

TOWN OF ANGUS, TEXAS

ORDINANCE NO. 24

AN ORDINANCE OF THE TOWN OF ANGUS, TEXAS, ADOPTING AND ENACTING A NEW CODE OF ORDINANCES; ESTABLISHING THE SAME; PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED; PROVIDING EXCEPTIONS; PROVIDING FOR THE EFFECTIVE DATE OF SUCH CODE; PROVIDING FOR CODE DESIGNATION, CATCHLINES OF SECTIONS, DEFINITIONS AND RULES OF CONSTRUCTION, AMENDMENTS OR ADDITIONS, SEVERABILITY; PROVISION FOR MISDEMEANORS UNDER STATE LAW; ESTABLISHING A FISCAL YEAR; DESIGNATION OF OFFICIAL NEWSPAPER AND DEPOSITORY; PROVIDING FOR FORM OF GOVERNMENT, TOWN COUNCIL RULES OF PROCEDURE; MEMBERSHIP IN NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS; ESTABLISHING PROCEDURES FOR ELECTIONS AND ADOPTION OF ANNUAL BUDGET; PROVIDING FOR AN ANNUAL AUDIT; MEMBERSHIP IN TEXAS MUNICIPAL LEAGUE; PROVISION FOR SALES TAX AND EMERGENCY MANAGEMENT; PROVIDING FOR ANIMAL CONTROL REGULATIONS, BUILDING SETBACK LINES, OFF-STREET PARKING REQUIREMENTS, AND REQUIREMENTS FOR STREET EXCAVATIONS; PROVIDING FOR PERMITTING OF OIL AND GAS WELL DRILLING OPERATIONS; CREATION OF THE FIRE DEPARTMENT, FIRE MARSHAL, AND CITY HEALTH OFFICER; PROVISION FOR MOSQUITO CONTROL, LITTERING, OFFENSIVE ODORS, JUNK, WEEDS AND GRASS, NOISE, GARBAGE AND REFUSE REGULATIONS, MUNICIPAL COURT, ESTABLISHING POSITION OF TOWN SECRETARY, AND TOWN MARSHAL; ADOPTION OF THE UNIFORM ACT AND STATE MOTOR VEHICLE LAWS; PROVISION FOR TRAFFIC CONTROL DEVICES, JUNKED VEHICLES, SPEED LIMITS, AND PRIVATE WATER WELLS; AND PROVIDING FOR A PENALTY NOT TO EXCEED ONE HUNDRED DOLLARS (\$100.00) FOR VIOLATION.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF ANGUS, TEXAS:

SECTION 1:

That the Code of Ordinances, consisting of Chapters 1 through 11, inclusive, is hereby adopted and enacted as the "Code of Ordinances, Town of Angus, 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 town council on or before May 3, 1982, to the extent provided herein.

SECTION 2:

That all provisions of such Code shall be in full force and effect from and after the 3rd day of May, 1982, and all ordinances of a general and permanent nature of the Town of Angus, Texas, enacted on final passage on or before May 3, 1982, and not included in this Code or recognized and continued in force by reference herein are hereby repealed from and after the 3rd day of May, 1982, except as hereinafter provided. No resolution of the town 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 town, or authorizing the issuance of any bonds of the town or any evidence of the town's indebtedness.
- (c) Any contract or obligation assumed by the town.
- (d) Any right or franchise granted by the town.
- (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 town.
- (f) Any ordinance relating to municipal street maintenance agreements with the State of Texas.
- (g) Any ordinance establishing or prescribing grades for streets in the town.
- (h) Any appropriation ordinance or ordinance providing for the levy of taxes or for adoption of an annual budget.
- (i) Any ordinance relating to local improvements and assessments therefor.

- (j) Any ordinance annexing territory to the town or discontinuing territory as a part of the town.
- (k) Any ordinance dedicating or accepting any plat or subdivision in the town.
- (l) Any ordinance establishing rates to be charged by public utility companies.
- (m) Any ordinance pertaining to the holding of municipal elections.
- (n) Any ordinance authorizing the installation of traffic control devices or designating speed limits within the city.
- (o) Any ordinance granting a special use permit under city zoning regulations.
- (p) Any ordinance enacted after May 3, 1982.

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 wherever in such Code an act is prohibited or is made or declared to be unlawful or an offense or a misdemeanor, or whenever 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 by a fine not to exceed the sum of one hundred dollars (\$100.00) 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 5:

Any and all amendments and additions to such Code, when passed in such form as to indicate the intention of the town 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, Town of Angus, Texas", shall be understood and intended to include such additions and amendments.

SECTION 6:

That in case of the amendment of any section of such Code for which a penalty is not provided, the general penalty as provided in Section 4 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 related to the Section so amended, unless the penalty is specifically repealed therein.

SECTION 7:

That a copy of the Code shall be kept on file in the office of the town secretary in looseleaf form. It shall be the express duty of the town secretary, or someone authorized by the town secretary, to insert in the designated places, all amendments or ordinances which indicate the intention of the town 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 town council. Such copy of such Code shall be made available to all persons for examination at the office of town secretary upon such request.

SECTION 8:

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 Town of Angus to be misrepresented thereby. Any person violating this Section shall be punished as provided in Section 4 of this ordinance.

