



## CITY OF LA MARQUE

### AGENDA of December 15, 2025

Notice is hereby given that the Ordinance Review Committee of the City of La Marque, Texas will conduct a **Meeting** on December 15, 2025, beginning at **6:00 PM** in the **Council Chambers at 1109-B Bayou Road La Marque, Texas as well as via videoconference hosted through Zoom ([bczoom.cityoflamarque.org](https://bczoom.cityoflamarque.org))**. In accordance with Section 551.127(b) of the Texas Government Code the presiding officer and a quorum of the Ordinance Review Committee intend to be and will be physically present at 1109-B Bayou Road, La Marque, Texas. This location will be open to the public.

The Committee will meet for the purpose of considering the following agenda:

1. CALL MEETING TO ORDER
2. ROLL CALL
3. INVOCATION AND PLEDGE OF ALLEGIANCE
4. CITIZENS PARTICIPATION  
LIMITED TO THREE MINUTES PER PERSON

Comments from the public will be heard at this time. Any person with city-related business who has signed up may speak to the Committee (limited to three (3) minutes). If wishing to speak give the Chair or presiding officer your full legal name and the item you wish to speak about. In compliance with Texas Open Meeting Act, the City may not deliberate on comments. Personal attacks will not be allowed, and personnel matters should be addressed to the City Manager during normal business hours. *Press \*6 to mute or unmute if you are participating by telephone, press the unmute button if attending via zoom on a smartphone, tablet or computer, or stand if attending in person, and the presiding officer will call on you in turn.*

5. NEW BUSINESS

*Items presented to the Committee for discussion and possible action:*

- 5.I. Reviewing and proposing amendments to the City of La Marque's Dumpster Ordinance
- 5.II. Reviewing and proposing amendments to the City of La Marque's Sign Ordinance
- 5.III. Reviewing and proposing amendments to the City of La Marque's Container Homes Ordinance
- 5.IV. Scheduling Next Meeting

**6. REQUESTS AND ANNOUNCEMENTS**

*Requests by Committee Members of items to be placed on future agendas and announcements on city events/community interests TEX. GOV'T CODE 5551.415. (b), "items of community interest" include: (1) expressions of thanks, congratulations, or condolence; (2) information regarding holiday schedules; (3) an honorary or salutary recognition of a public official, public employee, or other citizen, except that a discussion regarding a change in the status of a person's public office or public employment is not an honorary or salutary recognition for purposes of this subdivision; (4) a reminder about an upcoming event organized or sponsored by the governing body (5) information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the municipality or county; and (6) announcements involving an imminent threat to the public health and safety of people in the municipality or county that has arisen after the posting of the agenda*

**7. ADJOURNMENT**

**CERTIFICATION:**

I hereby certify that the above notice of meeting was posted at 1109-B Bayou Road, La Marque, Texas on December 10, 2025.

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Kierra K. Nance, TRMC  
City Clerk

*Footnotes:*

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**Charter reference**— Authority of council to prescribe rules and regulations for the handling and disposal of garbage, trash and rubbish, § 1.09.

**State Law reference**— Solid Waste Disposal Act, V.T.C.A., Health and Safety Code § 361.001 et seq.; local regulation of sanitation, V.T.C.A., Health and Safety Code § 342.001 et seq.; municipal solid waste, V.T.C.A., Health and Safety Code § 363.001 et seq.; municipal solid waste, 30 Tex. Admin. Code § 330.1 et seq.; approved containers, 30 Tex. Admin. Code § 330.23.

ARTICLE I. - IN GENERAL

Sec. 35-1. - 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:

*Garbage.* The term "garbage" shall be interpreted to mean all putrescent wastes, including vegetables, animal and poultry offal, carcasses of small animals and dead fowl, and shall include all such substances from all public and private establishments and from all residences.

*Hazardous material.* The term "hazardous material" shall include, but not be limited to, any amount of waste listed or characterized hazardous by the United States Environmental Protection Agency pursuant to the Resource Conservation and Recovery Act of 1976, as amended, or applicable state law.

*Rubbish.* The term "rubbish" shall mean solid and ordinary waste, other than garbage, including glass and ashes, broken ware, discarded clothing, trash, tin cans, bottles, papers and tree limbs, grass and weed cuttings properly contained or bundled not exceeding four feet in length and 50 pounds in weight per bundle.

*Rubble.* The term "rubble" shall mean dirt, rocks, broken concrete, bricks, debris resulting from construction, reconstruction or repair of buildings, and other earthen waste materials.

*Service unit.* The term "service unit" shall mean a biweekly average amount of garbage or rubbish not to exceed whichever of the following is applicable:

- (1) The contents of two garbage containers, each not greater than 30 gallons; or
- (2) Fifteen cubic feet of rubbish.

