

ORDINANCE NO. O-25-10

AN ORDINANCE OF THE CITY OF MISSOURI CITY, TEXAS, AMENDING CHAPTER 2, ADMINISTRATION, CHAPTER 22 CIVIL EMERGENCIES, CHAPTER 50, LAW ENFORCEMENT, CHAPTER 58, MOTOR VEHICLES AND TRAFFIC, CHAPTER 74, PARKS AND RECREATION, AND CHAPTER 78, SOLID WASTE, OF THE MISSOURI CITY CODE; REPEALING CERTAIN REDUNDANT, SUPERFLUOUS, OR UNNECESSARY REGULATIONS; PROVIDING A PENALTY; AND PROVIDING FOR SEVERABILITY.

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WHEREAS, pursuant to Section 3.11 of the City Charter of the City of Missouri City, Texas, the City Council may legislate and act only by ordinance, resolution or motion; and

WHEREAS, in a review of the City's codified ordinances, staff members have identified several provisions which are redundant, superfluous, or unnecessary; and

WHEREAS, Section 2-2 of the Missouri City Code provides procedures for the consideration of certain economic development projects within the city pursuant to Chapter 380 of the Texas Local Government Code; and

WHEREAS, said economic development projects are governed by a more recent, uncodified ordinance, Ordinance No. O-23-36, adopted on October 2, 2023, which renders Section 2-2 of the Missouri City Code redundant, superfluous, and unnecessary; and

WHEREAS, pursuant to Section 2-83 of the Missouri City Code, the City Council has adopted Robert's Rules of Order; and

WHEREAS, said rules provide for the postponement of agenda items by a majority of Council members by motion and a second, rendering the tagging process provided by Subsection 2-77(c) of the Missouri City Code unnecessary; and

WHEREAS, Chapter 418 of the Texas Government Code sets forth the rights, duties, and obligations of local governments during emergencies, rendering Sections 22-31 through 22-38 of the Missouri City Code superfluous; and

WHEREAS, the City of Missouri City is currently subject to civil service, which requires law enforcement work to be performed by peace officers in the civil service system; and

WHEREAS, the City has not utilized its police officer reserve program in approximately thirty years, also rendering the reserve program unnecessary and unfeasible in the current environment; and

WHEREAS, state law provides for the regulation of wireless communications devices, which gives peace officers the opportunity to enforce traffic regulations against drivers who utilize wireless communications devices while driving; and

WHEREAS, pursuant to Resolution No. R-16-11, the City of Missouri City created the Missouri City Parks Foundation to raise funds for City parks and programs, rendering the parks trust created by Article V of Chapter 74 of the Missouri City Code, which has not been utilized, unnecessary; and

WHEREAS, the level of service provided for solid waste collection is set by contract, which will vary depending on the City's contractor; and

WHEREAS, in accordance with the strategic goals of the City of Missouri City, Texas, the City Council of the City of Missouri City, Texas, strives to develop a high performing City team; and

WHEREAS, to facilitate efficiency and eliminate redundant, superfluous, or unnecessary provisions, the City Council of the City of Missouri City now deems it appropriate to amend certain regulations; and

WHEREAS, the City Council of the City of Missouri City finds that enacting this Ordinance is necessary for the protection of public health, public safety, public property and public peace; now therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MISSOURI CITY, TEXAS:

Section 1. The facts and recitations set forth in the preamble of this Ordinance are hereby found to be true and correct.

Section 2. The Missouri City Code is hereby amended by deleting Section 2-2 (relating to an economic development program), Article I of Chapter 2 thereof.

Section 3. The Missouri City Code is hereby amended by deleting Subsection 2-77(c) (relating to tagging agenda items), Article II of Chapter 2 thereof.

Section 4. The Missouri City Code is hereby amended by deleting Sections 22-31 through 22-38 (relating to civil emergencies), Article II of Chapter 22 thereof.

Section 5. The Missouri City Code is hereby amended by deleting Article II (relating to reserve police officers), Chapter 50 thereof.

Section 6. The Missouri City Code is hereby amended by deleting Section 58-138 (relating to application software on wireless communication devices), Article VII of Chapter 58 thereof.

Section 7. The Missouri City Code is hereby amended by deleting Article V of Chapter 74 (relating to a parks trust) thereof.

Section 8. The Missouri City Code is hereby amended by deleting Subsections 78-31(d) and 78-31(e) (relating to solid waste service levels and additional services), Article II of Chapter 78 thereof.

Section 9. The Missouri City Code is hereby amended by deleting Section 78-34 (relating to solid waste holidays), Article II of Chapter 78 thereof.

Section 10. Repeal. Any ordinance or any part of an ordinance in conflict herewith shall be and is hereby repealed only to the extent of such conflict.

Section 11. Penalty. Any person who violates, or any person who causes or allows another person to violate, any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than Five Hundred Dollars (\$500.00). Each occurrence of any violation of this Ordinance shall constitute a separate offense. Each day in which any violation of this Ordinance occurs shall constitute a separate offense.

Section 12. Severability. In the event any clause, phrase, provision, sentence or part of this Ordinance or the application of the same to any person or circumstance 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 provision hereof, other than the part declared to be invalid or unconstitutional; and the City Council of the City of Missouri City, Texas, 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, or whether there be one or more parts.

PASSED and APPROVED on first reading this 19th day of May, 2025.

PASSED, APPROVED and ADOPTED on second and final reading this 2nd day of June, 2025.



Robin J. Elackatt

Robin J. Elackatt, Mayor

ATTEST:

APPROVED AS TO FORM:

[Signature]
Crystal Roan, City Secretary
Jerrill Horace, Deputy City Secretary

[Signature]
E. Joyce Iyamu, City Attorney