

# CITY OF WILLOW PARK, TEXAS

## ORDINANCE NO. 216-86

“AN ORDINANCE ADOPTING CODE OF ORDINANCES”

AN ORDINANCE OF THE CITY OF WILLOW PARK, TEXAS, ADOPTING AND ENACTING A CODE OF ORDINANCES; INCLUDING PROVISIONS FOR GENERAL ADMINISTRATION; ANIMAL CONTROL; BUILDING REGULATIONS; BUSINESS REGULATIONS; FIRE PROTECTION REGULATIONS; HEALTH AND SANITATION REGULATIONS; OFFENSE AND NUISANCE REGULATIONS; PERSONNEL REGULATIONS; TRAFFIC CODE REGULATIONS; UTILITY REGULATIONS; SUBDIVISION REGULATIONS; ESTABLISHING THE SAME; PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED AND PROVIDING EXCEPTIONS THEREOF; PROVIDING FOR THE AMENDMENT OF CERTAIN ORDINANCES AND THE ADOPTION OF NEW ORDINANCES; PROVIDING FOR A GENERAL PENALTY FOR VIOLATIONS OF CODE; PROVIDING FOR AMENDMENTS AND ADDITIONS OF SUCH CODE; REQUIRING A COPY TO BE KEPT ON FILE IN THE OFFICE OF THE CITY SECRETARY; MAKING IT AN OFFENSE FOR ANY PERSON TO CHANGE OR AMEND SUCH CODE TO MISREPRESENT THE LAWS OF THE CITY; THAT SAID CODE SHALL SERVE AS RECORD OF THE ORDINANCES OF THE CITY; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE OF SAID CODE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WILLOW PARK, TEXAS.

### SECTION I

That the Code of Ordinances, consisting of Chapter 1 through 12, each inclusive, is hereby adopted and enacted as the Code of Ordinances, City of Willow Park, Texas, and shall be treated and considered as a new and original comprehensive ordinance, which shall supersede all, other general and permanent ordinances passed by the city council on or before \_\_\_\_\_ to the extent provided herein.

### SECTION 2

That all provisions of such code shall be in full force and effect from and after the 10th day of JUNE 1986, and all ordinances of a general and permanent nature of the City of Willow Park, Texas, enacted on final passage on or before June 10th 1986, and not included in this code or recognized and continued in force by reference herein are hereby repealed from and after the 10th day of JUNE 1986, except as hereinafter provided. No

resolution of the city is repealed by this ordinance.

### SECTION 3

That the repeal provided for in Section 2 above, shall not affect any of the following:

- (a) Any events or act committed or done, or any penalty or forfeiture incurred, or any contract or right established or occurring before the effective date of this code;
- (b) Any ordinance promising or guaranteeing the payment of money for the city, or authorizing the issuance of any bonds of the city or any evidence of the city's indebtedness;
- (c) Any contract or obligation assumed by the city;
- (d) Any right or franchise granted by the city;
- (e) Any ordinance dedicating, naming, establishing, locating, relocating, opening, paving, widening, vacating or affecting the right-of-way of any street or public way in the city;
- (f) Any ordinance relating to municipal street maintenance agreements with the State of Texas or the County of Parker;
- (g) Any appropriation ordinance or ordinance providing for the levy of taxes or for adoption of an annual budget;
- (h) Any ordinance relating to local improvements and assessments therefor;
- (i) Any ordinance annexing territory to the city or discontinuing territory as a part of the city;
- (j) Any ordinance dedicating or accepting any plat or subdivision in the city;
- (k) Any ordinance enacted after \_\_\_\_\_, 1986;
- (l) Any ordinance pertaining to the holding of municipal elections;
- (m) Any ordinance authorizing the installation of traffic control devices or designating speed limits within the city;
- (n) Any ordinance establishing rates to be changed by utility companies operating within the city; and
- (o) Any and all ordinances relating to zoning regulations and zoning powers of

the city, unless already included herein. The city has adopted zoning regulations in the past and such shall be saved from repeal as said regulations are not being incorporated as part of the Code of Ordinances at this time, except for those already included herein.

NOTE: The repeal provided for in Section 2 shall not be construed to revive any ordinance or part thereof that has been repealed by a subsequent ordinance which is repealed by this ordinance.

#### SECTION 4

That the following provisions shall be included in the Code of Ordinances which this ordinance adopts and the same are hereby adopted for inclusion therein:

- (a) Sections 1, 3, 7, 8, 9, 10, 11, 14, 15, 16 and a portion of 4 of Chapter 1, General Provisions, pertaining to this Code Of Ordinances, municipal elections, ordinances and resolutions, the annual budget, the fiscal year, audit requirements, the city depository, organizational memberships, conflict of interest, extraterritorial jurisdiction and the city council are hereby adopted as printed and included in this Code of Ordinances;
- (b) Section 5 of Chapter 1, General Provisions, relating to the municipal court and criminal procedures, is hereby adopted as amended, printed and included in this Code of Ordinances;
- (c) Sections 1.B, 1.C, 1.D, 5.A, Exhibit A and a portion of 3 of Chapter 3, Building Regulations, pertaining to conflicts, the liability of the city, specific amendments to the Uniform Building Code, street regulations, street cut restoration requirements and application procedures and the electrical code as printed and included in this Code of Ordinances, are hereby adopted;
- (d) Sections 1.E, 1.H, 1.I, 2.C, 3.M, 4, 5.B and a portion of 2 of Chapter 3, Building Regulations, relating to permits and fees, penalty for violations of the building code, the prohibition of garage openings facing frontal streets, fees required by the plumbing code, fees required by the electrical code, licenses, street cut restoration requirements and plumbing code regulations are hereby adopted as amended, printed and included in this Code of Ordinances;
- (e) Sections 2 to and 5 of Chapter 4, Business Regulations, pertaining street rental fees and coin-operated machines, as printed and included in this Code of Ordinances, are hereby adopted;
- (f) Section 4 of Chapter 4, Business Regulations, relating to the regulation of the drilling and operation of gas and oil wells, is hereby adopted as amended, printed and included in this Code of Ordinances;