*Special pickup items.* By the term "special pickup items" is meant any appliance, furniture, uncut brush and limbs, tree limbs exceeding three-inch diameter or any other trash object that would not normally be picked up by the regular garbage trucks.

(Code 1972, § 9-1; Ord. No. 249, § I; Ord. No. 366; Ord. No. 510; Ord. No. 706, § 1)

Sec. 35-2. - Authority of sanitation department to collect and remove.

The sanitation department or its authorized agent(s) is hereby authorized to collect and remove garbage and rubbish from any premises in the city. Further, the use of private commercial haulers hired by any business or individual to provide for the collection of garbage and rubbish is expressly prohibited.

(Code 1972, § 9-2; Ord. No. 249, art. VI; Ord. No. 607; Ord. No. 706, § 1)

#### Sec. 35-3. - Duty to request and use collection service.

To assist in maintaining the general sanitation and health of the city, it shall be the duty of every person occupying or having control of the occupancy of any premises located on a regularly established garbage and rubbish route to notify the sanitation department of the city at the beginning of such occupancy and request, accept and use the garbage and rubbish pickup and collection service. Failure of any owner, rental agent or occupant of such premises to make such request shall not prevent nor in any way impair or impede the sanitation department from adding the address of such premises to the proper garbage and rubbish collection route records and providing such service and otherwise enforcing, by appropriate action, the regulatory measures prescribed in this chapter and causing the fees or charges therefor to be paid.

(Code 1972, § 9-3; Ord. No. 249, art. II; Ord. No. 706, § 1)

#### Sec. 35-4. - Containers required.

Every person occupying or having control of the occupancy of any premises shall provide and maintain thereon a sufficient number of containers to hold the garbage and rubbish accumulated on such premises between collections.

(Code 1972, § 9-4; Ord. No. 249, art. III; Ord. No. 706, § 1)

#### Sec. 35-5. - Container specification.

All garbage and rubbish shall be disposed of in one of the following:

- (1) Containers required by section 35-4 shall be portable, with handles, and constructed of galvanized metal or equivalent in such a manner as to be strong, not easily corrodible, rodentproof, flyproof, and shall have a tightfitting lid or cover, which shall not be removed except when depositing or removing the contents of the container. Such containers shall have a capacity of not more than 30 gallons nor less than ten gallons and not exceeding 50 pounds gross weight.
- (2) Sealed plastic bags made from a polyethylene resin film with a nominal thickness of two mils and not exceeding 50 pounds gross weight may also be used.
- (3) Confiscation of improper containers. Any container which allows the contents to leak or fall out or which has jagged or sharp edges which might cause injury or any garbage container without a tight-fitting cover is hereby declared to be a public nuisance and shall be picked up and destroyed by the sanitation department. A notice of the hazard will be attached to the container two weeks in advance to allow the owner to either repair or replace the container.

(Code 1972, § 9-5; Ord. No. 249, art. III; Ord. No. 607; Ord. No. 706, § 1)

Sec. 35-6. - Maintenance of containers.

All containers required by this chapter, and the ground immediately around the same, shall be kept in a safe and sanitary condition at all times. They shall be maintained so as not to create a fire hazard or provide harborage for rodents or a breeding place for insects. The surfaces of such containers shall be kept free of garbage accumulation by wrapping in paper all garbage placed in the container, by washing the container, or by other means.

(Code 1972, § 9-6; Ord. No. 249, arts. III, IV; Ord. No. 706, § 1)

Sec. 35-7. - Placement of container and other materials for collection.

- (a) *Residential.* All garbage, rubbish, or special pickup items shall be placed along the shoulder of the street, between the ditch and pavement edge, or within three feet of the concrete curb.
- (b) *Commercial.* All garbage, rubbish or special pickup items shall be placed as described in paragraph (a) above except where the supervisor of the sanitation department has agreed to a more suitable location at the owner's request. The city assumes no liability for damages to parking lots or other facilities where pickup is made on private property.

(Code 1972, § 9-7; Ord. No. 249, art. IV; Ord. No. 607; Ord. No. 706, § 1)

Sec. 35-8. - Time and frequency of collection.

- (a) The collection of garbage and rubbish will commence at 7:30 a.m. Garbage and rubbish shall be placed as required by section 35-7. All containers shall be removed from the street right-of-way on the day of collection. Failure to remove containers and/or container bins from the right-of-way will result in a discontinuance of service.
- (b) The collection of residential garbage and rubbish shall be made on a regularly scheduled basis twice weekly except where the city provides a cart, collection shall be made once weekly. On official city holidays, the regular collection shall occur as soon as practical before or after the regular collection date.
- (c) The collection of special pickup items will be made on a regular basis normally within a two-week period.

