

ORDINANCE NO. 19-02-21-09

AN ORDINANCE OF THE CITY OF CORINTH, TEXAS, AMENDING SECTION 33.02, "PURPOSE AND DUTIES" OF THE SECTION ENTITLED "KEEP CORINTH BEAUTIFUL COMMISSION" OF CHAPTER 33, BOARDS, COMMISSIONS AND DEPARTMENTS OF TITLE III, "ADMINISTRATION" OF THE CORINTH CODE OF ORDINANCES TO REPEAL SUBSECTIONS 33.02 (A)(6) AND (A)(7) AND TO ADOPT A NEW SECTION 33.02 "PURPOSE AND DUTIES" OF SECTION 33 OF TITLE III, OF THE CODE OF ORDINANCES; PROVIDING FOR THE INCORPORATION OF PREMISES; PROVIDING AMENDMENTS AND SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, in 2004, the City Council adopted Resolution No. 04-09-02-19, establishing the Keep Corinth Beautiful Commission; and

WHEREAS, in 2013, the City Council adopted Ordinance 13-11-07-29, amending Chapter 33 of the Corinth Code of Ordinances merging the Parks and Recreation Commission and the Trails Committee; and

WHEREAS, the enabling ordinance for the Keep Corinth Beautiful Commission (the Commission") outlining its duties, terms of office and other related matters is codified in Chapter 33 of the Code of Ordinances, "Boards, Commissions and Departments" under the section entitled "Keep Corinth Beautiful Commission"; and

WHEREAS, the Commission has reviewed its duties outlined in Section 33.02, "Purpose and Duties" and wishes to request that the City Council amend Section 33.02, Purpose and Duties", to repeal subsection (A)(6) and to adopt a new subsection (A)(6) and to repeal subsection (A)(7) due to the lack of necessary resources as available for the Commission to provide a review and recommendation regarding a full scale comprehensive Trail Plan and open space and corridor sites for acquisition and development; and

WHEREAS, the City Council has determined it appropriate to remove the duties imposed under subsection (A)(6) and (A)(7) from Section 33.02, "Purpose and Duties" of the Commission by repealing those subsections and to transfer responsibility for those duties to Planning and Development Department for the City of Corinth;

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

SECTION I.
Incorporation of Premises

The recitals set forth above are the findings of the City Council and are incorporated into the body of this Ordinance as if fully set forth herein.

SECTION II.
Amendments

That Section 33.02, "Purpose and Duties", of the Section entitled "Keep Corinth Beautiful Commission" of Chapter 33, "Boards, Commissions and Departments" of Title III, "Administration" of the Code of Ordinances of the City of Corinth, Texas, entitled is hereby amended to repeal subsections 33.02(A)(6) and (A)(7), and renumber all other subsections of Section 33.02 which shall remain in full force and effect, with amended Section 33.02, "Purposes and Duties" of Chapter 33 to be and read in its entirety as follows:

"KEEP CORINTH BEAUTIFUL COMMISSION

§ 33.02 PURPOSE AND DUTIES

(A) The Commission shall recommend policies related to litter prevention, beautification and community improvement, and the minimization of solid waste to the City Council so all city activities might follow a common purpose. The Commission shall have the following responsibilities:

1. Develop citywide refuse and environmental policy plan(s);
2. Evaluate City actions in light of that policy;
3. Determine and recommend to the City Council management and program priorities on a citywide basis;
4. Recommend enforcement and additional program alternatives;
5. Monitor City performance from data collected and examined under the Keep Texas Beautiful, Inc. Affiliate System guidelines and make an annual report to the City Council;
6. Maintain membership in Keep Texas Beautiful and any other national beautification group that the organization so chooses to be a part of; and
7. Carry out such other tasks as the City Council may designate.

(B) To accomplish these responsibilities, the Commission shall be authorized to establish sub-committees such as, but not limited to, the areas of Business and Industry, Communications, Education, Finance/Fundraising, and Cleanup.

(C) A Commission member will chair each sub-committee with an unspecified number of community volunteers chosen by the Commission as working sub-committee members."

SECTION III.
Cumulative Repealer

This Ordinance shall be cumulative of all provisions of all existing ordinances and resolutions and of the Code of Ordinances of the City of Corinth, Texas, as amended, except where the provisions of this ordinance are in direct conflict with the provisions of such existing ordinances, resolutions, and code, in which event the conflicting provisions of such ordinances and Code are hereby repealed.

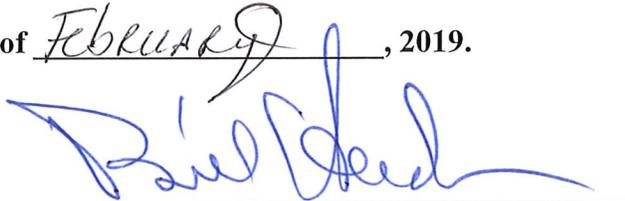
SECTION IV.
Severability

The provisions of the Ordinance are severable. However, in the event this Ordinance or any procedure provided in this Ordinance becomes unlawful, or is declared or determined by a judicial, administrative or legislative authority exercising its jurisdiction to be excessive, unenforceable, void, illegal or otherwise inapplicable, in whole or in part, the remaining and lawful provisions shall be of full force and effect and the City shall promptly promulgate new revised provisions in compliance with the authority's decisions or enactment.

SECTION V.
Effective Date

This Ordinance shall take effect immediately upon its passage and approval.

PASSED AND APPROVED this 21st day of February, 2019.



Bill Heidemann, Mayor

ATTEST:



Kimberly Pence, City Secretary



APPROVED AS TO FORM:



FOR Patricia Adams, City Attorney