

ORDINANCE NO. O-2023-074

AN ORDINANCE OF THE CITY OF HUTTO, TEXAS, AMENDING CHAPTER 2, ARTICLE 2.02, DIVISION 4 LIBRARY ADVISORY, OF THE CODE OF ORDINANCES, ADDING ARTICLE 2.02.094, AND ARTICLE 2.02.095 TO ADD BOARD QUORUM DEFINITION AND BOARD ACTION DEFINITION AND PROVIDING FOR: FINDINGS OF FACT, ENACTMENT, REPEALER, SEVERABILITY, EFFECTIVE DATE, PENALTY, PUBLICATION, AND PROPER NOTICE & MEETING.

WHEREAS, the City of Hutto, Texas (the “City”), is a home rule city operating under the laws of its Charter and the State and Texas, by and through its duly elected City Council members; and

WHEREAS, the City Council finds certain amendments to the Code of Ordinances are necessary to meet changing conditions and are in the best interest of the City; and

WHEREAS, the City finds that this Ordinance was passed and approved at a meeting of the City Council of the City of Hutto held in strict compliance with the Texas Open Meetings Act at which a quorum of the City Council Members was present and voting; and

WHEREAS, the City Council has determined that all prerequisites to adopt this Ordinance have been met.

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

Section 1. Findings of Fact: The foregoing recitals are incorporated into this Ordinance by reference as findings of fact as if expressly set forth herein.

Section 2. Enactment: Chapter 2, Article 2.02, Division 4 Library Advisory Board of the Code of Ordinances of the City of Hutto, is hereby amended by adding the following sections:

Section 2.02.094 Board Quorum Definition: A quorum of the Board shall consist of 3 members.

Section 2.02.095 Board Action Definition: An action of the Board must be approved by 3 members.

Section 3. Repealer: All ordinances, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated herein.

Section 4. Severability: Should any of the clauses, sentences, paragraphs, sections, or parts of this Ordinance be deemed invalid, unconstitutional, or unenforceable by a court of law or

administrative agency with jurisdiction over the matter, such action shall not be construed to affect any other valid portion of this Ordinance.

Section 5. Codification: The City Secretary is hereby directed to record and publish the attached rules, regulations, and policies in the City's Code of Ordinances as authorized by Section 52.001 of the Texas Local Government Code.

Section 6. Passage: Pursuant to Section 3.13 of the Hutto City Charter, the Council determined that the first reading of this Ordinance is sufficient for adequate consideration by an affirmative vote of four or more members of the City Council during the first reading and the requirement for reading this Ordinance on two separate dates with was dispensed with by the affirmative vote of four or more members of the City council; therefore, this Ordinance is adopted and enacted without further readings. In the event a second reading is necessary, this Ordinance is adopted and enacted upon the affirmative vote of four or more members of the City Council upon second reading.

Section 7. Penalty: That a violation of this Ordinance shall be a Class C misdemeanor and the penalty for violating this ordinance shall be as provided for in Sec. 1.01.009 of the Code of Ordinances of the City of Hutto, which shall be a fine of not less than one dollar (\$1.00) and no more than five hundred dollars (\$500.00), and each day a violation exists shall be a separate offense.


Section 8. Effective Date: This Ordinance shall take effect immediately after its final passage and any publication in accordance with the requirements of the City of Hutto and the laws of the State of Texas.

Section 9. Proper Notice & Meeting: It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.


READ and APPROVED on the first reading this the **2nd** day of **November 2023**.

By motion duly made, seconded and passed with an affirmative vote of all the Councilmembers present, the requirement for reading this Ordinance on two separate dates was dispensed with.

THE CITY OF HUTTO, TEXAS

By: 
Mike Snyder, Mayor

ATTEST:

By:  _____
Angela Lewis, City Secretary

