

Sec. 12-1. - Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Biodegradable bag means a carryout bag that is certified and labeled as meeting the current ASTM-Standard Specification for compostability by a recognized verification entity such as the Biodegradable Product Institute.

Business means any commercial enterprise or establishment, including sole proprietorships, joint ventures, partnerships, corporations or any other legal entity whether for profit or not for profit and includes all employees of the business and any independent contractors associated with the business.

Checkout bag means a carryout bag that is provided to a customer at the point of sale for the purpose of transporting goods.

Construction or demolition waste shall mean any waste resulting from construction or demolition projects; including all materials that are directly or indirectly the by-products of construction work or that result from demolition of buildings and other structures, including, but not limited to, paper, cartons, gypsum board, wood, excelsior, rubber, and plastics.

Garbage shall mean any waste from any kitchen within the city limits whether from private residence or any other place within the city, waste paper, discarded clothing, rags, grass cuttings, weeds or any refuse which may properly be placed in a garbage container but shall not include dead animals or fowls, manure of any type, rocks, dirt, pieces of concrete or any other refuse not classified as garbage.

Premises shall mean business houses, boardinghouses, offices, theaters, hotels, motels, restaurants, cafes, eating houses, tourist courts, trailer parks, schools, private residences, vacant lots and all other places within the city limits.

Plastic shopping bag means a bag that is made from noncompostable plastic or compostable plastic and that is not specifically designed and manufactured for multiple reuse.

Recyclable paper bag means a paper checkout bag provided by a business to a customer at the point of sale for the purpose of transporting groceries or other goods which meet the following requirements:

- (1) Contains no old growth fiber;
- (2) Is one hundred percent recyclable; and
- (3) Contains a minimum of forty (40) percent post-consumer recycled content.

Reusable bag means a bag that is specifically designed and manufactured for multiple reuse and is:

- (1) Made of cloth or other washable fabric; or
- (2) Made of other durable material suitable for reuse.

Trash and *rubbish* shall mean grass cuttings, weeds, pieces of metal, large boxes or cans, tree limbs, which shall not exceed six (6) feet in length, and any other waste articles not readily disposed of as garbage and which shall be placed in a pile on the side of the alley or street, if no alley, convenient for city trucks to load.

Waste management facility shall mean a facility operating under a federal, state or local authorization for the management of garbage, trash, rubbish, construction and demolition waster, or other types of solid waste, including a landfill, a transfer station, a recycling facility, a composting facility, a citizens collection station or other similar facility.

(Ord. No. 09-115, 6-9-09; Ord. No. 09-121, 7-14-09; Ord. No. 10-117, 8-24-10)

Sec. 12-2. - Short title.

This chapter shall be known as the sanitation ordinance of the city and may be cited as such.

(Ord. No. 09-115, 6-9-09)

Sec. 12-8. - Implementation of a voluntary ban on plastic shopping bags beginning August 1, 2010 to February 28, 2011.

The entire city will promote a voluntary ban of plastic shopping bags throughout the city in preparation for the mandatory ban of plastic shopping bags to begin on March 1, 2011.

(Ord. No. 10-117, 8-24-10)

Sec. 12-9. - Plastic bag restrictions.

Businesses are prohibited from providing plastic shopping bags as of March 1, 2011, excepting only plastic shopping bags specifically provided to the customer at the point of sale for the purpose of transporting meat, fish and poultry products. Businesses may instead provide only recyclable plastic bags, reusable bags or biodegradable bags as checkout bags to their customers with or without charge.

(Ord. No. 10-117, 8-24-10)

Sec. 12-10. - Penalty.

Any violation of this article is subject to punishment as set forth in Chapter 1, General Provisions, Section 1-14, General penalty for violations of Code; continuing violations, of the Code of Ordinances of the City of Fort Stockton.

(Ord. No. 10-117, 8-24-10)