

**ORDINANCE NO. 1990**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HURST, TEXAS AMENDING THE HURST CODE OF ORDINANCES BY ADDING CHAPTER 12, ARTICLE XI, GAS DRILLING AND PRODUCTION, REPEALING CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY, NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH SEPARATE OFFENSE AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED UPON EACH DAY DURING OR ON WHICH A VIOLATION OCCURS; DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS,** the City of Hurst deems it necessary, for the purpose of promoting the health, safety, morals, or general welfare of the City to amend the Code of Ordinances to add additional regulations regarding gas well drilling and production regulations; and

**WHEREAS,** all legal prerequisites and requirements for the passage of this Ordinance have been adhered to, including but not limited to the Open Meeting Act; and

**WHEREAS,** the City of Hurst City Council deems the passage of this Ordinance to be in the best interest of the health, safety, and welfare of the public.

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

Section 1. That all matters stated hereinabove are found to be true and correct and are incorporated herein as if copied in their entirety.

Section 2. That Chapter 12, of the Hurst Code of Ordinances, Licenses and Business Regulations is hereby amended by the addition of Article XI which is attached hereto as Exhibit "A", which exhibit is incorporated herein as if copied in its entirety.

Section 3. That all ordinances or any parts thereof in conflict with the terms of this ordinance shall be and hereby are deemed repealed and of no force or effect, particularly and specifically any conflicts in Chapter 14 of the City Code.

Section 4. Any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in a sum not to exceed two thousand dollars (\$2,000.00) and a separate offense shall be deemed committed upon each day during or on which a violation occurs or continues.

Section 5. If any section, subsection, sentence, clause or phrase of this ordinance shall for any reason be held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 6. The fact that the present ordinances and regulations of the City of Hurst, Texas are inadequate to properly safeguard the health, safety, morals, peace and general welfare of the inhabitants of the City of Hurst, Texas, creates an emergency for the immediate preservation of the public business, property, health, safety and general welfare of the public which requires that this ordinance shall become effective from and after the date of its passage, and it is accordingly so ordained.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF HURST, TEXAS, on first reading on this the 11<sup>th</sup> day of July, 2006 by a vote of 6 ayes and 0 nays.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF HURST on the second reading on the 25th day of July, 2006 by a vote of 6 ayes and 0 nays.

APPROVED:

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Mayor Richard Ward

ATTEST:

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City Secretary Rita Frick

APPROVED AS TO FORM:

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John F. Boyle, Jr., City Attorney