

ORDINANCE NO. 2012- 012

AN ORDINANCE OF THE CITY OF WIMBERLEY, TEXAS RESCINDING ORDINANCE 2011-030, ADOPTED ON OCTOBER 20, 2011, WHICH AMENDED TITLE V, PUBLIC WORKS, CHAPTER 51, WATER CONSERVATION, OF THE CODE OF ORDINANCES IN ORDER TO PROHIBIT WATERING OF LAWNS OR LANDSCAPING AND TO IMPOSE OTHER SUPPLEMENTAL WATER RESTRICTIONS IN RESPONSE TO RECENT DROUGHT CONDITIONS, AND PROVIDING FINDINGS OF FACT, A REPEALING CLAUSE, SAVINGS AND SEVERABILITY CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the State of Texas was experiencing extreme and historic drought conditions in 2011, but recent rainfall has alleviated somewhat the severity those drought conditions; and,

WHEREAS, the City of Council, in response to then-present extreme drought conditions, adopted Ordinance 2011-030 prohibiting watering of lawns or landscaping, imposing other supplemental water restrictions, and,

WHEREAS, the extreme drought conditions that brought about the need for Ordinance 2011-030 have been somewhat alleviated;

WHEREAS, City Council of the City of Wimberley finds that, while drought conditions still exist, there is no longer a need to impose the stringent restrictions contained in Ordinance 2011-030; and,

WHEREAS, City Council of the City of Wimberley finds that Ordinance 2011-030 is no longer required in order to protect the public health, safety and welfare of the community; and

WHEREAS, the City Council has determined that it is in the best interest of the general public and the residents of Wimberley to rescind Ordinance 2011-030.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WIMBERLEY, TEXAS, THAT:

Section 1. Findings. All of the above premises are hereby found to be true and correct legislative and factual findings of the City of Wimberley and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

Section 2. Rescission

City of Wimberley Ordinance 2011-030 is rescinded in its entirety as being no longer required for the protection of the public health, safety, and welfare.

Section 3. Except as expressly amended herein, the Wimberley Code of Ordinances shall remain in full force and effect.

Section 4. All ordinances or parts of ordinances in force when the provisions of this Ordinance become effective which are inconsistent or in conflict with the terms and provisions contained in this Ordinance are hereby repealed, but only to the extent of any such conflict.

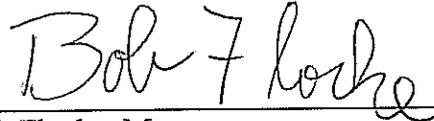
Section 5. Should any sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this Ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Ordinances as a whole.

Section 6. This Ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and charter in such cases provide.

Section 7. Open Meetings. That it is hereby officially found and determined that the meeting at which this Ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meeting Act, Chapt. 551, Loc. Gov't. Code.

PASSED AND APPROVED this 15th day of March, 2012, by a vote of 5 (Ayes) to 0 (Nays) 0 (Abstain) vote of the City Council of the City of Wimberley, Texas.

CITY OF WIMBERLEY, TEXAS



Bob Flocke, Mayor

ATTEST:



Cara McPartland, City Secretary

APPROVED AS TO FORM:



C. Fryer, City Attorney

