

ORDINANCE NO. 742

AN ORDINANCE AMENDING CHAPTER 16, ARTICLE VII, "KEEP KENNEDALE BEAUTIFUL COMMISSION", OF THE KENNEDALE CITY CODE BY REVISING THE TOTAL NUMBER OF MEMBERS, DELETING THE PROVISION PROVIDING FOR NONRESIDENTS TO SERVE, AND REVISING THE NUMBER NEEDED FOR A QUORUM; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Kennedale is a home rule city acting under its charter adopted by the electorate pursuant to Article X1, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, the City Council previously adopted an ordinance providing for the creation and appointment of the Keep Kennedale Beautiful Commission; and

WHEREAS, the City Council now desires to amend said ordinance to revise the provisions regarding membership on the commission.

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

SECTION 1.

Section 16-96 of Chapter 16, Article VII "Keep Kennedale Beautiful Commission" of the Kennedale City Code is hereby amended in its entirety to read as follows:

"Sec. 16-96. Membership.

- (a) Appointed by majority vote of the city council, this commission shall consist of five (5) regular members designated by places 1 through 5. Appointments shall take place in October of each year, with odd numbered places appointed in odd numbered years and even numbered places appointed in even numbered years. The term for each place shall be two (2) years. Members must meet the following qualifications:
 - (1) Be a registered voter of the city;
 - (2) Shall have resided in the corporate limits of the city for at least one (1) year; and
 - (3) Continue residency in the city during the term of office.

- (b) The city council shall appoint a replacement to fill any vacancy for the unexpired term of the members whose place has become vacant.

- (c) The city council shall have the authority to remove any member at any time, with or without cause.”

SECTION 2.

Subsection (d) of Section 16-97 “Organization, Rules, and Requirements” of Chapter 16, Article VII “Keep Kennedale Beautiful Commission” of the Kennedale City Code is hereby amended in its entirety to read as follows:

“(d) Members of the commission shall not take any action unless a quorum is present. A quorum shall consist of three (3) members. Each member, including the Chair, is entitled to one (1) vote, and action of the commission shall require a majority of those members present.”

SECTION 3.

On the effective date of this ordinance, places 6 through 9 of the Keep Kennedale Beautiful Commission are eliminated.

SECTION 4.

This ordinance shall be cumulative of all provisions of ordinances and of the Kennedale City Code, as amended, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances and such Code, in which event the conflicting provisions of such ordinances and such Code are hereby repealed.

SECTION 5.

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this ordinance shall be declared invalid or unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such invalid or unconstitutional phrase, clause, sentence, paragraph, or section.

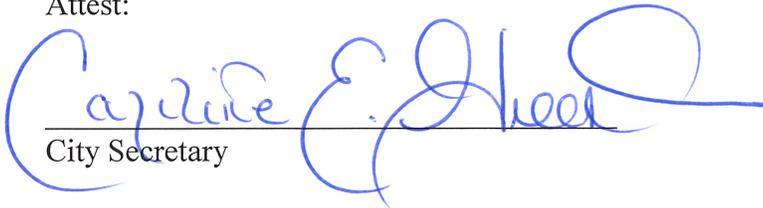
SECTION 6.

This ordinance shall be in full force and effect from and after its passage and it is so ordained.

PASSED AND APPROVED on this 17 day of May, 2022.


Hollis Matthews, Mayor

Attest:


Carvane E. Hood
City Secretary

Approved as to Form and Legality:


Carvan Adkins, City Attorney

