

ORDINANCE NO. 2009-3

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MOULTON, TEXAS REPEALING IN ITS ENTIRETY PARAGRAPH (a) of SECTION 2.01.001 “NUISANCES” OF THE CITY CODE OF ORDINANCES.

WHEREAS, the City of Moulton Code of Ordinances Section 8.05..003 states: The keeping of any animal, fowl, or bird which by causing frequent or long continued noise shall disturb the comfort and repose of any person of ordinary sensibilities in the immediate vicinity; and.

WHEREAS, the City Council finds that City of Moulton Code of Ordinances Section 2.01.001 regulates the same behavior and, therefore, is duplicative of Section 8.05.003; and

WHEREAS, the City of Moulton promotes clarity and consistency in its Ordinances.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Moulton, Texas;

Section 1. 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.

Section 2. Repeal. Paragraph (a) of Section 2.01.001 of the City of Moulton Code of Ordinances is hereby repealed and deleted in its entirety.

Section 3. Severability. Should any sentence, paragraph, subdivision, clause, phrase, or section of this Ordinance be adjusted or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this Ordinance in whole or any part or provision thereof, other than the part so declared to be invalid, illegal or unconstitutional.

Section 4 Effective Date. This Ordinance shall take effect immediately from and after its passage and publication as may be required by law.

Section 5. 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 ____ day of _____, 2009.

_____, Mayor
City of Moulton, Texas

ATTEST:

_____, City Secretary
City of Moulton, Texas

(SEAL)