

ORDINANCE NO. 2002-09-01

AN ORDINANCE OF THE VILLAGE OF POINT VENTURE, TEXAS, REPEALING ORDINANCE NO. 2002-07-01 OF THE VILLAGE OF POINT VENTURE WHICH ENACTED RESTRICTIONS ON THE CLEARING OF LAND AND REMOVAL OF CERTAIN TREES. THE FOLLOWING IS NOW PROVIDED: FINDINGS OF FACT; PURPOSE; REPEAL; SEVERABILITY; AND PROPER NOTICE AND MEETING.

WHEREAS, the Village Council of the Village of Point Venture ("Village Council"), on July 1, 2002, enacted Ordinance No. 2002-07-01 (Lot Clearing Ordinance) that restricted the clearing of land and removal of trees; and

WHEREAS, the Village Council suspended the enforcement of the Lot Clearing Ordinance until September 3, 2002 by a vote of the Village Council on August 5, 2002; and

WHEREAS, the Village Council, in the interim, has found that certain provisions of the Lot Clearing Ordinance are difficult to comply with and to regulate, resulting in perceptions of the citizens of the Village that the Ordinance is too restrictive; and

WHEREAS, the Village Council finds that it is in the best interests of the citizens of the Village to repeal the Lot Clearing Ordinance in its entirety and to review alternatives to accomplishing the desires of the Village to provide for the uniform regulation of the clearing of lots and the protection of desirable trees;

NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL OF THE VILLAGE OF POINT VENTURE, TEXAS:

SECTION 1. PURPOSE

This Ordinance is adopted so that the Village Council may further review alternatives to the Lot Clearing Ordinance (in its present form) in order to accomplish its goal of providing for uniform regulation of the clearing of trees and vegetation on lots within the Village limits and to promote the preservation of desirable trees.

SECTION 2. REPEAL

Ordinance No. 2002-07-01 is hereby repealed in its entirety effective immediately.

SECTION 3. SEVERABILITY

It is hereby declared to be the intention of the Village Council that the phrases, clauses, sentences, paragraphs and sections of this Ordinance be severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance 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 or sections of this Ordinance, and the remainder of this Ordinance shall be enforced as written.

SECTION 4. PROPER NOTICE AND MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public as required 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. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

PASSED AND APPROVED this 3rd day of September, 2002, by a ____ to ____ vote, ____ abstaining of the Village Council of the Village of Point Venture, Texas.

VILLAGE OF POINT VENTURE

BY: _____
TERRY HICKMAN, Mayor

ATTEST:

Charlotte Banasik, Village Secretary