- (g) Section 1 of Chapter 5, Fire Protection, pertaining to the adoption of the Uniform Fire Code, is hereby adopted as printed and included in this Code of Ordinances;
- (h) Section 2 of Chapter 6, Health and Sanitation, relating to garbage collection standards and requirements, is hereby adopted as amended, printed and included in this Code of Ordinances;
- (i) Section 1 of Chapter 7, offenses and Nuisances, relating to abandoned and/or junked vehicles, is hereby adopted amended, as printed and included in this Code of Ordinances;
- (j) Sections 5, 6 and 7 of Chapter 8, Personnel, pertaining to the office of building official/inspector, the city sanitarian and the office of public works director, as printed and included in this Code of Ordinances, are hereby adopted;
- (k) Sections 1 and 4 of Chapter 8, Personnel, relating to the office of city administrator/secretary and the municipal court judge, are hereby adopted as amended, printed and included in this Code of ordinances;
- (l) Sections 1, 2, 3. A, 3, B, 3.D and 4 of Chapter 9, Traffic Code, pertaining to the adoption of the Uniform Act and State Motor Vehicle Laws, traffic control devices, general speed limits, the procedure for establishing special speed limits, slow speed and traffic obstruction and vision clearance are hereby adopted as printed and included in this Code of Ordinances;
- (m) Section 1 of Chapter 10, Utilities, relating to the water-works system regulations, is hereby adopted as amended, printed and included in this Code of Ordinances; and
- (n) Sections 1 through 14 and Exhibit A of Chapter 11, Subdivisions, pertaining to subdivision regulations and storm drainage, as printed and included in this Code of Ordinances, are hereby adopted.

## SECTION 5

That wherever in such Code of Ordinances an act is prohibited or is made or declared to be unlawful or an offense or a misdemeanor, or wherever in such code, the doing of an act is required or the failure to do any act is declared to be unlawful and no specific penalty is provided, the violation of any such provision of such code shall be punished as provided in Chapter 1, Section 1.F of said code, for each offense or for each day such offense shall continue, if it is one classified as continuing offense. Provided, however, that no penalty shall be greater or less than the penalty provided for the same or similar offense under the laws of the State of Texas.

## SECTION 6

That any and all amendments and additions to such code, when passed in such form as to indicate the intention of the city council to make the same a part of the code, shall be deemed to be incorporated in such code so that reference to the Code of Ordinances, City of Willow Park, Texas, shall be understood and intended to include such additions and amendments.

## SECTION 7

That in case of the amendment of any section of such code for which penalty is not provided, the general penalty as provided in Section 5 of this ordinance shall apply to the section as amended, or, in case such amendment contains provisions for which a penalty, other than the aforementioned general penalty is provided in another section of the same chapter, the penalty so provided in such other section shall be held to relate to the section so amended, unless the penalty is specifically repealed therein.

## SECTION 8

That a copy of the code shall be kept on file in the office of the city administrator/secretary in looseleaf form. It shall be the express duty of the city administrator/secretary or someone authorized by the city administrator/secretary, to insert in the designated places, all amendments or ordinances which indicate the intention of the city council to make the same a part of such code, when the same has been printed or reprinted in page form, and to extract from such code all provisions which may be from time to time repealed by the city council. Such copy of such code shall be available for all persons desiring to examine the same at any time during regular business hours.

## SECTION 9

That it shall be an offense for any person to change or amend, by additions or deletions, any part or portion of this code, or to insert or delete pages or portions thereof, or to alter or tamper with such code in any manner whatsoever which will cause a law of the City of Willow Park to be misrepresented thereby. Any person violating this section shall be punished as provided in Section 5 of this ordinance.

## SECTION 10

That said code shall be admitted in evidence without further proof and the city administrator/secretary shall record said code as adopted in the ordinance records of the city, and thereafter such record shall serve as a record of the ordinances so codified and it shall not be necessary in establishing the content of any particular ordinance so codified to go beyond said record.

SECTION 11

That it is hereby declared to be the intention of the city council that the sections, paragraphs, sentences, clauses and phrases of the Code of Ordinances hereby adopted are severable and, if any phrase, clause, sentence, paragraph or section 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 and sections, since the same would have been enacted by the city council without the incorporation of any unconstitutional phrase, clause, sentence, paragraph or section.

SECTION 12

That all ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

SECTION 13

That this ordinance shall take effect immediately from and after passage and publication, as the law in such cases provides.

DULY ADOPTED by the City Council of the City of Willow Park, Texas, on this the 10th day of JUNE, 1986.

APPROVED:

/s/ Richard Baack *Richard Baack*

Mayor

ATTEST:

*Aref Hassan*

/s/ Aref Hassan

City Administrator/Secretary