

ORDINANCE NO. 1125-05-17

AN ORDINANCE AMENDING CHAPTER 1, ARTICLE 1.13 ENTITLED “CEMETERIES” IN THE CITY CODE OF ORDINANCES BY SECTION 1.13.061 REGARDING THE MAKEUP OF THE CEMETARY ADVISORY COMMITTEE; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING PENALTIES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council deems it desirable to amend the existing Cemetery Ordinance for the health, safety, and protection of the residents of the City of Hondo, Texas.

NOW, THEREFORE BE IT RESOLVED AND ORDERED BY THE CITY COUNCIL OF THE CITY OF HONDO, THAT:

SECTION 1. AMENDMENT. Chapter 1, “General Provisions”, Article 1.13 “Cemeteries” of the Municipal Code of Ordinances of the City of Hondo is amended so that Section 1.13.061, shall read as follows:

Sec. 1.13.061 Created; term; appointment; vacancies

There is hereby created and established from the effective date and within the city, a cemetery advisory committee (referred to as “committee”), which shall be subject to the jurisdiction of the city council. The committee shall be composed of the superintendent of the cemetery city staff liaison, and five (5) citizen members. In accordance with Section 8.01 (2) of the City Charter, four (4) of the five (5) citizen members shall be resident citizens of the city and the remaining citizen members may reside within the city’s extraterritorial jurisdiction (ETJ). Members shall be appointed by the city council for a term of office of two (2) years. The term of the committee and the term of office may be extended by a majority vote of the city council. All citizen vacancies on the committee shall be filled by appointment by the city council. Any vacancies filled because of a vacating committee member, shall be for the unexpired term of the vacated member.

SECTION 2. The remainder of Chapter 1, “General Provisions”, Article 1.13 “Cemeteries” shall remain unchanged by this Amendment.

SECTION 3. INCORPORATION OF RECITALS. The City Council finds the recitals in the preamble of this Ordinance are true and correct and incorporates them as findings of fact.

SECTION 4. REPEALER. All ordinances, parts of ordinances, or resolutions in conflict herewith are expressly repealed.

SECTION 5. SEVERABILITY. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or illegal, such decision shall not affect the validity of the remaining sections of this Ordinance. The City Council hereby declares that it would have passed this Ordinance, and each section, subsection, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared void; and that in lieu of each clause or provision of this Ordinance that is invalid, illegal, or unenforceable there be added by the Mayor as necessary with the approval of the City Attorney as to form, and as a part of the

Ordinance a clause or provision as similar in terms to such invalid, illegal or unenforceable clause or provision as may be possible, legal, valid and enforceable.

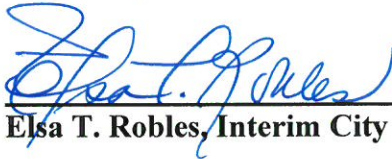
SECTION 6. EFFECTIVE DATE. This ordinance shall become effective upon the adoption of this ordinance.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF HONDO, TEXAS, THIS 9th DAY OF MAY, 2017.



JAMES W. DANNER, SR., MAYOR

ATTEST:



Elsa T. Robles, Interim City Secretary

