

ORDINANCE NO. 2012- 030

AN ORDINANCE OF THE CITY OF WIMBERLEY, TEXAS, AMENDING TITLE IX (GENERAL REGULATIONS), CHAPTER 91 (PARKS AND RECREATION), SUBCHAPTER 91.18 (BLUE HOLE REGIONAL PARK SWIMMING FEES, OF THE CODE OF ORDINANCES OF THE CITY OF WIMBERLEY, TO CLARIFY THE PROCEDURE FOR SETTING PARK FEES; AND PROVIDING FINDINGS OF FACT, A REPEALING CLAUSE, TO PROVIDE A SAVINGS CLAUSE AND SEVERABILITY, PROPER NOTICE AND MEETING, AND AN EFFECTIVE DATE.

WHEREAS, the City of Wimberley, Texas, is a Type A General-Law Municipality located in Hays County, Texas, created in accordance with provisions of the Texas Local Government Code and operating pursuant to enabling legislation of the State of Texas; and

WHEREAS, on or about April 19, 2007, the City Council of the City of Wimberley (Council) enacted Ordinance No. 2007-007, an ordinance of the City of Wimberley establishing fees for use of the swimming area at the Blue Hole Regional Park; and

WHEREAS, since that time, the Council has taken official action from time to time to amend the fee schedule; and

WHEREAS, the purpose of this Ordinance is to clarify that Council may continue to amend the fee schedule by taking official action without amending this ordinance.

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. Amendment.

THAT the City of Wimberley Code of Ordinances, Title IX (General Regulations), Chapter 91 (Parks and Recreation), Section 91.18 (Blue Hole Regional Park Swimming Fees), is hereby amended to add a new Subsection (i) as follows:

“(i) The City Council may from time to time amend the above fee schedule by a majority vote of the members present. All previous amendments approved by the Council are hereby ratified.”

Section 3. Except as expressly amended herein, City of Wimberley Code of Ordinances, Title IX (General Regulations), Chapter 91 (Parks and Recreation), Section 91.18 (Blue Hole Regional Park Swimming Fees), 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effective which are inconsistent or in conflict with the terms and provisions contained in this Ordinance are hereby repealed, but only to the extent of any such conflict.

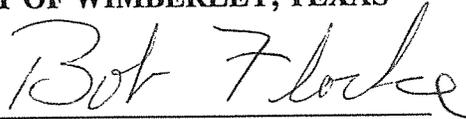
Section 5. Should any sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this Ordinance as a whole, or any part or provision thereof other than the part so decided to be 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, Capt. 551, Loc. Gov't. Code.

PASSED AND APPROVED this 10th day of September, 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



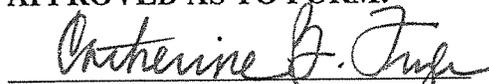
Bob Flocke, Mayor

ATTEST:



Cara McPartland, City Secretary

APPROVED AS TO FORM:



Catherine B. Fryer, City Attorney

