



**AN ORDER CREATING A COUNTY SOLID WASTE DISPOSAL PROGRAM  
AND ASSESSMENT OF FEES FOR RURAL AND UNINCORPORATED AREA RESIDENTS OF  
HIDALGO COUNTY**

Be it **ORDERED** and **APPROVED** by the Commissioners Court of Hidalgo County, Texas.

**SECTION 1. GENERAL PROVISIONS AND FINDINGS**

**WHEREAS**, the Hidalgo County Commissioners Court has both the responsibility and the authority to protect the health, safety and welfare of the citizens of Hidalgo County, Texas; and

**WHEREAS**, a county may appropriate and spend money from its general revenues to manage solid waste and to administer a solid waste program and may charge reasonable fees for those services pursuant to 361.153 of the Texas Health and Safety Code; and

**WHEREAS**, the Commissioners Court hereby finds that a Solid Waste Disposal Program, and a system for the issuance of solid waste disposal permits and fees is necessary in order to preserve and protect the public health and safety of the residents in Hidalgo County and that only rural and unincorporated residents of Hidalgo County shall be permitted to carry solid waste to a County Solid Waste Citizen Collection Station, and that appropriate fines may be assessed for violations of established rules and guidelines related to said program, to wit:

The Court finds that it is necessary to require that a solid waste permit be displayed on any vehicle carrying solid waste to a County Solid Waste Citizen Collection Station, and each individual permit issued shall correspond to a specific vehicle; and

The Court finds it is necessary to assess a twenty five dollar (\$25.00) solid waste permit fee for each individual vehicle carrying solid waste to a County Solid Waste Citizen Collection Station which will be valid for a period of ninety (90) days from the date of purchase.

**SECTION 2. SUBSTANTIVE PROVISIONS AND DEFINITIONS**

For the above reasons, and pursuant to the provisions of Section 361.153 of the Texas Health and Safety Code, the Hidalgo County Commissioners Court hereby

**ORDERS, RESOLVES** and **DECREES** the following:

**IT IS ORDERED** that a County Solid Waste Disposal Program, a system for the issuance of solid waste disposal permits and fees, and rules and guidelines related to said program are hereby established. In order to dispose of solid waste at a County Solid Waste Citizen Collection Station you must be a Hidalgo County rural and unincorporated area resident with a valid Solid Waste Permit. A Solid Waste Permit is required for each individual vehicle transporting or carrying waste to a County Solid Waste Citizen Collection Station, and each permit issued shall be registered to a specific vehicle. It will be a violation of this order to submit a permit registered to another vehicle which is not the vehicle transporting or carrying the solid waste. A twenty five dollars (\$25.00) fee will be assessed for each permit issued and will be valid for ninety (90) days from the date of purchase. Permits may be issued for additional time periods and the fee for such permits shall in no event be less than twenty five dollars (\$25.00) for each increment of ninety days in the time period so issued for the permit. Proper identification documents must be presented before a permit will be issued.

**DEFINITIONS IN THIS ORDER:**

1. "Solid waste" means garbage, rubbish, refuse, sludge from a waste treatment plant, water supply treatment plant, or air pollution control facility, and other discarded material, including solid, liquid, semisolid, or contained gaseous material resulting from industrial, municipal, commercial, mining, and agricultural operations and from community and institutional activities. Texas Health & Safety Code § 361.003.
2. "Solid Waste Citizen Collection Station" means all contiguous land, including structures, appurtenances, and other improvements on the land, used for processing, storing, or disposing of solid waste. The term includes a publicly or privately owned solid waste facility consisting of several processing, storage, or disposal operational units.

**SECTION 3. CIVIL PENALTY**

Disposal of solid waste at any of the County Solid Waste Citizen Collection Station without a valid solid waste permit properly displayed, aviolation of established rules and guidelines, or any other provision of this order may result in civil penalties. Complaints may be reported to the Hidalgo County Constable's Office(s); Violations shall be referred to the Office of the Criminal District Attorney.

**SECTION 4. SEVERABILITY**

If any portion of this order is deemed to be in violation of the statutes of the constitution of this state of the United States by a court of competent jurisdiction, said portion shall be severed, and the remaining portions of the order shall remain in full force and effect.

**SECTION 5. EFFECTIVE DATE**

This order shall become effective \_\_\_\_\_.

Read and adopted this 29th day of July, 2014, by a vote of 4 ayes and 0 nays.

Ramon Garcia  
RAMON GARCIA  
County Judge

A.C. Cuellar, Jr.  
A.C. CUELLAR, JR.  
County Commissioner, Pct. 1

Hector "Tito" Palacios  
HECTOR "TITO" PALACIOS  
County Commissioner, Pct. 2

Joe M. Flores  
JOE M. FLORES  
County Commissioner, Pct. 3

Joseph Palacios  
JOSEPH PALACIOS  
County Commissioner, Pct. 4

Armando Guajardo, Jr.  
Attest: ARMANDO GUAJARDO, JR.  
County Clerk  


APPROVED BY  
COMMISSIONERS COURT  
ON: 7/29/14

C. AI-45694 Sanitation Program

1. Approval of Order creating a Solid Waste Disposal Program and assessment of a \$25.00 fee for ninety (90) days for rural and unincorporated residents of Hidalgo County.

On motion by COMMISSIONER PCT. 1, A.C. CUELLAR, JR., seconded by COMMISSIONER PCT. 3, JOE M. FLORES, the Court made a UNANIMOUS vote of approval.

**Vote:** 4 - 0 - Unanimously

Commissioner Hector "Tito" Palacios joined the meeting.

2. Approval of the Countywide Solid Waste Citizen Collection Station Rules.

On motion by COMMISSIONER PCT. 3, JOE M. FLORES, seconded by COMMISSIONER PCT. 1, A.C. CUELLAR, JR., the Court made a UNANIMOUS vote of approval.

**Vote:** 5 - 0 - Unanimously

D. AI-45410 FY 2014 JAG Grant (1282):

1. Approval to accept the FY 14 Edward Byrne Memorial Justice Assistance Grant award (JAG) in the amount of \$46,650.00.

On motion by COMMISSIONER PCT. 3, JOE M. FLORES, seconded by COMMISSIONER PCT. 1, A.C. CUELLAR, JR., the Court made a UNANIMOUS vote of approval.

**Vote:** 5 - 0 - Unanimously

2. Approval of Certification of Revenues by the County Auditor for the FY 14 Edward Byrne Memorial Justice Assistance Grant award (JAG).

On motion by COMMISSIONER PCT. 3, JOE M. FLORES, seconded by COMMISSIONER PCT. 1, A.C. CUELLAR, JR., the Court made a UNANIMOUS vote of approval.

**Vote:** 5 - 0 - Unanimously

3. Approval of 2014 appropriation of funds for the FY 14 Edward Byrne Memorial Justice Assistance Grant (JAG) in the amount of \$46,650.00 (1282).

On motion by COMMISSIONER PCT. 3, JOE M. FLORES, seconded by COMMISSIONER PCT. 1, A.C. CUELLAR, JR., the Court made a UNANIMOUS vote of approval.

**Vote:** 5 - 0 - Unanimously