

ORDINANCE NO. 2024-573

AN ORDINANCE AMENDING SECTION 25-244 “HEARING” OF ARTICLE X “JUNKED MOTOR VEHICLES” OF CHAPTER 25 “TRAFFIC AND VEHICLES” OF THE CODE OF ORDINANCES OF THE CITY OF WACO, TEXAS, TO REFERENCE THE APPROPRIATE CHAPTER OF THE TEXAS TRANSPORTATION CODE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR AN EFFECTIVE DATE; AND FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, Chapter 683 of the Texas Transportation Code declares junked vehicles to be a public nuisance; and

WHEREAS, Chapter 683 of the Texas Transportation Code provides authority to municipalities to adopt procedures for the abatement and removal from private or public property or a public right-of-way of a junked vehicle or part of a junked vehicle as a public nuisance,

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

Section 1. That Section 25-244 “Hearing” of Article X “Junked Motor Vehicles” of Chapter 25 “Traffic and Vehicles” is hereby amended to read as follows (additions/deletions):

Sec. 25-244. Hearing.

The municipal court judge shall conduct hearings under the procedures adopted under this article and in accordance with procedures in Chapter ~~686~~ 683 of the Transportation Code.

Section 2. That the terms and provisions of this ordinance shall be deemed to be severable and that if any section, subsection, sentence, clause, or phrase of this ordinance shall be declared to be invalid or unconstitutional, the same shall not affect the validity of any other section, subsection, sentence, clause, or phrase of this ordinance and the remainder of such ordinance shall continue in full force and effect the same as if such invalid or unconstitutional provision had never been a part hereof.

Section 3. That nothing in this ordinance shall be constructed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or prior ordinance; nor shall any legal right or remedy of any character be lost, impaired, or affected by this ordinance.

Section 4. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 5. That it is the intention of the City Council and is hereby ordained that the provisions of this ordinance shall become and be a part of the Code of Ordinances of the City of Waco, Texas, and that sections of this ordinance may be renumbered or relettered to accomplish such intention.

Section 6. That this ordinance shall take effect upon its passage as provided by the City Charter of the City of Waco.

Section 7. That it is hereby officially found and determined that the meeting at which this ordinance is passed is open to the public and that public notice of the time, place, and purpose of said meeting was given as required.

PASSED AND APPROVED:

First Reading: this 18th day of June 2024.

Second Reading: this 6th day of August 2024.

Jim Holmes, Mayor
City of Waco, Texas

ATTEST:

Michelle Hicks, City Secretary

APPROVED AS TO FORM & LEGALITY:

Jennifer Richie, City Attorney