

4-5-22
Agenda

AGENDA REQUEST

ORDINANCE RESOLUTION

26 NO: 2022-041

CAPTION: An ordinance amending the Code of Ordinances of the City of Pasadena, Texas at Chapter 37, Water, Sewers and Sewage Disposal, Article VIII: Liquid Waste Generators and Transporters, Section 37-248 (e) (1), Responsibilities of Liquid Waste Transporters; providing a penalty; providing a repealing clause; providing a savings clause; and providing for severability.

RECOMMENDATIONS & JUSTIFICATION: Authorize and approve ordinance amendment to include cost of waste manifest booklets that are required by ordinance to be purchased from the department and raise the current fee of each booklet from \$10.00 to \$15.00 to cover related printing costs.

(IF ADDITIONAL SPACE IS REQUIRED, PLEASE ATTACH SECOND PAGE)

BUDGETED:

COUNCIL DISTRICT(S) AFFECTED: ALL

REQUIRES APPROPRIATION:

See attached Certification

APR 12 2 10 PM '22
CITY SECRETARY

<u>KATHY PEREZ</u> <u>04/05/22</u> DATE: _____		COUNCIL ACTION	
REQUESTING PARTY (TYPED)		FIRST READING:	FINAL READING:
_____		<u>Bass</u> MOTION	<u>Bass</u> MOTION
BUDGET DEPARTMENT		<u>Valerio</u> SECOND	<u>Harrison</u> SECOND

PURCHASING DEPARTMENT			
APPROVED:			
<u>[Signature]</u>		<u>04-05-22</u> DATE	<u>04-19-22</u> DATE
CITY ATTORNEY			

<u>[Signature]</u> MAYOR		DEFERRED: _____	

ORDINANCE NO. 2022-041

An Ordinance amending the Code of Ordinances of the City of Pasadena, Texas at Chapter 37, Water, Sewers and Sewage Disposal, Article VIII: Liquid Waste Generators and Transporters, Section 37-248 (e)(1), Responsibilities of Liquid Waste Transporters; providing a penalty; providing a repealing clause; providing a savings clause; and providing for severability.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PASADENA:

SECTION 1. That Chapter 37, Water, Sewers and Sewage Disposal, Article VIII, of the Code of Ordinances of the City of Pasadena, Texas is hereby amended at Section 37-248 (e)(1), Responsibilities of liquid waste transporters, to hereafter read as follows:

Sec. 37-248. Responsibilities of liquid waste transporters.

(a) Before accepting a load of liquid waste for transportation, a liquid waste transporter shall determine the nature of the material to be transported and that his equipment is sufficient to properly handle the job without spillage, leaks or release of toxic or harmful gases, fumes, liquids or other substances. Upon delivery of the waste to the disposer, the transporter shall inform the disposer of the nature of the waste.

(b) Hazardous waste or hazardous waste in conjunction with non-hazardous waste shall not be transported in any vehicle permitted by this chapter.

(c) A transporter holding a city permit must use a disposal site permitted by the state or federal government for disposal of non-hazardous liquid waste.

(d) At no time shall a transporter commingle incompatible wastes in any transport vehicle.

(e) A manifest system, consisting of a five part trip ticket is used to document the generation, transportation and disposal of all applicable liquid waste generated in the city and shall be used as follows:

(1) City of Pasadena trip ticket books will be used exclusively for individual vehicles. Books shall be

purchased from the City of Pasadena Health Department at a rate of \$15.00 per book.

(2) A transporter will legibly complete one trip ticket for each location serviced.

(3) The original top copy of a trip ticket shall be legibly signed by the transporter and the generator at the time of waste collection and the second copy maintained by the generator.

(4) The original top copy of a trip ticket shall be legibly signed by the disposer at the time of disposal and the third copy maintained by the disposer.

(5) The fourth copy of a trip ticket shall be maintained by the transporter.

(6) The fifth copy of the completed trip ticket shall be delivered to the generator.

(7) The original top copy of the trip ticket shall be delivered, at least monthly, by the transporter to the regulatory authority.

