

**ORDINANCE NO. 208**

**AN ORDINANCE TO REPEAL ORDINANCE NO. 0056 OF THE TOWN OF HORIZON CITY, AND ANY AND ALL AMENDMENTS THERETO, RELATING TO THE ADOPTION OF A SPEED ZONE MAP PREPARED BY THE TEXAS DEPARTMENT OF HIGHWAYS; AND PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT, REPEALER, AND SEVERABILITY.**

**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,** Chapter 545 of the Texas Transportation Code, authorizes a municipality to establish speed zones within the territorial limits of the municipality; and

**WHEREAS,** the City Council has determined it should consolidate the various ordinances relating to or establishing speed zones in the Town of Horizon City, and as such, it is now appropriate to repeal Ordinance No. 0056, adopted on August 9, 1994.

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

**ARTICLE I. REPEAL OF ORDINANCE NO. 0056**

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 ordinance which repeals Ordinance No. 0056 of the Town of Horizon City, adopted on August 9, 1994, and any and all amendments thereto.

**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resolutions, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the effect of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated, herein.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 8<sup>th</sup> day of April 2014, 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: 3/18/2014

Second Reading: 4/8/2014