

ORDINANCE NO. 2026-04

AN ORDINANCE OF THE CITY OF SAGINAW, TEXAS, AMENDING SECTION 82-1, "FRANCHISE AGREEMENT," AND SECTION 82-2, "MANDATORY COLLECTION BY FRANCHISE," OF ARTICLE I, "IN GENERAL," OF CHAPTER 82, "SOLID WASTE," OF THE SAGINAW CITY CODE BY AMENDING REFERENCES TO A SPECIFIC SOLID WASTE PROVIDER; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Saginaw, Texas (the "City") is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, the current language found in the Solid Waste ordinance is outdated and refers to a specific solid waste provider that is no longer under contract with the City; and

WHEREAS, the City Council desires to amend this language to be consistent with current solid waste operations within the City; and

WHEREAS, the City Council has determined that the regulations set forth herein are in the best interest of the health, safety, and general welfare of the citizens of the City and the public.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAGINAW, TEXAS, THAT:

SECTION 1.

Subsection (a), of Section 82-1, "Franchise Agreement," of Article I, "In General," of Chapter 82, "Solid Waste," of the Saginaw City Code is hereby amended to read as follows:

"Sec. 82-1. – Franchise agreement.

- (a) The City's current franchised solid waste collector shall have the exclusive right to engage in the business of collecting and disposing of garbage, trash, refuse, brush, debris, and other wastes from premises within the City."

SECTION 2.

Section 82-2, "Mandatory collection by franchise," of Article I, "In General," of Chapter 82, "Solid Waste," of the Saginaw City Code is hereby amended to read as follows:

"Sec. 82-2. – Mandatory collection by franchise.

It shall be unlawful for the owner or occupant of any premises within the City to employ or contract with any person other than a licensed franchise holder from the City to regularly collect and/or dispose of any garbage, trash, refuse, brush, debris, or other wastes, whether residential, business, commercial, industrial, or otherwise, from the premises of such owner or occupant within the City.”

SECTION 3.

This Ordinance shall be cumulative of all provisions of ordinances of the City and the Saginaw City Code, except where the provisions of this Ordinance are in direct conflict with the provisions of such ordinances and such Code, in which event the conflicting provisions of the such ordinances and such Code are hereby repealed.

SECTION 4.

It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable, and if any section, paragraph, sentence, clause, or phrase of this Ordinance shall be declared void, ineffective, or unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such voidness, ineffectiveness, or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation herein of any such void, ineffective or unconstitutional section, paragraph, sentence, clause, or phrase.

SECTION 5.

Any person, firm, or corporation violating any of the terms and provisions of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined in accordance with Section 1-13 of the Saginaw City Code. Each day any such violation or violations exist shall constitute a separate offense and shall be punishable as such hereunder.

SECTION 6.

All rights and remedies of the City of Saginaw are expressly saved as to any and all violations of the provisions of the Saginaw City Code, as amended, or any other ordinances affecting the subject matter herein, which have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

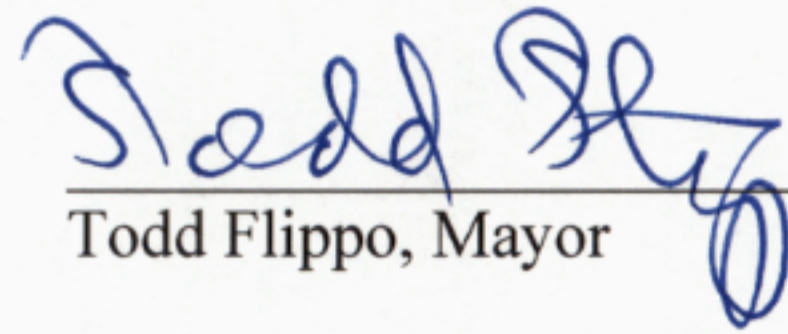
SECTION 7.

The City Secretary of the City is hereby directed to publish at least twice in the official newspaper of the City, the caption and penalty clause of this Ordinance in accordance with Section 52.013(b) of the Local Government Code.

SECTION 8.

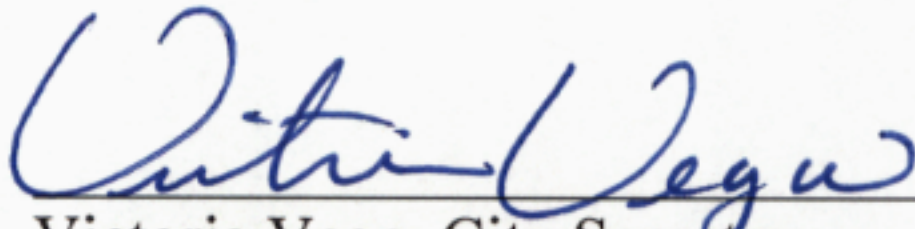
This Ordinance shall be in full force and effect from and after its passage and publication as required by law, and it is so ordained.

PASSED AND APPROVED ON this the 3rd day of March, 2026.



Todd Flippo, Mayor

ATTEST:



Victoria Vega, City Secretary

APPROVED AS TO FORM AND LEGALITY:



Bryn Meredith, City Attorney

