

CITY OF ANNA, TEXAS

ORDINANCE NO. 780-2018

AN ORDINANCE OF THE CITY OF ANNA, TEXAS, AMENDING THE ANNA CITY CODE OF ORDINANCES PART II, ARTICLE 8, SUBSECTION 1.18 GENERAL DEFINITIONS RELATED TO JUNKED VEHICLES; PROVIDING FOR SAVINGS, SEVERABILITY, AND REPEALING CLAUSES; AFFIRMING VALIDITY OF PAST ACTIONS; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.

WHEREAS, the City of Anna, Texas ("City") City Council ("City Council") has previously adopted ordinances, rules and regulations governing junked vehicles that are codified in part as Part II, Article 8, Section 1.21, of The Anna City Code of Ordinances ("Anna Code"); and

WHEREAS, recent changes to Texas law have caused the Anna Code's definition for its junked vehicles regulations found in Part II, Article 8, Section 1.18 to become partially obsolete; and

WHEREAS, the City Council has investigated and determined that it would be beneficial and advantageous to update the definition of junked vehicle in the Anna Code;

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

Section 1. Recitals Incorporated.

The above-referenced recitals are incorporated herein as if set forth in full for all purposes.

Section 2. In accordance with Part II, Article 1, Section 9 of the Anna Code, the following amendment is made to Part II, Article 8, Section 1.18, with added language shown in underlined text (example) and deleted language shown in strikethrough text (~~example~~), as follows:

1.18 General Definitions

[. . .]

Junked Vehicle means a vehicle that is self-propelled and:

- (a) Does not have lawfully attached to it:
 - (1) An unexpired license plate; or

(2) A valid motor vehicle ~~inspection certificate~~ registration sticker; and

(b) Is:

(1) Wrecked, dismantled or partially dismantled, or discarded; or

(2) Inoperable and has remained inoperable for more than:

(i) 72 consecutive hours, if the vehicle is on Public property; or

(ii) 30 consecutive days, if the vehicle is on private property.

[. . .]

Section 3. Savings, Severability and Repealing Clauses.

All ordinances of the City in conflict with the provisions of this ordinance are repealed to the extent of that conflict. If any provision of this ordinance shall be held to be invalid or unconstitutional, the remainder of such ordinance shall continue in full force and effect the same as if such invalid or unconstitutional provision had never been a part hereof. The City declares that it would have passed this ordinance, and each section, subsection, sentence, clause, or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, and phrases be declared unconstitutional or invalid.

Section 4. Past Actions Remain Valid.

Amendment of the Anna Code by this ordinance shall not in any way affect the validity, status, or disposition of any action (including, but not limited to, citations and criminal complaints) taken relating to a violation of the related Anna Code provisions prior to the effective date of this ordinance. Any and all violation notices, court proceedings, judgments, fines, penalties, abatement orders, disposal orders, or other legal matters initiated under the version of the Anna Code existing immediately before the adoption of this ordinance shall, if pending, proceed to conclusion using the version of the Anna Code in effect prior to this ordinance; and if concluded, shall be unaffected by the passage of this ordinance and retain the full force and effect accorded to them under the Anna Code and Texas law that was applicable prior to this ordinance.

Section 5. Publication of the Caption Hereof and Effective Date.

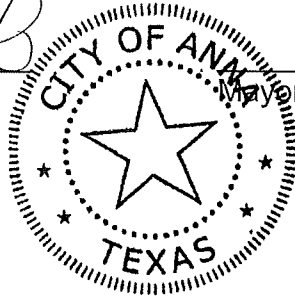
This ordinance shall be in full force and effective from and after its passage and upon the posting and/or publication, if required by law, of its caption and the City Secretary is hereby directed to implement such posting and/or publication.

PASSED by the City Council of the City of Anna, Texas, this 14th day of August, 2018.

ATTESTED:

APPROVED:

Carrie S. Smith
City Secretary, Carrie Smith



Nate Pike
Mayor Nate Pike