

Motion was made by Thomas Wilson, seconded by Don McNew, that the following Ordinance be passed:

No. 203

AN ORDINANCE BY THE TOWN OF STAGECOACH, TEXAS, DECLARING UNLAWFUL AND PROHIBITING OUTDOOR BURNING OF HOUSEHOLD GARBAGE AND DOMESTIC WASTE; PROVIDING PENALTIES FOR VIOLATION; CIVIL REMEDIES; PROVIDING FOR SAVINGS CLAUSE; REPEALING ALL ORDINANCES IN CONFLICT; AND PROVIDING FOR EFFECTIVE DATE.

WHEREAS, the Town Council of Town of Stagecoach has determined that the outdoor burning of household garbage and domestic waste within the town limits of the Town of Stagecoach constitutes a public nuisance and that such activity has the potential of endangering the health, welfare and well-being of the Town's inhabitants; and

WHEREAS, the Town Council is of the opinion that such activity should be prohibited:

THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF STAGECOACH, TEXAS:

I.

OUTDOOR BURNING OF HOUSEHOLD GARBAGE OR DOMESTIC WASTE DECLARED UNLAWFUL

It shall be unlawful for any person, firm, corporation or entity to cause, suffer, allow or permit any outdoor burning of household garbage or domestic waste within the Town of Stagecoach.

II.

PENALTY FOR VIOLATION

Any such person, firm, corporation or entity who shall violate any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction shall be fined in a sum not exceeding Two hundred and No/100 (\$200.00) Dollars, and each and every violation shall constitute a separate offense.

III.

CIVIL ENFORCEMENT

Compliance with this Ordinance may also be enforced by appropriate civil remedies, including but not limited to appropriate injunctive relief.

IV.

SEVERABILITY

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

V.

REPEAL OF CONFLICTING ORDINANCES

All Ordinances or parts of Ordinances inconsistent or conflicting with the provisions of this Ordinance are hereby repealed.

VI.

EFFECTIVE DATE

That the public importance of this Ordinance and the fact that it is to the best interest of the inhabitants of this municipal corporation to adopt at the earliest possible date constitute and create an urgent public necessity, requiring that any rule providing for Ordinances to be read more than one time or at more than one meeting be suspended, and requiring that this Ordinance be passed and take effect as an emergency measure, and such rule and provision is accordingly suspended and this Ordinance is passed as an emergency measure, and shall take effect and be in force from and after its passage, and it is so ordained.

PASSED AND APPROVED this the 20 day of June,  
1989.

George Parker  
Mayor

ATTEST:

Sam Winters  
Town Secretary

APPROVED:

\_\_\_\_\_  
Town Secretary

#203

AN ORDINANCE BY THE TOWN OF STAGECOACH, TEXAS,  
DECLARING UNLAWFUL AND PROHIBITING OUTDOOR BURN-  
ING OF HOUSEHOLD GARBAGE AND DOMESTIC WASTE;  
PROVIDING PENALTIES FOR VIOLATION; CIVIL REME-  
DIES; PROVIDING FOR SAVINGS CLAUSE; REPEALING  
ALL ORDINANCES IN CONFLICT; AND PROVIDING FOR  
EFFECTIVE DATE.

THE STATE OF TEXAS                   §  
COUNTY OF MONTGOMERY               §  
TOWN OF STAGECOACH                   §

I, Janet Winters, Town Secretary of the Town of Stagecoach,  
Texas, do hereby certify that the above and foregoing is a true and  
exact copy of the caption of an Ordinance duly passed and approved  
by the Town Council of the Town of Stagecoach, Texas, on <sup>June</sup>~~May~~ 20,  
1989.

WITNESS MY HAND AND SIGNATURE at Stagecoach, Texas, this 28  
day of ~~May~~, 1989.

June *Janet*

*Janet Winters*  
Town Secretary