CERTIFICATE FOR ORDINANCE

THE STATE OF TEXAS
COLLIN OF COLLIN
CITY OF LAVON

We, the undersigned of the City of Lavon (the "City"), hereby certify as follows:

1. The City Council of said City convened in regular meeting on March 19, 2024 at its regular meeting place at City Hall, and the roll was called of the duly constituted officers and members of said City Council, to-wit:

Vicki Sanson, Mayor
Mike Cook, Mayor Pro Tem, Place 2
Mike Shepard, Council Member, Place 1
Kay Wright, Council Member, Place 3
Ted Dill, Council Member, Place 4, being absent
Lindsey Hedge, Council Member, Place 5

Kim Dobbs, City Manager
Rae Norton, City Secretary

and all of said persons unless otherwise noted were present, thus constituting a quorum. Whereupon, among other business, the following was transacted at said Meeting: a written Ordinance entitled

AN ORDINANCE OF THE CITY OF LAVON, TEXAS, REPEALING CHAPTER 12 "UTILITIES," ARTICLE 12.04 "ON-SITE SEWAGE FACILITIES," OF THE CODE OF ORDINANCES OF THE CITY OF LAVON, TEXAS TO REPEAL REGULATIONS FOR ON-SITE SEWAGE FACILITIES; PROVIDING FOR THE INCORPORATION OF FINDINGS; PROVIDING FOR REPEALING AND SEVERABILITY CLAUSES; AND PROVIDING AN EFFECTIVE DATE.

was duly introduced for the consideration of said City Council. It was then duly moved and seconded that said Ordinance be adopted and, after due discussion, said motion, carrying with it the adoption of said Ordinance, prevailed and carried by the following vote:
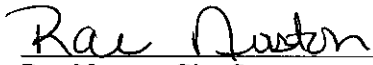
AYES: 4   NOES: 0   ABSTAIN: 0

2. A true, full and correct copy of the aforesaid Ordinance passed at the Meeting described in the above and foregoing paragraph is attached to and follows this Certificate; that said Ordinance has been duly recorded in the City Council's minutes of said Meeting; that the above and foregoing paragraph is a true, full and correct excerpt from said City Council's minutes of said Meeting pertaining to the passage of said Ordinance; that the persons named in the above and foregoing paragraph are duly chosen, qualified and acting officers and members of said city Council as indicated therein; that each of the officers and members of said City Council was duly and sufficiently notified officially and personally, in advance, of the time, place and purpose of aforesaid Meeting, and each of said officers and members consented, in advance, to the holding of

said Meeting for such purpose of said meeting was given, all as required by Chapter 51, Texas Government Code.

3. The Mayor of the City Council of the City has approved and hereby approves the aforesaid Ordinance; that the Mayor and the City Secretary of said City have duly signed said Ordinance; and that the Mayor and the City Secretary of said City hereby decare that their signing of this Certificate shall constitute the signing of the attached and following copy of said Ordinance for all purposes.

4. That the Ordinance has not been modified, amended, or repealed and is in full force and effect on and as of the date hereof.
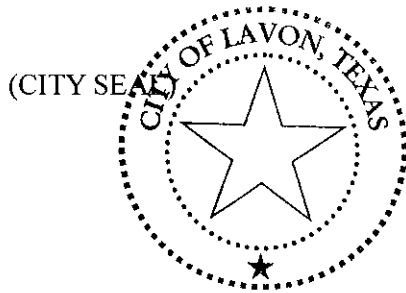
SIGNED AND SEALED ON <u>March 19, 2024</u>

Rae Norton, City Secretary
City of Lavon, Texas

Vicki Sanson, Mayor
City of Lavon, Texas

(CITY SEAL)

CITY OF LAVON, TEXAS

ORDINANCE NO. 2024-03-09

Relinquish OSSF Authorized Agent Delegation

AN ORDINANCE OF THE CITY OF LAVON, TEXAS, REPEALING CHAPTER 12 "UTILITIES," ARTICLE 12.04 "ON-SITE SEWAGE FACILITIES," OF THE CODE OF ORDINANCES OF THE CITY OF LAVON, TEXAS TO REPEAL REGULATIONS FOR ON-SITE SEWAGE FACILITIES; PROVIDING FOR THE INCORPORATION OF FINDINGS; PROVIDING FOR REPEALING AND SEVERABILITY CLAUSES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on July 6, 2000, the City Council of the City of Lavon (the "City Council") approved Ordinance No. 2000-07-01 adopting rules for on-site sewage facilities, which was codified in Article 12.04 "On-Site Sewage Facilities" of Chapter 12 "Utilities," of the Code of Ordinances of the City of Lavon (the "City"); and

WHEREAS, Title 30 of the Texas Administrative Code, outlines the requirements for an authorized agent of an on-site sewage facility program to relinquish its authorized agent delegation; and

WHEREAS, the City has applied to Texas Commission on Environmental Quality ("TCEQ") for relinquishment of the City's authorized agent delegation; and

WHEREAS, TCEQ has considered the City's application and has determined the requirements of Section 285.10 of Title 30 of the Texas Administrative Code have been satisfied and finds the application for relinquishment should be approved; and

WHEREAS, the City Council now desires to repeal Ordinance 2000-07-01 to allow the City's authorized agent delegation for on-site sewage facilities be transferred to Collin County as deemed necessary for the City to provide good and efficient government for the benefit of the citizens of the City.

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

SECTION 1: FINDINGS INCORPORATED. The findings recited above are incorporated herein as if fully set forth in this Ordinance.

SECTION 2: REPEALED. Article 12.04 "On-Site Sewage Facilities" of Chapter 12 "Utilities," of the Lavon Code of Ordinances is hereby repealed in its entirety.

SECTION 3: SEVERABILITY. In the event any clause, phrase, provision, sentence, or any part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provisions hereof

other than the part declared to be invalid or unconstitutional; and the City Council declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

SECTION 4: EFFECTIVE DATE. This Ordinance shall be in full force and effect on March 22, 2024.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF LAVON, TEXAS this 19th of March, 2024.

Vicki Sanson, Mayor

ATTEST:

Rae Norton, City Secretary