

TOWN OF ARGYLE, TEXAS

ORDINANCE 2019-19

AN ORDINANCE OF THE TOWN OF ARGYLE, TEXAS, ADOPTING A CODE OF ORDINANCES; PROVIDING FOR THE PRINTING THEREOF, AUTHENTICATION BY THE MAYOR AND ATTESTATION BY THE TOWN SECRETARY, THE REPEAL OF CERTAIN ORDINANCES, SAVE AND EXCEPT OTHER ORDINANCES OF A PARTICULAR KIND MENTIONED; PROVIDING FOR AN EFFECTIVE DATE OF SAID CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Argyle has authority under Chapter 53 of the Texas Local Government Code to adopt and codify a Code of Ordinances with appropriate penalties for the violation thereof, which said code when adopted shall have the force and effect of an ordinance regularly enacted with the usual prerequisites of law.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF ARGYLE, TEXAS HEREBY ADOPTS AND ENACTS THE CHAPTERS, ARTICLES AND SECTIONS THEREOF:

SECTION 1. That the following Chapters one (1) through twenty (20), containing Parts A and B, Articles, Sections, Exhibits and Appendices, as set forth in the Tables of Content and attached hereto, shall hereafter constitute the 2019 Code of Ordinances of the Town of Argyle, and includes all civil and penal ordinances passed and adopted by the Town Council up to and through the date of its adoption, as set forth in Exhibit A, which is attached hereto and incorporated herein to this Ordinance.

SECTION 2. That the Code shall be arranged and shall consist of the Table of Contents and Chapters 1 through 14, Reserving for future use Chapters 15 through 20, including the Comprehensive Zoning Ordinance of the Town of Argyle, the Official Zoning Map being a part of the official records and a General Index of the of the Code, which shall be known as the “2019 Code of Ordinances of the Town of Argyle”. That copies of such Code duly authenticated and approved under the original signatures of the Mayor and Town Secretary from which the facsimile signature shall be reproduced, are as follows:

Mayor of the Town of Argyle, Texas

Town Secretary of the Town of Argyle, Texas

That the official seal of the Town of Argyle from which the facsimile seal shall be reproduced is impressed herewith:

That authentication shall be in the following form:

“State of Texas

County of Denton

This Code of Ordinances of the Town of Argyle has been duly adopted by the governing body of the Town of Argyle this 13th of August, 2019, in the manner required by law and its hereby authenticated as the Code of Ordinances of the Town of Argyle and becomes effective as provided in the Adopting Ordinance on the August 13, 2019.

Mayor of the Town of Argyle, Texas

Attest:

Town Secretary of the Town of Argyle, Texas”

SECTION 3. That all provisions of the Code of Ordinances of the Town of Argyle, Texas, in conflict with the provisions of this ordinance be, and the same are hereby, repealed, and all other provisions not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 4. That said Code shall be admitted in evidence without further proof and the Town Secretary shall record said Code as adopted in the ordinance records of the town, and thereafter such record shall serve as record of the ordinances so codified and it shall not be necessary in establishing the content of any particular ordinance so codified to go beyond said record.

SECTION 5. Miscellaneous. That the enactment of this ordinance is subject to:

- a) That all civil and criminal ordinances of a general and permanent nature in force and effect when this Code takes effect which are inconsistent herewith or in conflict with this Code are hereby repealed except as herein provided.
- b) That all ordinances in effect upon the effective date of this Code not inconsistent with any of the provisions of this Code which are omitted from such revision or codification shall not be deemed to have been repealed but shall be continued in full force and effect unimpaired by this Code.
- c) That the repeal of any ordinance or any portion thereof by the preceding sections shall not affect or impair any act done or right vested or accrued or any proceeding, suit or prosecution had or commenced in any cause before such repeal shall take

effect; but every such act done, or right vested or accrued, or proceedings, quit or prosecution had or commenced shall remain in full force and effect to all intents or purposes as if such ordinance or part thereof so repealed had remained in force. No offense committed and no liability, penalty or forfeiture either civil or criminally incurred prior to the time when any such ordinance or part thereof shall be repealed or altered by the Code shall be discharged or affected by such repeal or alteration; but prosecutions and suits for such offenses, liabilities, penalties or forfeitures shall be instituted and proceeded with in all respects as if such prior ordinance or part thereof had not been repealed or altered.