(Code 1972, § 9-8; Ord. No. 607; Ord. No. 706, § 1; Ord. No. 1010, § 1, 9-22-2008)

Sec. 35-9. - Removal of rubble and hazardous material.

- (a) Rubble shall be removed by the owner or occupant of the premises on which it is located, at his own expense and in a neat and sanitary manner, and shall not be permitted to accumulate on any premises beyond a reasonable length of time. No violation shall be charged hereunder unless ten days' notice of such unlawful accumulation shall have been given by the city manager or his designee and the same is not corrected within such time.
- (b) Hazardous material shall be removed by the owner or occupant of the premises on which it is located, at his own expense and in a neat, sanitary and safe manner. The city shall not collect, transport or dispose of hazardous material.

**Sec. 35-10. - Commercial containers.**

The city or its designated agent will be the only authorized agency to collect commercial garbage and refuse within the city limits.

- (1) The city or its agent will provide containers two cubic yards or larger at no additional charge to the customer.
- (2) Commercial container customers are required to place all of their garbage and rubbish inside of the container provided.
- (3) The size of container and frequency of collection will be determined, after consultation with the customer, by the sanitation department supervisor.
- (4) Screening required.
  - a. An owner or lessee of property shall place or maintain a commercial container so that it is not visible from the street right-of-way on the address side of the property. A commercial container located on a service drive behind a building on said property shall not be deemed visible from the street right-of-way.
  - b. A commercial container shall be deemed to be visible only if it can be seen by any person who is standing at grade level on any part of the right-of-way of a public street having a right-of-way width of 40 feet or more that adjoins the address side of the property on which the commercial container is located.
  - c. An owner or lessee of property may utilize a berm, building, fence, wall, gate, shrubbery, or a combination thereof which also complies with section 71-21(4)c. of this code, to accomplish the screening of a commercial container from view.
  - d. This article shall not apply to a commercial container situated upon property that is owned and maintained by a public school district or a private school.
- (5) Offenses.
  - a. *Offenses.* It shall be unlawful for any person to:
    1. Fail to comply with section 35-10(4) of this Code.
    2. Place or cause to be placed a commercial container on private property without first obtaining the permission of the owner or person in charge of the property.
    3. Fail to maintain screening as required under this article.
  - b. *Defenses.* It is a defense to prosecution under subsection a. above that:
    1. The commercial container is in daily actual use, exclusive of weekends, holidays, and inclement weather days, for the purpose of disposing of waste generated by the demolition or construction, or both, of improvements on the property upon which the commercial container is situated and that all building permits required for the work have been obtained.
    - 2.

The commercial container was placed by or upon written authority of the director on a temporary basis for a neighborhood clean-up campaign or similar temporary purpose.

3. The commercial container is used exclusively for the collection of recyclable materials.
4. There is inadequate space to locate the commercial container upon the property in a manner that complies with section 35-10(4) of this code.
5. Placement of the commercial container on the property in a manner that complies with section 35-10(4) of this Code would violate any provision of:
  - i. Chapter 14, article X of this Code relating to off-street parking requirements;
  - ii. Chapter 71 of this Code relating to zoning requirements;
  - iii. Chapter 14 of this Code relating to building and building regulations; or
  - iv. The fire code relating to dumpsters or fire apparatus access roads.

(Code 1972, § 9-10; Ord. No. 607; Ord. No. 706, § 2; Ord. No. 994, § 1, 1-14-2008)

#### Sec. 35-11. - Collection charges—Prescribed.

There are hereby levied charges, to be collected from the owner occupying any premises located or from the occupant or person in possession or control of any premises located on an established garbage and rubbish route within the city, for the removal and disposition of garbage and rubbish.

(Code 1972, § 9-11; Ord. No. 249, art. VI; Ord. No. 290; Ord. No. 378; Ord. No. 400; Ord. No. 445; Ord. No. 461; Ord. No. 476; Ord. No. 495; Ord. No. 510; Ord. No. 528; Ord. No. 537; Ord. No. 570; Ord. No. 594; Ord. No. 607; Ord. No. 618; Ord. No. 706, § 3; Ord. No. 717; Ord. No. 731; Ord. No. 761; Ord. No. 778; Ord. No. 794; Ord. No. 907, 8-27-2001; Ord. No. 926, 9-8-2003; Ord. No. 937, 9-27-2004; Ord. No. 949, 9-26-2005)

#### Sec. 35-12. - Same—Billing; when payable.

- (a) The service charges established by section 35-11 shall be determined on a monthly basis and shall be included and separately itemized on the same statement or bill with water and sewer charges. Such statement or bill shall be considered as one billing, and payment for one service shall not be received without payment of all where all services are received. Such charges shall be due and payable within 15 days after the date of the statement or bill.
- (b) Each monthly charge for garbage and rubbish pickup service shall be increased by ten percent thereof to arrive at the gross bill. The difference between the gross rate and the net rate, representing a discount, shall be allowed for payment of bills within 15 days of the date of the bill. If such charge is not paid within 15 days, the gross bill shall apply.

