:


City Secretary