

CITY OF HORSESHOE BAY

ORDINANCE NO. 2017-10

**ADOPTION OF AMENDMENT TO CODE OF ORDINANCES:
BOARD OF ADJUSTMENT**

**AN ORDINANCE OF THE CITY OF HORSESHOE BAY, TEXAS ADOPTING
AMENDMENTS TO THE CODE OF ORDINANCES: BOARD OF ADJUSTMENT
(ORDINANCE 2017-05); DECLARING AN EFFECTIVE DATE; REPEALER;
SEVERABILITY; AND PROPER NOTICE AND MEETING**

WHEREAS, on May 9, 2009 the City held an election for the purpose of the adoption of a home rule charter, which was approved and adopted;

WHEREAS, Texas Local Government Code 211.008 sets forth certain requirements with respect to boards of adjustment of certain types of municipalities, including home rule municipalities such as the City;

WHEREAS, the City Council of Horseshoe Bay desires to bring the City's Code of Ordinances into compliance with Texas Local Government Code 211.008; and

WHEREAS, the City Council of Horseshoe Bay is authorized by statute and under the City's home rule charter to formally adopt the following amendments to the City's Code of Ordinances;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HORSESHOE BAY, TEXAS:

I. FINDINGS OF FACT

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

II. AMENDMENT

Section 14.02.194(c) of the City's Code of Ordinances is hereby amended and restated in its entirety to read as follows:

Sec. 14.02.194 Creation and Terms of Office

(c) BOA members' terms of office shall be for two years. There shall be a limit of four successive terms that a person may serve as a BOA member. A partial term to which a person is appointed or elected shall not be counted as a full two- (2-) year term for the purposes of this article.

III. ADOPTION OF ORDINANCES

The City Council of Horseshoe Bay hereby declares that the foregoing amendments and additions to the Code of Ordinances are incorporated into the Code of Ordinances for all purposes and are hereby adopted.

IV. EFFECTIVE DATE

This Ordinance shall be and become effective immediately upon and after its passage and publication as may be required by governing law.

V. REPEALER

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effective which are inconsistent or in conflict with the terms and provisions contained in this Ordinance are hereby repealed only to the extent of such conflict.

VI. SEVERABILITY

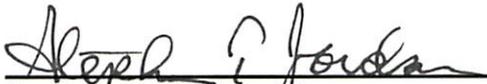
Should any part, sentence or phrase of this Ordinance be determined to be unlawful, void or unenforceable, the validity of the remaining portions of this Ordinance shall not be adversely affected. No portion of this Ordinance shall fail or become inoperative by reason of the invalidity of any other part. All provisions of this Ordinance are declared to be severable.

VII. PROPER NOTICE AND MEETING

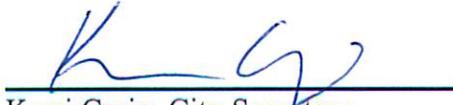
It is hereby officially found and determined that the meeting at which this Ordinance was adopted was open to the public and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

ADOPTED AND APPROVED on this 18th day of April 2017 by a vote of the City Council of the City of Horseshoe Bay, Texas.

CITY OF HORSESHOE BAY, TEXAS


Stephen T. Jordan, Mayor

Attest:


Kerri Craig, City Secretary