

CITY OF PENITAS §

HIDALGO COUNTY, TEXAS §

ORDINANCE 2013 -002

(AMENDING ORDINANCE 2012-002)

WHEREAS, The City of Peñitas is a legally incorporated Home Rule city, and

WHEREAS, The City of Peñitas residents have, at a legally called a election, adopted a City Charter, and

WHEREAS, The City Charter Section 2.12 Action Requiring an Ordinance requires all fees be adopted by Ordinance. and

WHEREAS, The City Charter Section 2.13 Ordinances in General outlines the process and procedures for adopting ordinances

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

1. Ordinance 2012-002 Section XIII which reads as follows:

SUPERVISION AND INSPECTION OF WORK: ALL EXCAVATIONS SHALL AT ALL TIMES BE UNDER THE INSPECTION OF THE DIRECTOR OF PUBLIC WORKS OR ANY OTHER PERSON DESIGNATED BY THE CITY ADMINISTRATOR TO ENSURE THAT THE STREETS AND ALLEYS OF THE CITY SHALL NOT BE UNDULY DISTURBED AND TRAFFIC OBSTRUCTED. THE EXCAVATION MUST BE PATCHED WITHIN SEVEN CALENDAR DAYS AFTER COMPLETION OF THE WORK HOWEVER THE DIRECTOR OF PUBLIC WORKS MAY REQUIRE PATCHING IN LESS TIME OR GRANT AN EXTENSION IF THE SITUATION WARRANTS SPECIAL CONSIDERATIONS DUE TO SAFETY, WEATHER, LOCATION AND TRAFFIC.

Is hereby amended to read as follows:

XIII. SUPERVISION AND INSPECTION OF WORK: ALL EXCAVATIONS MUST BE INSPECTED BY THE DIRECTOR OF PUBLIC WORKS OR ANY OTHER PERSON DESIGNATED BY THE CITY MANAGER TO ENSURE THAT THE STREETS AND ALLEYS OF THE CITY SHALL NOT BE UNDULY DISTURBED AND TRAFFIC OBSTRUCTED. THE EXCAVATION MUST BE PATCHED WITHIN SEVEN CALENDAR DAYS AFTER COMPLETION OF THE WORK. THE DIRECTOR OF PUBLIC WORKS MAY REQUIRE PATCHING IN LESS TIME OR GRANT AN EXTENSION IF THE SITUATION WARRANTS SPECIAL CONSIDERATIONS DUE TO SAFETY, WEATHER, LOCATION AND TRAFFIC.

1. By a majority vote of the City Council the Charter requirement that Ordinances be considered three times was considered and the Council voted to dispense with the second and third reading as allowed by the Charter.
2. Effective Date: This ordinance shall go into effect immediately upon approval on this the 19th day of February 2013.

PASSED on First reading by an affirmative vote of all members of the City Council, this the 19th day of February, 2013 at a Special Called Meeting, which proper notice was given as provided by Texas Open Meetings Act.

APPROVED:

ATTEST:

Ana Valdez for
Ana Cantu, City Secretary

