

ORDINANCE NO. 2007-005

AN ORDINANCE OF THE VILLAGE OF WIMBERLEY, TEXAS, AMENDING SECTION XI, SUBSECTION A(1) OF VILLAGE OF WIMBERLEY ORDINANCE NO. 2006-010, "CODE OF ETHICS" RELATING TO PROCEDURES FOR THE FILING OF ETHICS COMPLAINTS; PROVIDING FOR AN EFFECTIVE DATE; PROPER NOTICE AND MEETING, SEVERABILITY AND REPEALER.

WHEREAS statutory provisions governing the ethical conduct of public officials and employees are found in various codes, including the Texas Local Government Code, the Texas Government Code and the Texas Penal Code; and

WHEREAS, the City Council of the Village of Wimberley on September 16, 2006 adopted Ordinance No. 2006-010 which is a comprehensive ethics ordinance that sets out the statutory parameters relating to the conduct of public officials and employees in one easily accessible location; and

WHEREAS, the City Council of the Village of Wimberley finds it desirable and necessary to amend its comprehensive ethics ordinance to clarify the procedure relating to the filing of complaints relating to the conduct of public officials and employees; and

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE VILLAGE OF WIMBERLEY, COUNTY OF HAYS, STATE OF TEXAS:

I. FINDINGS

All of the above premises are hereby found to be true and correct legislative and factual findings of the Village of Wimberley and are hereby approved and incorporated into the body of this ordinance as if copied in their entirety.

II. AMENDMENTS

That Section XI, Subsection A(1) of Village of Wimberley Ordinance No. 2006-010 is hereby amended to be deleted in its entirety and replaced with the following:

"Any City Official, City Employee, or eligible voter of the Village who believes that there has been a violation of this Ordinance may file a sworn complaint. A complaint alleging a violation of this Code of Ethics must meet the requirements herein and must be filed with the City Secretary. A complaint alleging a violation of this Code of Ethics by the City Attorney must be filed with the persons names in subsection X (D) of this Code. A complaint must be filed within one (1) year from the date of the alleged violation"

III. REPEALER

All ordinances or parts of ordinances in force when the provisions of this Ordinance becomes effective which are inconsistent or in conflict with the terms and provisions contained in this Ordinance are hereby repealed only to the extent of any such conflict.

IV. SEVERABILITY

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this ordinance be severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this ordinance, and the remainder of this Ordinance shall be enforced as written.

V. EFFECTIVE DATE

This Ordinance shall take effect immediately upon its passage and publication as may be required by governing law.

VI. PROPER NOTICE AND MEETING

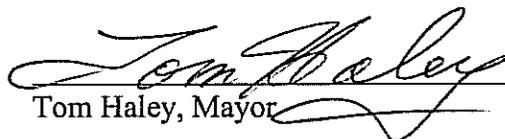
It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act. Chapter 551 of the Texas Government Code.

PASSED AND APPROVED on first reading this 1st day of March, 2007, by a 4 (Ayes) 0 (Nays) 0 (Abstain) vote of the City Council of the Village of Wimberley, Texas.

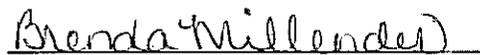
PASSED AND APPROVED on second reading this 15th day of March, 2007, by a 5 (Ayes) 0 (Nays) 0 (Abstain) vote of the City Council of the Village of Wimberley, Texas.

VILLAGE OF WIMBERLEY

By:

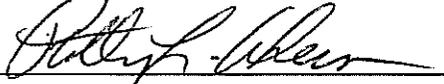

Tom Haley, Mayor

ATTEST:


Brenda Millender, City Secretary

SEAL

APPROVED AS TO FORM:



Patty L. Akers, City Attorney