

ORDINANCE NO. 2023-07

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS AMENDING SECTION EIGHT OF ORDINANCE NO. 2022-45 (AMENDING CITY CODE CHAPTER 18 ENTITLED "AVIATION") TO EXTEND THE EFFECTIVE DATE PROVIDING CUMULATIVE, CORRELATIVE, REPEALER AND SEVERABILITY CLAUSES; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, City Council tasked staff to make comprehensive revision to City Code Chapter 18, Articles I, II and III to, among other purposes, address the engagement of a new FBO; and; and to update Chapter 18; and

WHEREAS, to that end, City Council authorized the engagement of KSA Engineering to assist with the revision. On July 26, 2022, City Council approved the first component of the revisions; and

WHEREAS, on November 8, 2022, City Council adopted Ordinance No. 2022-45 amending City Code Chapter 18 (entitled "Aviation") to allow the adoption of the "*Airport Standards and Operating Policy for Burnet Municipal Airport/Kate Craddock Field*" by resolution (hereinafter the "*minimum standards*"); and

WHEREAS, at the time of publication of the notice and the first reading of Ordinance No. 2022-45 it was staff's belief that the minimum standards would be finalized for consideration with the adoption of Ordinance No. 2022-45; and

WHEREAS, when it became apparent that the minimum standards would not be finalized before the second reading section eight of Ordinance No. 2022-45 was revised to become effective 180 days after adoption (May 7, 2023); and

WHEREAS, additional time is required to publish the minimum standards and to conduct public hearings before the airport advisory board and city council; and

WHEREAS, City Council, finds, determines, and declares that publication of notice of this Ordinance, as required by Section 3.14 of the City Charter and the laws of the State of Texas, was made by the City Secretary within the period prescribed by Section 3.14; and

WHEREAS, City Council, finds, determines, and declares that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Ordinance, was given as required by Chapter 551 of the Texas Government Code.

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

Section one. Findings. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Ordinance for all purposes and are adopted as a part of the judgment and findings of the Council.

Section two. Amendment. Ordinance No. 2022-45, passed, approved, and adopted on the 8th day of November 2022, is hereby amended by replacing the existing language in section eight therein with the language in italics (italics) below:

“Section eight. Effective Date. This Ordinance shall be effective, without the need for further City Council action, upon the approval of a resolution adopting Minimum Standards as referenced in Exhibit “A”; provided that should such resolution not be approved on or before September 28, 2023, this ordinance shall be void and of no further effect.”

Section three. Cumulative. This ordinance shall be cumulative of all provisions of all ordinances and codes, or parts thereof, except where the provisions of this Ordinance are in direct conflict with the provisions of such Ordinances, in which event the more restrictive provision shall apply.

Section four. Repealer. All ordinances and codes, or parts thereof, which 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 resolved herein.

Section five. Severability. If any provision of this Ordinance or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Ordinance and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City hereby declares that this Ordinance would have been enacted without such invalid provision.


Section six. Publication. The publishers of the City Code are authorized to amend said Code to reflect the changes adopted herein and to correct typographical errors and to format and number paragraphs to conform to the existing Code.

Section eight. Effective Date. This ordinance shall be effective upon final passage, approval, and adoption. Ordinance No. 2022-45 shall become effective as provided in section two herein.

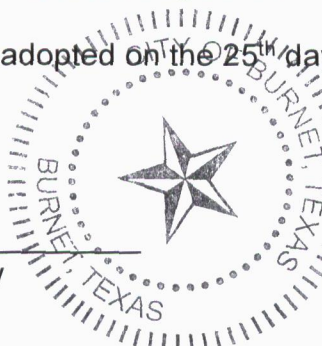
Passed and approved on first reading on the 11th day of April 2023.

Passed, approved, and adopted on the 25th day of April 2023.

ATTEST:



Kelly Dix, City Secretary



CITY OF BURNET



Crista Goble Bromley, Mayo