

ORDINANCE NUMBER 73

AN ORDINANCE OF THE TOWN OF ANNETTA, TEXAS, PROHIBITING SIGNS AND STRUCTURES IN PUBLIC RIGHTS OF WAY; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE; PROVIDING AN ENGROSSMENT AND ENROLLMENT CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Annetta, Texas, is a general law city operating pursuant to the laws of the State of Texas, by and through the action of its duly elected council members;

WHEREAS, the Town is authorized and empowered to enforce ordinances necessary to protect welfare of its inhabitants (51.012, Texas Local Government Code); and

WHEREAS, the Town Council has determined that it is necessary to enact this ordinance to protect the health and welfare of its residents.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ANNETTA, TEXAS, THAT:

SECTION 1. PROHIBITION

1. It shall be illegal to post or place signs in a public right of way that are not traffic control post by the a government entity.
2. It shall be illegal to build or construct any structure (except mailboxes and structures necessary for utilities) in, on or over a public right of way.
3. It shall be illegal to attach a sign, plaque, bumper sticker, notice, or other writing or drawing on a public utility pole.

SECTION 2. REPEALER CLAUSE

All ordinances or parts of ordinances not consistent or conflicting with the provisions of this ordinance are hereby repealed; provided that such repeal shall be only to the extent of such inconsistency and in all

other respects this ordinance shall be cumulative of other ordinances regulating and governing the subject matter covered in this ordinance. Any cause of action accruing prior to the passage of this ordinance shall continue as if this ordinance was not passed or any other ordinance had not been repealed.

SECTION 3. SEVERABILITY CLAUSE

That it is hereby declared that the sections, articles, subsections, paragraphs, sentences, clauses, and phrases of this ordinance are severable and if any phrase, clause, sentence, paragraph, subsection, article, or section of this ordinance shall be declared void, ineffective, or unconstitutional by a valid judgment or final decree of a court of competent jurisdiction, such voidness, ineffectiveness, or unconstitutionality shall not effect any of the remaining phrases, clauses, sentences, paragraphs, subsections, articles, or sections of this ordinance since the same would have been enacted by the Board of Alderman without the incorporation herein of any such void, ineffective, or unconstitutional phrase, clause, sentence, paragraph, subsection, article, or section.

SECTION 4. PENALTY CLAUSE

Any person, firm, association of persons, company, corporation, or their agents, servants, or employees violating or failing to comply with any of the provisions of this Article shall be fined upon conviction not less than one dollar (\$1.00) nor more than five hundred dollars (\$500.00), and each day any violation of non-compliance continues shall constitute a separate and distinct offense.

SECTION 5. ENGROSSMENT AND ENROLLMENT CLAUSE.

The Town Secretary is hereby directed to engross and enroll this ordinance by copying the caption, penalty clause (if any), publication clause and effective date clause in the minutes of the Board of Aldermen and filing the ordinance in the ordinance records of the Town.

SECTION 6. PUBLICATION CLAUSE.

The Town Secretary is hereby directed to post or publish in the official newspaper of the Town, the caption, penalty clause (if any), publication clause and effective date clause of this ordinance in one issue of the official newspaper of the Town, provided that the official newspaper is a weekly paper, as authorized by Section 52.011 of the Texas Local Government Code.

SECTION 7. EFFECTIVE DATE

This ordinance shall be effective after final passage and publication as required by law.

PASSED AND APPROVED THIS THE 21st day of September
2000.

Bruce W. Moore
MAYOR

ATTEST:

Pat Perry
City Secretary