

ORDINANCE NO.2015-08

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS, AMENDING THE CITY'S CODE OF ORDINANCES; CHAPTER 8 (ENTITLED "HEALTH AND SANITATION"), SECTION 8-8 (ENTITLED "REGULATING HIGH WEEDS, GRASS, RUBBISH, OBSTRUCTION BY TREE LIMBS, JUNK OR OTHER OBJECTIONABLE, UNSIGHTLY OR UNSANITARY MATTER"), ASSESSING EXPENSES FOR FILING A LIEN; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Copperas Cove has previously adopted health and sanitation regulations in order to protect the public health, safety and welfare; and

WHEREAS, the Texas Health & Safety Code Section 342.003 authorizes the governing body of a municipality to regulate the cleaning of a building, establishment or ground from filth, carrion, or other impure or unwholesome matter; and

WHEREAS, the Texas Health & Safety Code Section 342.004 authorizes the governing body of a municipality to require the owner of a lot in the municipality to keep the lot free from weeds, rubbish, brush, and other objectionable, unsightly, or unsanitary matter; and

WHEREAS, the Texas Health & Safety Code Section 342.006 sets forth specific notice requirements, and authorizes a municipality to do any improvements itself and assess the costs against the property; and

WHEREAS, the Texas Health & Safety Code Section 342.007 authorizes municipalities to place a lien on property by filing a statement of expenses with the County Clerk; and

WHEREAS, the Texas Health & Safety Code Section 342.007 authorizes the mayor of a municipality to designate an appropriate municipal official to be responsible for filing weed/debris liens with the County Clerk; and

WHEREAS, the City of Copperas Cove Code of Ordinances Chapter 8, section 8-8 contains the regulations for weeds/debris and was last amended on June 4, 2013.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS:

SECTION 1.

That Chapter 8 – Health and Sanitation, Article I, In General, Section 8-8 (g) (2) of the current Health & Sanitation Code, of the City's Code of Ordinances is hereby amended by replacing the existing language with the language that follows:

“The city is authorized to add a lien assessment fee in an amount equal to the filing fee and other costs assessed by the County Clerk for the filing of the lien.”

SECTION 2.

That any ordinances or resolutions or part of ordinances or resolutions in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

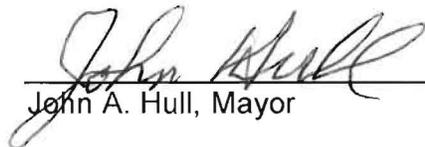
SECTION 3.

That should any section, clause, or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this ordinance or any other ordinance of the City as a whole or any part thereof, other than the part so declared to be invalid.

SECTION 4.

That this Ordinance shall go into effect upon passage.

PASSED AND APPROVED by the City Council of the City of Copperas Cove, Texas, on this 17th day of March 2015, at a meeting held in compliance with the Open Meetings Act, *Tex. Gov't Code* §551.001, et.seq., at which meeting a quorum was present and voting.



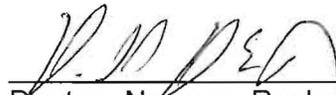
John A. Hull, Mayor

ATTEST:



Mariela Altott, City Secretary

APPROVED AS TO FORM:



Denton, Navarro, Rocha, Bernal,
Hyde & Zech, City Attorney

