

ORDINANCE NO. 165-08

AN ORDINANCE AMENDING SECTION 1. (BUILDING PERMITS) OF ORDINANCE NO. 024-88; PROVIDING A CUMULATIVE AND REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Hackberry, Texas (the "City") is a General Law city located in Denton County, Texas and is a Municipality organized under the laws of the State of Texas; and

WHEREAS, the City Council of the City of Hackberry, Texas ("City Council") has investigated and determined that it would be advantageous, beneficial, promote the health, general welfare and safety of the citizens of the City of Hackberry, Texas to amend Section I. (Building Permits) of Ordinance No. 024-88.

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

**ARTICLE I. -
BUILDING PERMITS**

Section I. (Building Permits) of Ordinance No. 024-88 is hereby amended to read as follows:

It shall be unlawful to construct, alter or to commence the construction, alteration of a building or structure without first obtaining from the City Secretary of the City of Hackberry a building permit. The City Secretary shall require the submission of plans and specifications that shows the location of the building with regards to the front, side and rear property lines, and dimensions of the new structure including lot lines. The site plan may be a free hand drawing, but must be drawn to scale. If all requirements of the building code are met, the City shall issue a building permit upon the payment of a fee in accordance with the current fee schedule. The building permit shall be posted on the front of the building and visible from the street during construction. The building permit shall be valid for one (1) year from the date of issuance.

**ARTICLE II -
CUMULATIVE CLAUSE AND REPEAL**

This Ordinance shall be cumulative of all provisions of Ordinances of the City of Hackberry, Texas except where the provisions of this Ordinance are in direct conflict with provisions of such Ordinances, in which event the conflicting provisions of such Ordinances are hereby repealed.

**ARTICLE III –
SEVERABILITY**

That the sections, paragraphs, sentences, phrases, clauses and words of this Ordinance are severable, and if any section, paragraph, sentence, phrase, clause or word or provision in this Ordinance or the application thereof to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this Ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the Ordinance without the invalid parts and to this end the provisions of this Ordinance shall remain in full force and effect.

**ARTICLE IV –
SAVING CLAUSE**

It is hereby declared to be the intention of the City Council of the City of Hackberry that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance should be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not effect any of the remaining phrases, clauses, sentences, paragraphs or sections of this Ordinance, since the same would have been enacted by the City Council without incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

**ARTICLE V –
PENALTY**

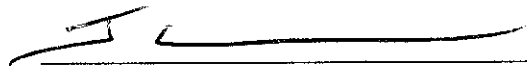
Any person, firm or corporation that violates, disobeys, neglects or refuses to comply with, or that resists the enforcements of provisions of this Ordinance, shall be fined in accordance with the penalties set forth in adopted codes and each offense that occurs shall constitute a separate violation and shall be punishable as such.

**ARTICLE VI –
EFFECTIVE DATE**

This Ordinance shall take effect immediately from and after its passage and publication of the caption, as the law in such cases provide.

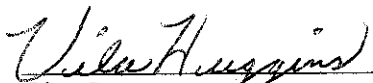
PASSED AND APPROVED by the City Council of the City of Hackberry, Texas this 12 day of FEBRUARY, 2008.

APPROVED:



Mayor

ATTEST:


City Secretary