- d) That no general or special ordinance or resolution heretofore enacted validating or legalizing the acts or omissions of any officer or validating any ordinance, act or proceeding whatever shall be affected by the repealing clause of this ordinance, but all validating or legalizing ordinances whatsoever now in force are hereby continued in force.
- e) That no ordinance relating to the public debt or the public credit or any annexation or disannexation of territory shall be affected by the repealing clause of this ordinance.
- f) That no ordinance relating to a contract to which the town is a party, or any contract made for its benefit shall be affected by the repealing clause of this ordinance.
- g) That all ordinances and resolutions making specific appropriation of public funds are continued in force.
- h) That nothing in the repealing clause of this ordinance shall be construed as releasing any person, firm or corporation from any duty enjoined in the limitation or condition imposed by any ordinance that may be repealed by said repealing clause.
- i) That nothing herein shall be construed as a repeal or modification of any ordinance levying a special benefit assessment or creating a lien and debt against the owner of any property improved by the opening, widening, extension or paving of any street or public thoroughfare within the Town of Argyle.
- j) That nothing herein shall be construed as a repeal or any franchise, license or right granted by the Town of Argyle to any person, firm or corporation which license, grant, power or franchise was legally in force and effect at the date of the effective

date of this Code. Every such license, grant, power and franchise shall expire as originally provided by ordinance.

- k) That nothing herein shall affect any pending suits of a civil or criminal nature to which the Town of Argyle is now or may hereafter become a party.
- l) That this Code of Ordinances of the Town of Argyle shall take effect and be in force at 12:00 o'clock Meridian on the first day after adoption.

SECTION 6. That all of the provisions of this ordinance shall be printed in the front of the Code.

SECTION 7. That ordinances adopted subsequent to August 2019, shall not be deemed to have been repealed by the repealing part of this ordinance, but such ordinances are contained in full force and effect.

SECTION 8. That whenever in such Code or in any ordinance of the town, or in any rule or regulation promulgated pursuant thereto, an act is prohibited or is made or declared to be unlawful or an offense or a misdemeanor, or whenever in such Code, ordinance, rule or regulation the doing of any act is required or the failure to do any act is declared to be unlawful, where no specific penalty is provided therefore, the violation of any such provision of such Code or any such ordinance, rule or regulation shall be punishable by a fine of not exceeding two hundred dollars; provided, however, that where the offense is one for which a penalty is fixed by state law, the penalty for such offense shall be the same as fixed by state law.

Each day any violation of such Code, ordinance, rule or regulation shall continue, shall constitute a separate offense unless otherwise provided.

SECTION 9. That it is the desire of the governing body of the Town of Argyle to keep said Code current and up-to-date by causing any amendments, whether they be additions, deletions or changes, to be published in the form of supplements or reprints of pages, not less than once a year.

These supplements or reprinted pages when inserted in proper place in their entirety shall constitute the official Code up to the date of the most recently published supplement or reprinted pages. All of the copies of said Code shall be deemed official copies, one of which official copies shall be kept in the office of the Town Secretary of the Town of Argyle and shall be kept complete and up-to-date with all such changes, supplements and reprinted pages. In the event any question is raised as to whether a Code or any part thereof purchased from the Town of Argyle is complete and up to date, the copy in the office of the Town Secretary shall be final and conclusive. Any ordinance which amends, supplements or repeals any of the provisions of the Code and which is not contained in the supplements or reprints of pages in the Code, and not otherwise repealed, shall nonetheless be deemed in force and effect from the date indicated in same, and upon proof of its existence be admissible in evidence in any of the Courts of this State or the United States, or any other lawful purposes.

SECTION 10. The necessity of the publication of the Code of Ordinances of the Town of Argyle in as complete form as possible and their early distribution among the citizens of the Town of Argyle, creates an imperative public necessity and emergency and requires that this ordinance shall take effect immediately from and after its passage, and it is accordingly so ordained.

DULY PASSED by the Town Council of the Town of Argyle, Texas, this the 13th day of August, 2019.

APPROVED:



Donald Moser, MAYOR

ATTEST:



Erika McComis, TOWN SECRETARY

APPROVED AS TO FORM:



Robert E. Hager, TOWN ATTORNEY



EXHIBIT

“A”

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