

Ordinance No. 84-3

O R D I N A N C E

(Motion was made by May Jane Baker, and seconded by Belle West that the following Ordinance be passed:)

AN ORDINANCE AMENDING ORDINANCE NO. 3, ENTITLED:

"AN ORDINANCE BY THE TOWN OF WHISPERING OAKS/TOWN OF WOODLOCH, TEXAS, PROVIDING FOR APPOINTMENT OF ARCHITECTURAL CONTROL COMMITTEE; PROVIDING FOR SUBMISSION OF PLANS AND SPECIFICATIONS FOR CONSTRUCTION AND IMPROVEMENTS TO BE MADE ON LOTS AND REAL PROPERTY IN SAID TOWN; PROVIDING FOR BUILDING PERMIT TO BE OBTAINED; PROVIDING FOR APPLICATION TO BE FILED; FEE; PROVIDING AUTHORITY, RULES, REGULATION AND APPEAL; PROVIDING FOR PENALTY, SAVINGS CLAUSE, EFFECTIVE DATE; BY AMENDING SUCH ORDINANCE TO PROVIDE AUTHORITY TO THE TOWN TO DISCONNECT FROM THE TOWN WATER AND SEWER SERVICES THOSE RESIDENCES THAT HAVE BEEN FOUND GUILTY BY THE MUNICIPAL COURT TO BE IN VIOLATION OF THIS ORDINANCE UNTIL SUCH TIME AS VIOLATIONS OF THIS ORDINANCE HAVE BEEN ABATED BY OBTAINING THE REQUIRED BUILDING PERMITS; PROVIDING FOR PENALTIES OF VIOLATIONS OF THIS ORDINANCE; SAVINGS CLAUSE; AND PROVIDING EFFECTIVE DATE; AND DECLARING AN EMERGENCY."

WHEREAS, it has come to the attention of the Town Council of the Town of Woodloch that their Ordinance No. 3 should be amended as it pertains to Section 12 thereof providing for penalties for violation of this ordinance; and

WHEREAS, the Town Council finds that it is in the best interest of the public safety, health and general welfare, to amend the existing Ordinance No. 3 to provide authority to the Town of Woodloch, Texas to disconnect from Town water and sewer services those persons residing in the Town of Woodloch who have been deemed in violation of this Ordinance by a Municipal Court, until such time as such violations have been abated and proper building permits have been obtained and the rules and regulations as provided in this Ordinance have been complied with.;

WHEREAS, the Town Council finds that it is in the best interest of the public safety, health and general welfare, to amend the existing Ordinance No. 3 of the Town of Woodloch to provide for a maximum penalty of up to \$1000.00 per violation for each and every day the violation exists; NOW, THEREFORE;

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF WOODLOCH, TEXAS:

I.

The certain Ordinance No. 3 entitled "An Ordinance by the Town of Whispering Oaks/Town of Woodloch, providing for appointment of Architectural Control Committee; providing for submission of plans and specifications for construction and improvements to be made on lots and real property in said town; providing for building permit to be obtained; providing for application

to be filed; fee; providing authority, rules, regulations and appeals; providing for penalty, savings clause, and effective date;" is hereby amended in Section XII thereof to provide as follows:

Any person who shall violate any of the provisions hereof, shall be deemed guilty of a misdemeanor, and on conviction thereof, shall be fined in a sum not exceeding \$1,000.00, and each and every violation of such provision shall constitute a separate offense.

Any person who has been convicted of a violation of this ordinance in failing to obtain the necessary building permits as provided herein shall be disconnected from Town utilities (water and sewer) until the violations have been abated and the proper building permits have been obtained and the rules and regulations relating thereto have been complied with in all respects;

II.

If any provision of this ordinance or the application hereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without defeating the purpose or objective of the provisions, and to this end, the provisions of this ordinance are declared to be severable;

III.

Whereas, an emergency is apparent for the immediate preservation of ordering good government that requires this ordinance to become effective at once; therefore, upon passage of this ordinance by favorable vote of the Council, it shall be effective from and after the date of its passage;

PASSED AND APPROVED THIS 18 day of October 1984.

TOWN OF WOODLOCH

ATTEST:

BY:

Judy Rosen  
Town Secretary

APPROVED:

BY:

Katherine Fedak  
Town Attorney

BY: Mary E. Gilbert  
Mayor