

**ORDINANCE NO. 0181
AMENDMENT NO. 1**

AN ORDINANCE AMENDING ORDINANCE NO. 0181 OF THE TOWN OF HORIZON CITY TO ESTABLISH A PENALTY PROVISION FOR A VIOLATION OF THE ORDINANCE; AND PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT, REPEALER, AND SEVERABILITY; THE PENALTY BEING AS PROVIDED IN SECTION 181.070 OF THIS ORDINANCE, CREATING A MISDEMEANOR PUNISHABLE BY A FINE NOT TO EXCEED \$500.00.

WHEREAS, the City Council of the Town of Horizon City (“City Council”) is authorized by the Texas Government Code, Section 51.001, to adopt an ordinance that is for the good government, peace, or order of the City and is necessary or proper for implementing a power granted by law to the City; and

WHEREAS, this amendment is made to clarify the penalty provisions and to clearly establish the maximum fine for a violation of the Ordinance.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF HORIZON CITY, TEXAS that;

ARTICLE I. ENACTMENT OF AMENDMENT

Pursuant to Sections 51.001 and 51.012 of the Texas Local Government Code, the City Council of the Town of Horizon City hereby enacts and adopts this Amendment No. 001 to Ordinance No. 0181, which created park regulations for the Town of Horizon City and related matters, to amend the ordinance by adding Section 181.070, Violation—Penalty, as follows:

Section 181.070. Violation—Penalty.

Any person violating any provision of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction, shall be punished by a fine not to exceed five hundred dollars. Each occurrence shall be deemed to be a separate violation.

ARTICLE II. FINDINGS OF FACT

That this ordinance was duly enacted with all requisites and formalities incident thereto the enactment of ordinance, and such is evidenced by the signatures below; and further that the foregoing recitals are incorporated into this ordinance by reference as findings of fact as if expressly set forth herein.

ARTICLE III. REPEALER

All ordinances, resolutions, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the effect of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated, herein.

ARTICLE IV. SEVERABILITY

Should any of the clauses, sentences, paragraphs, sections or parts of this ordinance be deemed invalid, unconstitutional, or unenforceable by a court of law or administrative agency with jurisdiction over the matter, such action shall not be construed to affect any other valid portion of this Ordinance.

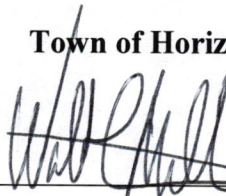
ARTICLE V. PROPER NOTICE AND MEETING

It is officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551. Notice was also provided as required by Chapter 52, Texas Local Government Code.

PASSED AND APPROVED this the 10th day of November 2015, by a vote of 7 (ayes) to 0 (nays) to 0 (abstentions) of the Town Council of Horizon City, Texas.

Town of Horizon City


By:



Walter L. Miller, Mayor

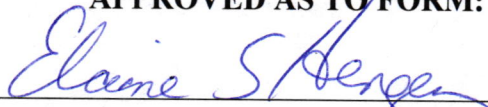
ATTEST:

By:



Elvia Schuller, City Clerk

APPROVED AS TO FORM:



Elaine S. Hengen, Assistant City Attorney

First Reading: 11/2/2015
Second Reading: 11/10/2015