

**ORDINANCE NO. 2022-3**

**AN ORDINANCE AMENDING THE PARTIES TO AN AGREEMENT AUTHORIZED BY ORDINANCE NUMBER 2005-1 OF THE TOWN OF SAN FELIPE, TEXAS, PERTAINING TO SEPTIC TANKS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING A SAVINGS CLAUSE; PROVIDING AN OPEN MEETINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, on January 11, 2005, the Town Council approved Ordinance No. 2005-1 adopting and enacting requirements for the placement of a septic tank; and

**WHEREAS**, the Town Council of the Town of San Felipe desires to amend the parties to the agreement authorized by Ordinance No. 2005-1 and clarify the language directing the Town Secretary to forward the Ordinance certain departments; and

**WHEREAS**, the City Council finds it necessary to amend Ordinance No. 2005-1 in order to accomplish these purposes.

**WHEREAS**, pursuant to Texas Local Government Code, Section 51.001, the Town has general authority to adopt an ordinance or police regulation that is for the good government, peace or order of the Town and is necessary or proper for carrying out a power granted by law to the Town; and

**WHEREAS**, pursuant to Texas Local Government Code, Section 51.012, the Town has full power to adopt an ordinance, act, law, or regulation, not inconsistent with state law, that is necessary for the government, interest, welfare, or good order of the municipality as a body politic; and

**WHEREAS**, the Town Council finds that the amendments to this Ordinance are reasonable, necessary, and proper for the good government of the Town of San Felipe.

**BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SAN FELIPE, TEXAS:**

**SECTION 1.** That Ordinance Number 2005-1, Whereas Clause 2 of the Town of San Felipe, Texas is hereby amended to read as follows:

**WHEREAS**, the Town wishes to enter into an Agreement with Environmental Aquatic Services, LLC to perform septic system inspections on behalf of the Town of San Felipe; and

**SECTION 2.** That Ordinance Number 2005-1, Paragraph 2 of the Town of San Felipe, Texas is hereby amended to read as follows:

The Town Secretary is authorized to forward this Ordinance to any departments necessary.

**SECTION 3.** That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.


**SECTION 4.** That it is the intention of the Town Council and is hereby ordained that the provisions of this ordinance shall become and be a part of the Code of Ordinances of the Town of San Felipe, Texas, and that sections of this ordinance may be renumbered or relettered to accomplish such intention.

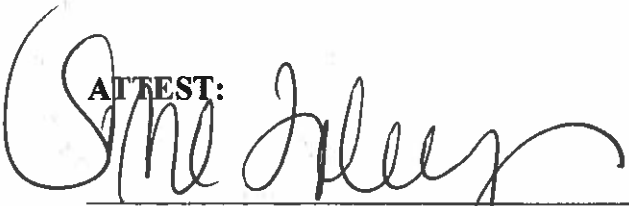
**SECTION 5.** If any provision, section, subsection, sentence, clause, or phrase of this Ordinance, or the application of same to any person or set of circumstances is for any reason held to be unconstitutional, void or invalid, the validity of the remaining portions of this Ordinance or their application to other persons or sets of circumstances shall not be affected thereby, it being the intent of the Town Council in adopting this ordinance that no portion hereof or provision or regulation contained herein shall become inoperative or fail by reason of any unconstitutionally, voidness or invalidity of any other portion hereof, and all provisions of this Ordinance are declared to be severable for that purpose.

**SECTION 6.** That it is hereby officially found and determined that the meeting at which this ordinance was passed was open to the public as required by law, and that public notice of the time, place and purpose of said meeting was given as required.

**SECTION 7.** That this Ordinance shall be effective immediately upon passage.

**PASSED AND APPROVED BY THE TOWN COUNCIL OF THE TOWN OF SAN FELIPE, TEXAS, ON THIS THE 8 DAY OF February, 2022:**

  
Bobby Byars, Mayor  
Town of San Felipe, Texas

**ATTEST:**  
  
Sue Foley, Town Secretary