

**CITY OF SANDY OAKS, TEXAS**

**ORDINANCE NO. 2018-86**

**AN ORDINANCE OF THE CITY OF SANDY OAKS, TEXAS  
AUTHORIZING AND DIRECTING THE INSTALLATION,  
PLACEMENT AND ERECTION OF WARNING SIGNS,  
PROVIDING FOR A PENALTY FOR DAMAGE OF SUCH SIGNS  
AND PROVIDING FOR SEVERABILITY AND PUBLICATION.**

**WHEREAS**, the City of Sandy Oaks, Texas ("City") is a Type A General Law municipality with the authority to adopt ordinances that are not inconsistent with state law, that are necessary for the government, interest, welfare, or good order of the municipality pursuant to section 51.012 of the Local Government Code; and

**WHEREAS**, the City Council of the City of Sandy Oaks, Texas has determined that the adoption of this ordinance is necessary to the health, safety and general welfare of the inhabitants of the City and the members of the public traveling upon the City's streets; and

**WHEREAS**, the City Council has determined snakes exist in the area known as Waterwood Park, that snakes may be a danger to persons around and entering the park and it is therefore necessary to warn of persons around and entering the park of the possibility of such snakes;

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

**Section 1. Warning Signs Authorized.** The City Council hereby establishes and authorizes the installation, placement and erection of warning signs informing persons around and entering the area known as Waterwood Park of snakes. The City Engineer or Alderman Douglas Tomasini is hereby authorized and directed to erect and install appropriate signs and markings and approve and allow the placement of warning signs indicating and carrying out the provisions of this ordinance at entry ways and/or in conspicuous areas of the park. The City Council hereby approves and authorizes the expenditure not to exceed \$200.00 and in conformance with the City's budget by the Mayor for the purchase and installation of such signs.

**Section 2. Damage to Property.** It shall be illegal for any person to knowingly or intentionally damage any sign posted by the City warning persons of snakes. Any person who knowingly, intentionally or recklessly causes damage to any sign posted thereon warning persons of snakes shall be responsible for the costs of repair or replacement.

**Section 3. Penalty.** Any person who violates this Ordinance shall be guilty of a misdemeanor, and upon conviction therefore, assessed a fine not to exceed Five Hundred Dollars (\$500.00); each and every day any such violation continues and each day or portion of each day any such violation continues shall constitute a separate offense.

**Section 4. Severability.** It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid

judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

**Section 5. Publication.** The City Clerk is hereby authorized and directed to publish the caption of this Ordinance together with the penalty provision contained herein in the manner and for the length of time prescribed by law.

**Section 6. Effective Date.** This Ordinance shall take effect immediately upon its publication as required by section 52.011 of the Local Government Code.

**PASSED AND APPROVED** on this 11<sup>th</sup> day of January 2018.

**CITY OF SANDY OAKS, TEXAS**

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Karen Mendiola Tanguma, Mayor

**ATTEST:**

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Charlotte Rabe, City Clerk