(Code 1972, § 9-12; Ord. No. 249, art. VI; Ord. No. 284; Ord. No. 607; Ord. No. 706, § 3)

#### Sec. 35-13. - Burning or burying.

No garbage, rubble or rubbish shall be burned or buried within the city except at landfills licensed by the state department of health. This section shall not preclude the burning of paper materials in an incinerator with a spark arrester with a weight no lighter than hardware cloth and with spacing one-fourth inch, and bearing the approval of the American Insurance writers. Use and operation of incinerators must be approved by the fire marshal and the Galveston County Health District, air control section.

(Code 1972, § 9-13; Ord. No. 249, art. V; Ord. No. 607; Ord. No. 706, § 3)

**Sec. 35-14. - Unlawful deposits, accumulations and use of service.**

- (a) No person shall deposit or place any garbage, rubble or rubbish in any alley, street or other public place within the city, or upon private property, whether owned by such person or not, within the limits of the city unless the same is enclosed within a suitable container, boxed or bundled as approved in this chapter, and at a location approved for collection by the sanitation department.
- (b) Fermenting, putrefying or odoriferous garbage or rubbish in containers uncollected or dumped in the open shall constitute a nuisance and a violation of this chapter.
- (c) No person shall deposit, or place any garbage, rubble or rubbish in any container or in any place which said person has not properly established pickup service with the city.

(Code 1972, § 9-14; Ord. No. 249; arts. III, VII; Ord. No. 607; Ord. No. 706, § 4)

**Sec. 35-15. - Unlawful hauling.**

It shall be unlawful for any person not under contract with the city or some other governmental agency to haul any garbage at any time, or to commercially haul any rubbish or rubble on any established route or regular basis, over the streets of the city.

(Code 1972, § 9-15; Ord. No. 249, art. IV; Ord. No. 706, § 4)

**Sec. 35-16. - Dumping grounds prohibited; exception.**

No garbage dump or dumping grounds where garbage, rubbish or rubble is disposed of shall be maintained or operated by any person, firm or corporation, whether private or governmental, within the city, and whether operated by sanitary landfill or otherwise, except for the garbage dump or dumping grounds used by the city for disposal of garbage collected by its sanitation department.

(Code 1972, § 9-16; Ord. No. 298; Ord. No. 706, § 4)

**Sec. 35-17. - Chapter does not prohibit properly maintained compost piles or pits.**

Nothing in this chapter shall be construed to prohibit the maintenance of compost piles or pits for the storage and disposition of vegetable matter consisting of grass cuttings, leaves and items of like nature, so long as such piles or pits are maintained in a satisfactory and sanitary manner, and do not become a public nuisance by causing the emission therefrom of obnoxious odors.

(Code 1972, § 9-17; Ord. No. 249, art. VII; Ord. No. 706, § 4)

Sec. 35-18. - Inspections to enforce chapter.

The sanitation department is hereby authorized to inspect any premises within the city for the purpose of enforcing the provisions of this chapter.

(Code 1972, § 9-18; Ord. No. 249; Ord. No. 706, § 4)

Sec. 35-19. - Penalty for violations of chapter.

Any person convicted of violating any provision of this chapter shall be punished as prescribed in section 1-7 of this Code.

(Code 1972, § 9-19; Ord. No. 706, § 4)

Sec. 35-20. - Regulation of recycling sites.

The city council shall be authorized to adopt regulations for the operation of recycling sites in order to ensure cleanliness and sanitary conditions.

(Code 1972, § 9-20; Ord. No. 706, § 5)

Secs. 35-21—35-53. - Reserved.

**Editor's note—** Ord. No. O-2024-0003, § 6, adopted February 26, 2024, repealed Art. II, §§ 35-44—35-53, which pertained to Keep La Marque Beautiful Commission and amended and relocated said provisions to Ch. 2, Art. X, §§ 2-316—2-325. Said sections derived from Ord. No. O-2017-0021, § 1, adopted Oct. 9, 2017; Ord. No. O-2017-0023, § 4, adopted Jan. 8, 2018. Formerly, Ord. No. O-2017-0021, § 1, adopted Oct. 9, 2017, amended Art. II, §§ 35-44—35-53, in its entirety in effect repealing and reenacting said article as set out herein. Former Art. II pertained to the clean city commission and derived from Code 1972, §§ 9-30—9-39; Ord. No. 565; Ord. No. 654, §§ 1, 2; Ord. No. 690, §§ 1, 2; and Ord. No. 857, §§ 1, 2, adopted Nov. 9, 1998.