

**An Ordinance of the City of Plano, Texas, repealing Ordinance Nos. 91-6-28 and 92-3-17, codified as Article XIV, Solid Waste Removal from Construction Sites, of Chapter 6, Buildings and Building Regulations, of the City of Plano Code of Ordinances, and replacing it with a new Article XIV, Solid Waste Removal from Construction Sites, of Chapter 6, Buildings and Building Regulations, of the City of Plano Code of Ordinances; revising the registration fees and requirements for construction solid waste disposal contractors; and providing a repealer clause, a severability clause, a savings clause, a penalty clause, a publication clause, and an effective date.**

**WHEREAS**, on June 28, 1991 and March 3, 1992, the City Council of the City of Plano passed Ordinance Nos. 91-6-28 and 92-3-17, respectively, and codified as Article XIV, Solid Waste Removal from Construction Sites, of Chapter 6, Buildings and Building Regulations, of the City of Plano Code of Ordinances; and

**WHEREAS**, staff believes, after review of the provisions of Article XIV that the provisions for the registration, and authorization revocation, of construction solid waste disposal contractors need to be updated; and

**WHEREAS**, staff recommends repealing the current article and replacing it with the regulations provided in this Ordinance; and

**WHEREAS**, after consideration of the recommendation of staff and all matters attendant and related thereto, the City Council is of the opinion that it is in the best interest of the City and its citizens to repeal Ordinance Nos. 91-6-28 and 92-3-17, codified as Article XIV, Solid Waste Removal from Construction Sites, of Chapter 6, Buildings and Building Regulations, of the City of Plano Code of Ordinances and replace them with a new Article XIV, Solid Waste Removal from Construction Sites, of Chapter 6, Buildings and Building Regulations, of the City of Plano Code of Ordinances.

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

**Section I.** Ordinance Nos. 91-6-28 and 92-3-17, codified as Article XIV, Solid Waste Removal from Construction Sites, of Chapter 6, Buildings and Building Regulations, of the City of Plano Code of Ordinances, are hereby repealed and replaced with a new Article XIV, Solid Waste Removal from Construction Sites, of Chapter 6, Buildings and Building Regulations, of the City of Plano Code of Ordinances, to read as follows:

***“ARTICLE XIV. SOLID WASTE REMOVAL FROM CONSTRUCTION SITES***

**Sec. 6-621. Generally.**

It shall be unlawful for any person, company or corporation to engage in the business of solid waste removal from construction sites without registering with the building inspection department of the city as a construction solid waste disposal

contractor (hereinafter referred to as a registered contractor). However, such registration shall not permit or authorize collection of solid waste from construction sites through the use of roll-off, open-top containers; roll-off, closed-top containers; roll-off compaction containers; or any reusable receptacles with a volume of between two (2) cubic yards and ten (10) cubic yards, inclusive, designed for use with a front-end loading refuse truck.

A registration pursuant to this article is only for the removal of solid waste from a construction site that is not considered to be toxic or hazardous waste under any state or federal law or rule. All liquid or solid waste regulated by any state or federal agency must be disposed of under such agency's rules.

**Sec. 6-622. Construction solid waste disposal contractor—Application for registration.**

An applicant for registration as a construction solid waste disposal contractor must provide the following:

- (1) Business name.
- (2) Owner's name and driver's license number.
- (3) Business address.
- (4) Business phone number.
- (5) List of vehicles used for waste removal:
  - a. Make.
  - b. Model.
  - c. License plate number.
- (6) Proof of current bond of ten thousand dollars (\$10,000.00) on a form provided or approved by the City of Plano.
- (7) Registration fee of twenty dollars (\$20.00), includes registration of one vehicle, plus ten dollars (10.00) for each additional vehicle used by the construction solid waste disposal contractor.

**Sec. 6-623. Same—Renewal of registration.**

A registration must be renewed each year and the information listed in section 6-622 must be provided, as well as a copy of the renewal of the bond, along with a renewal fee of ten dollars (\$10.00) per vehicle.

**Sec. 6-624. Reserved.**

**Sec. 6-625. Contractor's registration revocation.**

A contractor's registration may be revoked, upon the building official's mailing of written notice of revocation of contractor's registration to the contractor at the business address specified in the registration, for the following reasons:

- (1) Failing to keep a current bond filed in the building inspections department.

- (2) Being observed by the building official or his representative placing construction debris or any other solid waste in any location other than a legal solid waste disposal site, or being convicted of such action in municipal court.
- (3) Being observed by the building official or his representative improperly securing a load while in transit to a disposal site, or being convicted of such action in municipal court.
- (4) Validating a building permit for an unregistered subcontractor.
- (5) Hauling from a construction site for which the contractor did not validate the building permit.
- (6) Violating section 18-12 or other requirement of the City of Plano Code of Ordinances relating to construction or construction safety.

**Sec. 6-626. Restoration of revoked contractor's registration.**

A contractor may appeal the revocation of his registration to the Building Standards Commission, who shall either have the authority to overrule the decision of the building official the revocation or establish terms by which the registration may be restored. The contractor's appeal must be in writing and filed with the building official within 10 business days after the building official's mailing of the notice of revocation of the contractor's registration. The building official shall give the contractor at least ten days written notice of meeting of the Building Standards Commission during which the appeal will be conducted.

**Sec. 6-627. Validation of building permits.**

A building or pool permit must be validated in writing by a registered contract prior to its issuance.

*Exceptions:*

- (1) Permits for work done by a homeowner at his homestead.
- (2) Permits for alterations or additions with a valuation of less than ten thousand dollars (\$10,000.00).
- (3) When the applicant for the permit shows evidence that he has contracted with a waste company that is licensed by the city for that purpose.
- (4) Permits for accessory buildings at single-family residences.

**Sec. 6-628. Stop work orders.**

If an unregistered waste removal contractor is permitted to conduct business at a construction site, the building official may issue a stop work order at that site until such time as the contractor obtains his registration and the validation on the building permit for that site is corrected, or until such time as the unregistered contractor discontinues work at the site. If an unregistered contractor removes waste from a site, work may be stopped until such time as the holder of the building permit provides satisfactory evidence to the building official that the waste was deposited in a legal solid waste disposal site.

**Sec. 6-629. Penalty for article violation.**

Any person, firm, or corporation violating any of the provisions or terms of this article shall be subject to a penalty as provided for in section 1-4 of the City of Plano Code of Ordinances.

**Secs. 6-630—6-650. Reserved.”**

**Section II.** All provisions of the Code of Ordinances of the City of Plano, codified or uncodified, in conflict with the provision of this Ordinance are hereby repealed, and all other provisions of the Code of Ordinances of the City of Plano, codified or uncodified, not in conflict with this Ordinance shall remain in full force and effect.

**Section III.** 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 phrase, clause, sentence, or section of this Ordinance shall be declared unconstitutional or invalid by any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any other remaining phrase, clause, sentence, paragraph or section of this Ordinance.

**Section IV.** The repeal of any Ordinance or part of Ordinances effectuated by the enactment of this Ordinance shall not be construed as abandoning any action now pending under by virtue of such Ordinance or as discontinuing, abating, modifying or altering any penalty accruing or to accrue, or as affecting any rights of the municipality under any section or provisions at the time of passage of this ordinance.

**Section V.** This Ordinance shall become effective immediately upon its passage and publication as required by law.

**PASSED AND APPROVED** on the 28th day of July, 2025.

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John B. Muns, MAYOR

ATTEST:

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Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:

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Paige Mims, CITY ATTORNEY