

ORDINANCE NO. 1152007

AN ORDINANCE OF THE CITY OF THRALL , TEXAS, REQUIRING THAT CULVERTS INSTALLED AND USED IN THE CITY OF THRALL SHALL BE NO LESS THAN TWELVE INCHES IN DIAMATER; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDIDNG A PENALITY FOR VIOLATION OF THIS ORDIANCE OF A FINE NOT TO EXCEED THE SUM OF FIVE HUNDRED DOLLARS (\$500.00) FOR EACH OFFENSE, EXCEPT WHERE A DIFFERENT FINE OR PENALTY HAS BEEN ESTABLISHED BY STATE LAW FOR SUCH OFFENSE, OR FOR ANY VIOLATION OF ANY PROVISION WHICH GOVERNS FIRE SAFETY, ZONING, OR PUBLIC HEALTH AND SANITATION WHICH SHALL BE PUNISHED BY PENALTY OF FINE OR PENALITY NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR PUBLICATION.

WHEREAS, the Thrall City Council desires that ground water drainage and water flow from natural causes be effective to prevent water stoppage, back up, and inconvenience to its citizens for the health, sanitation, safety, and welfare of its citizens; and

WHEREAS, the City Council received recommendations from the City engineer advising culverts installed in the City be sized to be no less than twelve inches or more in diameter; and

WHEREAS, City Council desires to implement the recommendation and require that on and after the date of passage of this Ordinance that all culverts installed within the City be twelve inches or more in diameter.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF THRALL:

SECTION 1.

The City Council of the City of Thrall, Texas, hereby finds and determines that the above preamble is true and correct and it is hereby incorporated herein.

SECTION 2.

Any culvert installed within the City of Thrall right of way used for water drainage and water flow shall be no less than twelve inches in diameter.

SECTION 3.

This Ordinance shall be and is hereby declared to be cumulative of all other ordinances of the City, and this Ordinance shall not operate to repeal or affect any of such other ordinances except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this Ordinance, in which event such conflicting provisions, if any, in such other ordinance or ordinances are hereby repealed.

SECTION 4.

If any sentence, section, subsection, clause, phrase, part or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the Ordinance as a whole, or any part thereof, other than the part declared to be invalid.

SECTION 5.

The provisions of this Ordinance shall be liberally construed to effectively carry out its purposes, which are hereby found and declared to be in furtherance of the public health, safety, and welfare. Any member of the Council or any City official or employee charged with the enforcement of this Ordinance, acting for the City in the discharge of his or her duties, shall not thereby render himself or herself personally liable; and is hereby relieved from all personal liability for any damage that might accrue to persons or property as a result of any act required or permitted in the discharge of said duties.

SECTION 8.

Any person, firm or corporation violating any of the provisions or terms of this Ordinance shall be guilty of a misdemeanor and upon conviction in the Municipal Court of Thrall, Texas, shall be subjected to a fine not to exceed the sum of Five Hundred Dollars (\$500.00) for each offense, except where a different fine or penalty has been established by state law for such offense, and for any violation of any provision which governs fire safety, zoning, or public health and sanitation which shall be punished by a penalty of fine or penalty not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense; and


each and every day such violation is continued shall be deemed to constitute a separate offense.

SECTION 9.

The City Secretary is hereby authorized and directed to publish the caption of this Ordinance, together with the penalty provision contained therein, in the manner and for the length of time prescribed by law.

PASSED, APPROVED, and ADOPTED on the 15 day of Nov., 2007.

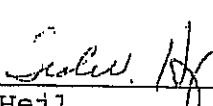
CITY OF THRALL, TEXAS


BY: Troy Marx
ITS: Mayor

ATTEST:


Wendy Goldman, City Secretary

Approved As To Form:


Ted W. Hejl

CERTIFICATE

THE STATE OF TEXAS
COUNTY OF WILLIAMSON

I, Wendy Goldman, being the current City Secretary of the City of Thrall, Texas, do hereby certify that the attached is a true and correct copy of Ordinance No. 11152007, passed and approved by the City Council of the City of Thrall, Texas, on the 15 day of November, 2007, and such Ordinance was duly introduced, passed, approved and adopted at meetings open to the public and notices of the meetings, giving the dates, places, and subject matter thereof, were posted as prescribed by Government Code Section 551.043.

Witness my hand and seal of office this the 15 day of November, 2007.

Wendy Goldman
Wendy Goldman
City Secretary