

ORDINANCE NO. 218

AN ORDINANCE REPEALING ORDINANCE NUMBER 0199 OF THE TOWN OF HORIZON CITY, TEXAS (CREATING TRANSPORTATION REINVESTMENT ZONE NUMBER ONE FOR THE TOWN OF HORIZON CITY, TEXAS); DECLARING ORDINANCE NUMBER 0199 VOID; AND CONTAINING OTHER PROVISIONS RELATED THERETO.

WHEREAS, on November 27, 2012, the City Council (the Council) of the Town of Horizon City, Texas (Horizon City) adopted Ordinance Number 0199, creating Transportation Reinvestment Zone Number One; and

WHEREAS, Ordinance No. 0199 incorrectly found that notice of the required public hearing was published in the West Texas County Courier, in its issue dated October 4, 2012 in compliance with Section 222.106(e) of the Texas Transportation Code, (the Act), when in fact, it is not clear that such publication was in compliance with the Act.

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

Section 1. Repeal of Ordinance No. 0199.

That Ordinance Number 0199 is declared to be void from its inception for non-compliance with Section 222.106(e) of the Texas Transportation Code, and that Ordinance No. 0199 is hereby repealed.

Section 2. Incorporation of Recitals.

The Council hereby finds that the statements set forth in the recitals of this ordinance are true and correct, and the Council hereby incorporates such recitals as a part of this ordinance as if expressly set forth herein.

Section 3. Severability.

If any provision of this ordinance or the application thereof to any circumstance shall be held to be invalid, the remainder of this ordinance and the application thereof to other circumstances shall nevertheless be valid, as if such invalid provision had never appeared herein, and this governing body hereby declares that this ordinance would have been enacted without such invalid provision.

PASSED AND APPROVED this the 9th day of December, 2014, by a vote of 7 (ayes) to 0 (nays) to 0 (abstentions) of the City 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: 11/11/2014
Second Reading: 12/9/2014