

ORDINANCE NO. 2015-10

AN ORDINANCE AMENDING CHAPTER 6, OF THE CODE OF ORDINANCES OF THE CITY OF BASTROP, TEXAS, ENTITLED "HEALTH AND SANITATION," SECTION 6.04.001, AND SECTION 6.04.004(a)(4), RELATED TO WEED ABATEMENT ON PRIVATE PROPERTY UP TO EDGE OF ROADWAYS AND/OR CURB(S); ESTABLISHING FINES FOR THE VIOLATION OF SAID ARTICLES; ESTABLISHING ENFORCEMENT AUTHORITY, REPEALING ANY INCONSISTENT PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Bastrop, Texas is a Home Rule municipality incorporated and operating under the Laws of the State of Texas; and

WHEREAS, the City of Bastrop has the authority pursuant to Local Government Code, Section 217.042, to define and prohibit any nuisance within the limits of the municipality and within 5,000 feet outside the limits and to enforce all ordinances necessary to prevent and summarily abate and remove a nuisance; and

WHEREAS, the City of Bastrop has determined that it is in the best interest of the health, safety and welfare of its citizens to amend certain provisions in the existing City Ordinance Chapter 6, concerning responsibilities for abatement of nuisances within the City; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF BASTROP TEXAS:

PART 1: That the subsection set forth in Chapter 6 of the City of Bastrop's Code of Ordinances, entitled Health and Sanitation, is hereby amended, as follows:

CHAPTER 6. HEALTH AND SANITATION

ARTICLE 6.04.001

Sec. 6.04.004 Weeds

(a) *No person shall permit rank and/or uncultivated vegetable growth or matter to:*

(1) – (3) *(no change)*

(4) *Persons are responsible for removal of grass and weeds from their property, as noted above, to the back of the curb of an abutting roadway, or, in the absence of a curb, then to the surface of an adjacent abutting roadway or abutting public right-of way; or to the point on the property as otherwise*

determined by the Code Enforcement Officer to be required for weed/grass abatement necessary to protect and maintain the public's health, welfare and safety.

PART 2. The City Manager and City Secretary are hereby authorized and directed to make the necessary changes to all records of the City of Bastrop to reflect this amendment.

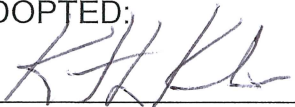
PART 3. All ordinances and resolutions, or parts of ordinances and resolutions, in conflict with this Ordinance are hereby repealed, and are no longer of any force and effect. If any provision of this ordinance or application thereof to any person or circumstance shall be held invalid, such invalidity shall not affect the other provisions, or application thereof, of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are hereby declared to be severable.

PART 5. This Ordinance shall become effective in accordance with the City Charter and the laws of the State of Texas.

READ AND APPROVED, on FIRST READING, on this the 14th day of JULY 2015.

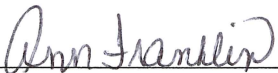
READ AND ADOPTED, on SECOND READING, on this the 28TH day of JULY 2015.

ADOPTED:



Ken Kesselus, Mayor

ATTEST:



Ann Franklin, City Secretary

APPROVED AS TO FORM:



Jo-Christy Brown, Esq.
City Attorney