

ORDINANCE 22-02

AN ORDINANCE AMENDING SUBPART (C) IN SECTION 6-29 OF CHAPTER 6, ARTICLE II OF THE CODE OF ORDINANCES OF THE CITY OF WILLS POINT, TEXAS, RELATED TO THE REGULATIONS AND RESTRICTIONS OF POOL HALLS AND GAME ROOMS WITHIN THE CITY OF WILLS POINT; PROVIDING FOR A PENALTY PROVISION; PROVIDING FOR AN EFFECTIVE DATE; REPEALER AND SEVERABILITY CLAUSE; AND PROVIDING FOR THE PUBLICATION OF THIS ORDINANCE.

WHEREAS, Chapter 6 of the Code of Ordinances of the City of Wills Point, Texas provides for regulation of amusements and entertainments, including pool halls and game rooms within the City of Wills Point, Texas (the "City");

WHEREAS, pursuant to Texas Local Government Code section 215.032 and 215.033, the City Council may license, tax, and regulate pool or billiard halls, game rooms and mechanical or electronic games, including but not limited to coin-operated machines within the City;

WHEREAS, pursuant to Texas Occupations Code section 2153.451, the City may impose an occupation tax on coin-operated machines exhibited or displayed in the City;

WHEREAS, pursuant to Texas Local Government Code section 51.001, the City Council may adopt an ordinance, rule or police regulation that is for the good government, peace or order of the City or the trade and commerce of the City;

WHEREAS, the City is responsible for supporting and promoting the health, safety and welfare of its citizens;

WHEREAS, pursuant to Texas Local Government Code section 51.012, the City Council may adopt an ordinance, act, law, or regulation, not inconsistent with state law, that the City Council considers necessary for the government, interest, welfare, or good order of the City as a body politic; and

WHEREAS, the City Council of the City of Wills Point, Texas has determined that Article II, Section 6-29, Subpart (c) should be amended of Chapter 6 of the Code of Ordinances of the City of Wills Point, Texas.

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

Section 1: That all the above premises are found to be true and correct and are incorporated into the body of this Ordinance as if copied in their entirety.

Section 2. That former Subpart (c) in Section 6-29 of Chapter 6, Article II, of the Code of Ordinances of the City of Wills Point, Texas shall be deleted, and the following Subpart (c) in Section 6-29 shall be inserted in its place as an amendment relating to the regulations and restrictions of pool halls and game rooms within the City of Wills Point as follows:

"Sec. 6-29. Regulations and restrictions.

(c) Any person licensed hereunder shall not operate more than 50 mechanical or electronic game machines and/or pool or billiard tables in any pool or billiard hall or game room."

Section 3. All penalty provisions adopted by the City, as amended, shall remain applicable to the regulations adopted by this Ordinance.

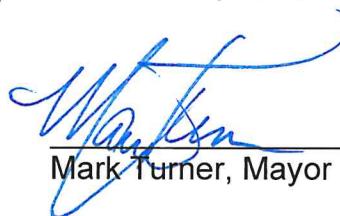
Section 4. All ordinances, orders or resolutions passed and adopted by the City Council of the City of Wills Point, Texas, are hereby repealed to the extent that these ordinances, orders or resolutions, or parts thereof, conflict with this Ordinance.

Section 5. If any section, subsection, clause, phrase or provision of this Ordinance, or the application thereof to any person or circumstance, shall to any extent be held by a court of competent jurisdiction to be invalid, void or unconstitutional, the remaining sections, subsections, clauses, phrases and provisions of this Ordinance, or the application thereof to any person or circumstance, shall remain in full force and effect and shall in no way be affected, impaired or invalidated.

Section 6. This Ordinance shall become effective immediately upon its passage and publication according to state law, and it is accordingly so ordained.

Section 7. The City Secretary of the City of Wills Point, Texas is hereby directed to publish this Ordinance in the local newspaper as soon as practicable and as according to state law.

PASSED AND APPROVED THIS THE 12 DAY OF JULY, 2022.



Mark Turner, Mayor

ATTEST:

Leann Holley
Leann Holley, City Secretary



APPROVED AS TO FORM:

T. Shaina Primeaux
T. Shaina Primeaux, City Attorney