

ORDINANCE NO, 2010 - 1

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BEACH CITY, TEXAS, AMENDING ORDINANCE NO. 2006-02, BEACH CITY TEXAS SUBDIVISION REGULATIONS, BY ADDING A NEW SECTION, ARTICLE II, (N) REQUIREMENTS FOR SUBDIVISIONS WITH OSSFS, CONTAINING A SAVINGS CLAUSE; PRESCRIBING A MAXIMUM PENALTY OF FIVE HUNDRED AND NO/100 DOLLARS (\$500.00) FOR EACH VIOLATION THEREOF; AND PROVIDING FOR THE PUBLICATION AND EFFECTIVE DATE THEREOF.

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WHEREAS, Texas Legislature enacted Title 30 Texas Administrative Code, Chapter 285, On-Site Sewage Facilities (OSSFs) wherein local political authorities are required to enforce the requirements concerning onsite sewage facilities on real properties

WHEREAS, the City of Beach City, Texas, is the local political authority charged with the responsibility of governing (OSSFs) and the platting of subdivisions within its municipal boundaries

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BEACH CITY, TEXAS;

SECTION ONE: That Ordinance No. 2006-02, Beach City, Texas Subdivision Regulations, is amended by adding a new section, Article II. (N) *Requirements for Subdivisions with OSSFs*.

SECTION TWO: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council; and that all deliberations of the Council that resulted in such formal action were in a meeting open to the public in compliance with all legal requirements.

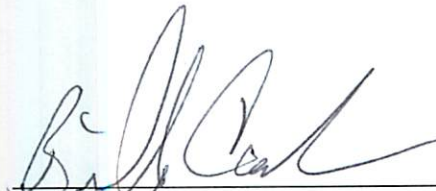
SECTION THREE: Any person who fails to comply with any provision of this ordinance shall be guilty of a misdemeanor and, upon conviction, shall be punished by a fine not exceeding FIVE HUNDRED AND NO/100 DOLLARS (\$500.00). Each act of violation and each day upon which any such violation shall occur shall constitute a separate offense. In addition to the penalty prescribed above, the city may pursue other remedies such as abatement of nuisances, injunctive relief, administrative adjudication and revocation of licenses or permits.

SECTION FOUR: All ordinances or parts of ordinances inconsistent with the terms of this ordinance are hereby repealed; provided however, that such repeal shall be only to the extent of such inconsistency and in all other respects this ordinance shall be cumulative of other ordinances regulating and governing the subject matter covered by this ordinance.

SECTION FIVE: If any provisions, section, exception, subsection, paragraph, sentence, clause or phrase of this ordinance or the application of same to any person or set of circumstances, shall for any reason be held unconstitutional, void or invalid, such invalidity shall not affect the validity of the remaining provisions of this ordinance or their application to other persons or sets of circumstances and to this end all provisions of this ordinance are declared to be severable.

SECTION SIX: This ordinance shall take effect from and after ten (10) days from its passage by the City Council. The City Clerk is hereby directed to give notice hereof by causing the caption of this ordinance to be published in the official newspaper of the City of Beach City at least twice within ten (10) days after passage of this ordinance.

INTRODUCED, READ and PASSED by the affirmative vote of the City Council of the City of Beach City, on this the 25 day of May, 2010.

  
BILLY COMBS, Mayor

ATTESTED TO:

  
MARGARET GAINER, City Secretary

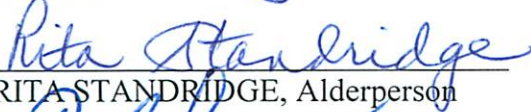
APPROVED AS TO FORM ONLY:

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DANIEL R. JACKSON, City Attorney

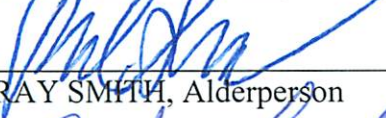
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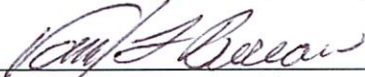
RITA STANDRIDGE, Alderperson



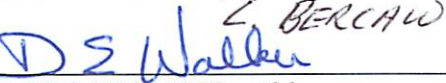
RAY SMITH, Alderperson



JACKEY LASATER, Alderperson



NICK VAUGHN, Alderperson



DOUG WALKER, Alderperson