

**ORDINANCE NO. 2009-07**

**AN ORDINANCE OF THE TOWN OF HOLIDAY LAKES, TEXAS, CONTAINING A PREAMBLE; AMENDING ORDINANCE 2003-006; REDEFINING "AGENCY"; AMENDING SECTION FOUR AUTHORIZING TAKING ABANDONED MOTOR VEHICLES INTO CUSTODY; DESIGNATING AUTHORIZED PERSONS TO REMOVE SAID VEHICLES; PROVIDING A SAVINGS CLAUSE AND A SEVERANCE CLAUSE.**

**WHEREAS, be it ordained by the City Council of the Town of Holiday Lakes, Texas, that Ordinance No. 2003-006 be amended as follows:**

**FIRST, Section Two, Subsection 11 be amended to: "Agency" for the purposes of this Ordinance means Ordinance/Code Enforcement Officer, County Sheriff's Department, Constable, Holiday Lakes Police Department, or any contracted Security Service.**

**SECOND, As ascertained, Ordinance No. 2003-006 contains two (2) Sections Four; therefore, these sections shall be merged into one entitled: Section Four - Notice and Authority To Take Into Custody Abandoned Motor Vehicles. Subsections (A) and (B) of the first Section Four shall become Subsections (F) and (G), respectively.**

**THIRD, Section Thirteen, Subsection (E) shall state: "The procedures for abatement and removal of a public nuisance in this ordinance must be administered by qualified city employees or designated city representatives.**

**FOURTH, this ordinance shall take effect and be in force from and after its passage by the City Council of the Town of Holiday Lakes, Texas;**

**FIFTH, the City Council of the Town of Holiday Lakes, Texas declares that the adoption of this ordinance is necessary to the health, safety, moral and general welfare of said Town and members of the public traveling upon its public streets;**

**SIXTH, this ordinance is cumulative of and in addition to all other ordinances of said Town, on the same subject and all such ordinances are hereby expressly saved from repeal; provided, however, where this ordinance and other ordinances shall conflict or overlap, Ordinance No. 2009-06 shall prevail.**

**SEVENTH, in the event any part or provision of this ordinance is found to be unconstitutional, void or inoperative by the final judgment of a court of competent jurisdiction, such defective provision, if any, is hereby declared to be severable from the remaining sections and provisions of this ordinance and such remaining sections and provisions shall remain in full force and effect.**

**READ, PASSED AND APPROVED THIS THE 20<sup>TH</sup> DAY OF OCTOBER, 2009.**

**NORMAN C. SCHROEDER**

**NORMAN C. SCHROEDER, MAYOR  
TOWN OF HOLIDAY LAKES, TEXAS**

**ATTEST:**

**DONNA J. BROWN**

**DONNA J. BROWN, CITY SECRETARY  
TOWN OF HOLIDAY LAKES, TEXAS**