SECTION 9:

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

SECTION 10:

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) Section 1 through 6 of Chapter 1, pertaining to code designation, catchlines of sections, definitions and rules of construction, amendments or additions, penalties for violation, and severability, as printed and included in this Code of Ordinances, are hereby adopted.
- (b) Section 7 through 12 of Chapter 1, pertaining to misdemeanors under state law, establishing a fiscal year, designation of official newspaper and depository, providing for a form of government, and town council rules of procedure, as printed and included in this Code of Ordinances, are hereby adopted.
- (c) Sections 13 through 16 of Chapter 1 pertaining to membership in North Central Texas Council of Governments, elections, the annual budget, and annual audit, as printed and included in this Code of Ordinances, are hereby adopted.
- (d) Sections 18 through 20 of Chapter 1, pertaining to membership in Texas Municipal League, sales tax, and emergency management, as printed and included in this Code of Ordinances, are hereby adopted.
- (e) Chapter 2, pertaining to animal control, as printed and included in this Code of Ordinances, are hereby adopted.
- (f) Sections 3, 4, and 7 of Chapter 3, pertaining to building setback lines, off-street parking requirements, and street excavation, as printed and included in this Code of Ordinances, is hereby adopted.
- (g) Section 2 of Chapter 4, pertaining to oil and gas wells, as printed and included in this Code of Ordinances, is hereby adopted.
- (h) Sections 1 and 2 of Chapter 5, pertaining to the fire department and the office of fire marshal, as printed and included in this Code of Ordinances, are hereby adopted.

- (i) Sections 1 through 8 of Chapter 6, pertaining to city health officer, mosquito control, littering, offensive odors, junk, weeds and grass, noise, and garbage and refuse regulations, as printed and included in this Code of Ordinances, are hereby adopted.
- (j) Sections 1 through 3 of Chapter 7, pertaining to the municipal court, town secretary, and town marshal, as printed and included in this Code of Ordinances, are hereby adopted.
- (k) Sections 1 through 4 of Chapter 9, pertaining to adoption of the Uniform Act and State Motor Vehicle Laws, traffic control devices, junked vehicles, and speed limits, as printed and included in this Code of Ordinances, are hereby adopted.
- (l) Section 1 of Chapter 10, pertaining to private water wells, as printed and included in this Code of Ordinances, is hereby adopted.

SECTION 11:

That wherever in such Code provisions adopted in Section 10 of this ordinance, 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 therefor, the violation of any such provision shall be punished by a fine of not exceeding one hundred dollars (\$100.00); 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. Each day any violation shall continue, shall constitute a separate offense.

SECTION 12:

That it is hereby declared to be the intention of the town council that the sections, paragraphs, sentences, clauses, and phrases of the code provisions adopted in Section 10 of this ordinance 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 town council without the incorporation of any unconstitutional phrase, clause, sentence, paragraph, or section.

SECTION 13:

That said code of ordinances shall be admitted in evidence without further proof and the town 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 14:

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

DULY PASSED AND ADOPTED by the town council of the Town of Angus, Texas, on the 3 day of May, 1982.

APPROVED:

Tom Seating
MAYOR

ATTEST:

Betty McCain
TOWN SECRETARY

Publication on
Ordinance attached
to Ordinance
No 21

APPROVED AS TO FORM:

Jimmy Morris
TOWN ATTORNEY

STATE OF TEXAS
COUNTY OF NAVARRO
TOWN OF ANGUS

I, Betty Mc. Cain, Secretary of the Town of Angus, Navarro County, Texas, hereby certify that the above and foregoing is a true and correct copy of Ordinance No. 24 passed and approved on the 3 day of May, 1982, at a Angus May City Commission Meeting held on the 3 day of May, 1982.
WITNESS MY HAND AND SEAL OF SAID TOWN, this the 3 day of May, 1982.

Betty Mc. Cain
Betty Mc. Cain, Town Secretary
Town of Angus

TOWN OF ANGUS

LICENSE AND PERMIT FEE SCHEDULE

<u>LICENSE OR PERMIT</u>	<u>AUTHORITY</u>	<u>FEE</u>
1. Wild Animals	Ch.2, Sec.5	None
2. Building Permit	Ch.3, Sec.2	See Schedule
3. Electrical Permit	Ch.3, Sec.5	\$ 15.00
4. Plumbing Permit	Ch.3, Sec.6	\$ 10.00
5. House Moving Permit	Ch.3, Sec.9	\$ 10.00
6. Mobile Home Park License	Ch.3, Sec.10	\$ 25.00 annually
7. Permit for Mobile Home outside Mobile Home Park	Ch.3, Sec.11	\$ 10.00 issuance 5.00 renewal
8. Oil and Gas Well Permit	Ch.4, Sec. 2	\$100.00
9. Construction after Hours	Ch.6, Sec.7B(4)	None
10. Water Well Permit	Ch.10, Sec. 1	\$ 50.00
11. Zoning - Special Use Permit	Ch.11, Sec. 9	\$ 25.00

PROCEDURES FOR ISSUANCE OF LICENSES AND PERMITS

1. Application submitted to town secretary and fee paid.
2. Town secretary refers application to building official to investigate for compliance with regulations.
3. Building official investigates application and makes recommendation to town council.
4. Town council approves or denies application in consultation with town attorney.
5. Town secretary issues license, if approved.