

Ordinance No. 689

“Updates Restricted Zones to Include the Location of the Current Raw Water Intake and Water Treatment Plant”

AN ORDINANCE OF THE CITY OF GRANITE SHOALS, TEXAS, AMENDING CHAPTER 38 (UTILITIES), ARTICLE I (IN GENERAL), SECTION 38-1 (RESTRICTED ZONES) OF THE CITY OF GRANITE SHOALS CODE OF ORDINANCES TO INCLUDE THE LOCATION OF THE CURRENT WATER PLANT; AND PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT, SAVINGS, SEVERABILITY, REPEALER, EFFECTIVE DATE, AND PROPER NOTICE AND MEETING.

WHEREAS, the City Council of the City of Granite Shoals (the “Council”) seeks to provide for the public health, safety and general welfare of its residents; and

WHEREAS, the rules and regulations of the Texas Commission on Environmental Quality require the City to protect raw water intake works by establishing restricted zones which prohibit all recreational activities and trespassing and the water treatment plant;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRANITE SHOALS, TEXAS:

SECTION I. FINDINGS OF FACT

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

SECTION II. REPEAL

Chapter 38 (UTILITIES), Article I (In General), Section 38-1 (Restricted zones) of the City of Granite Shoals Code of Ordinances is hereby amended as follows:

Sec. 38-1. Restricted zones.

The following areas are hereby designated as “restricted zones” in which all recreational activities and trespassing are prohibited:

- (1) That portion of the tract of land located at 130 Norwood Drive on which the city's water treatment plant is situated and enclosed within an eight-foot-high fence; and
- (2) That part of Lake Lyndon B. Johnson within a 200 feet radius from the raw water intake works for the city's water treatment plant which is designated by the placement of buoys.

SECTION III. SAVINGS

The repeal of any ordinance or part of ordinances effectuated by the enactment of this Article shall not be construed as abandoning any action now pending under or by virtue of such ordinance or as discontinuing, abating, modifying or altering any penalty accruing or to accrue, or as affecting any rights of the City under any section or provisions of any ordinances at the time of passage of this Article.

SECTION IV. SEVERABILITY

Should any sentence, paragraph, subdivision, clause, phrase, or section of this Article be adjusted or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this Article in whole or any part or provision thereof, other than the part so declared to be invalid, illegal or unconstitutional.

SECTION V. REPEALER

The provisions of this Article shall be cumulative of all other ordinances or parts of ordinances governing or regulating the same subject matter as that covered herein; provided, however, that all prior ordinances or parts of ordinances inconsistent or in conflict with any of the provisions of this Article are hereby expressly repealed to the extent that such inconsistency is apparent. This Article shall not be construed to require or allow any act that is prohibited by any other ordinance.

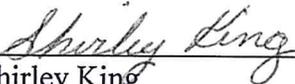
SECTION VI. EFFECTIVE DATE

This Article shall take effect immediately from and after its passage and publication as may be required by law.

SECTION VII. PROPER NOTICE AND MEETING

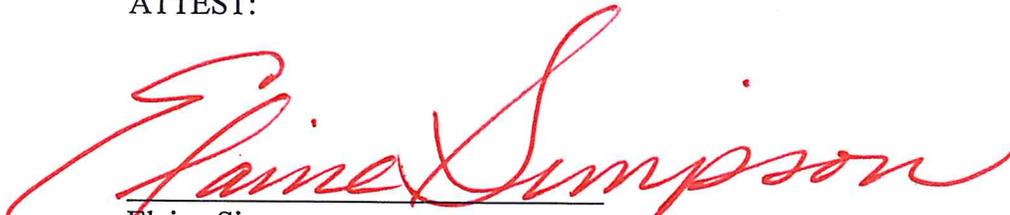
It is hereby officially found and determined that the meeting at that this Article was passed was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

PASSED AND APPROVED this 22nd day of March, 2016.



Shirley King
Mayor Pro Tem

ATTEST:



Elaine Simpson,
City Secretary

APPROVED AS TO FORM:

Brad Young,
City Attorney