(8) All voided trip tickets must be returned within one month of voiding to the City of Pasadena Health Department and missing tickets shall be explained in writing.

(9) A legible copy of all trip tickets shall be maintained for a period of three (3) years and shall be made available to the regulatory authority or their representative for inspections during normal business hours.

(f) A transporter or any person servicing a grease trap shall remove the entire contents of the collection device. Skimming the surface layer of waste material, partial cleaning of the trap or use of any method which does not remove the entire contents of the trap is prohibited.

(g) A transporter shall:

(1) Maintain sanitary conditions in area where picking up liquid waste and assure that area is free of litter and odor free;

(2) Report spills of liquid waste to the regulatory authority immediately; and

(3) Clean up all spills and abate unsanitary conditions immediately, and have all materials used to mitigate the spill disposed of by approved means.

(h) For compliance and tracking purposes, a transporter shall, upon submission, provide to the regulatory authority:

(1) Past or current routes or schedules of a vehicle's full daily operation;

(2) Notice, prior to operation in the city, of the time and location of the vehicle's operation; and

(3) A grab sample of transported waste. The sample shall be analyzed at an accredited lab and required sampling shall be at the expense of the operator.

SECTION 2. That all other terms and provisions of such Chapter shall remain in full force and effect

SECTION 3. That all ordinances in force when this Ordinance becomes effective which are inconsistent with, or in conflict with this Ordinance are hereby expressly repealed insofar as said ordinances are inconsistent with or are in conflict with this Ordinance.

SECTION 4. That all rights and remedies which have accrued in favor of the City under this Chapter and amendments thereto shall be and are preserved for the benefit of the City.

SECTION 5. That the City Council of the City of Pasadena, Texas does hereby declare that if any Section, subsection, paragraph, sentence, clause, phrase, word or portion of this Ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, the City Council would have passed and ordained any

and all remaining portions of this Ordinance without the inclusion of that portion or portions which may be so found to be unconstitutional or invalid, and declares that its intent is to make no portion of this Ordinance dependent upon the validity of any other portion thereof, and that all said remaining portions shall continue in full force and effect.

SECTION 6. That any violation of this chapter is a class "C" misdemeanor and will result in a fine, upon conviction, of not less than two hundred dollars (\$200.00) nor more than two thousand dollars (\$2,0000). Each day a violation under this chapter exists will be considered a separate violation.

SECTION 7. That the City Council officially determines that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council was posted at a place convenient to the public at the City Hall of the City for the time required by law preceding this meeting, as required by the Open Meetings Law, Chapter 551, Texas Government Code; and that this meeting has been open to the public as required by law at all times during which this ordinance and the subject matter thereof has been discussed, considered and formally acted upon. The City Council further confirms such written notice and the contents and posting thereof.

(SIGNATURE AND APPROVAL - NEXT PAGE)

PASSED ON FIRST READING by the City Council of the City of Pasadena, Texas in regular meeting in the City Hall this the 5th day of April, A.D., 2022.

APPROVED this the 5th day of April, A.D., 2022.

Jeff Wagner
JEFF WAGNER, MAYOR
OF THE CITY OF PASADENA, TEXAS

ATTEST:
Linda Rorick
LINDA RORICK
CITY SECRETARY
CITY OF PASADENA, TEXAS

APPROVED:
Jay Dale
JAY DALE
CITY ATTORNEY
CITY OF PASADENA, TEXAS

PASSED ON SECOND AND FINAL READING by the City Council of the City of Pasadena, Texas in regular meeting in the City Hall this the 19th day of April, A.D., 2022.

APPROVED this the 19th day of April, A.D., 2022.

Jeff Wagner
JEFF WAGNER, MAYOR
OF THE CITY OF PASADENA, TEXAS

ATTEST:
Linda Rorick
LINDA RORICK
CITY SECRETARY
CITY OF PASADENA, TEXAS

APPROVED:
Jay Dale
JAY DALE
CITY ATTORNEY
CITY OF PASADENA, TEXAS