

# VILLAGE OF WEBBERVILLE

## ORDINANCE No. 2019-03

**FOR THE VILLAGE OF WEBBERVILLE TO ADOPT THE POWERS OF A TYPE “C” GENERAL-LAW MUNICIPALITY; MAKING FINDINGS OF FACT; PROVIDING FOR ENACTMENT; REPEALER; EFFECTIVE DATE, AND FINDING PROPER NOTICE AND MEETING.**

**WHEREAS**, the Village of Webberville, Texas (“Village”) is a Type C general-law municipality; and

**WHEREAS**, pursuant to Texas Local Government Code Section 51.001, the Village has general authority to adopt an ordinance or police regulation that is for the good government, peace or order of the Village and is necessary or proper for carrying out a power granted by law to the Village; and

**WHEREAS**, pursuant to Texas Local Government Code Sec. 51.052(a), a Type C general-law municipality that has \$500,000 or more of assessed valuation for taxable purposes, according to its most recently approved tax rolls, may adopt the powers of a Type A general-law municipality; and

**WHEREAS**, according to its most recently approved tax rolls the Village has more than \$500,000 of assessed valuation for taxable purposes; and

**WHEREAS**, the Village Commission (“Commission”) seeks to promote the public health, safety, and general welfare of the residents of the Village; and

**WHEREAS**, the Commission finds that it would be beneficial to the Village and its inhabitants and it would aid the Commission in the fulfillment of its mission and goals, to adopt the powers of a Type A municipality and, while remaining a Type C municipality, be vested in and have the ability to exercise the rights, powers, privileges, immunities, and franchises of a Type A general-law municipality; and

**WHEREAS**, Texas Local Government Code Sec. 51.052(b) requires the following for a municipality to adopt the aforementioned powers the following must:

1. at least two-thirds of the governing body of the municipality at a regular meeting must vote to make the change and the vote must be recorded in the journal of the governing body's proceedings;
2. a copy of the record of the proceedings must be signed by the mayor;
3. a copy of the record of the proceedings must be attested by the municipality's clerk or secretary under the corporate seal; and
4. a copy of the record of the proceedings must be filed and recorded in the office of the county clerk of the county in which the municipality is located.

**NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE COMMISSION OF VILLAGE OF WEBBERVILLE, TEXAS:**

### **1. FINDINGS OF FACT**

The foregoing recitals are incorporated into this Ordinance by reference as findings of fact as if expressly set forth herein.

### **2. ENACTMENT**

By virtue of the authority granted to the Village of Webberville by Texas Local Government Code Sec. 51.052(a) the Village hereby adopts and assumes the rights, powers, privileges, immunities, and franchises of a Type A general-law municipality.

### **3. REPEALER**

All ordinances, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated, herein.

### **4. EFFECTIVE DATE**

This Ordinance shall be effective upon its passage and execution by the Village Mayor.

### **5. PROPER NOTICE & MEETING**

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551. Notice was also provided as required by any applicable provision of Chapter 52 of the Texas Local

Government Code.

**6. RECORD OF PROCEEDINGS**

The Village Clerk is authorized and directed to assure compliance with the requirements of Texas Local Government Code Sec. 51.052(b).

**PASSED AND APPROVED** this, the 13th day of February, 2019 by a vote of 3 (ayes) to 0 (nays) to 0 (abstentions) of the Village Commission of Village of Webberville, Texas.

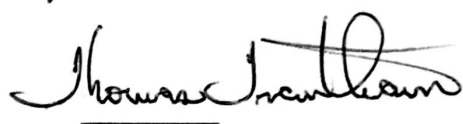
Hector Gonzales,  
Mayor



Ronnie Tidwell,  
Commissioner Place 1



Tom Trantham,  
Commissioner Place 2

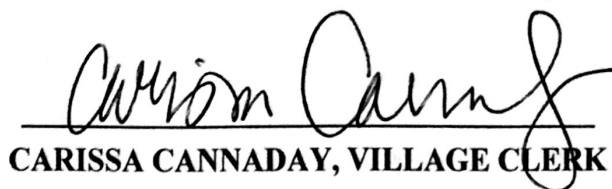


**VILLAGE OF WEBBERVILLE**



**HECTOR GONZALES, MAYOR**

**ATTEST:**



**CARISSA CANNADAY, VILLAGE CLERK**