

ORDINANCE NO. 2011-07

AN ORDINANCE OF THE CITY OF BURNET, TEXAS REPEALING ARTICLE III OF CHAPTER 18 OF THE CODE OF ORDINANCES IN ITS ENTIRETY AND RENUMBERING AND AMENDING THE REMAINDER OF CHAPTER 18 AS NECESSARY; PROVIDING FOR REMOVAL OF THE THROUGH-THE-FENCE OPERATION KNOWN AS THE VALLEY SOUTH AIRPARK COMMUNITY; AND PROVIDING FOR SEVERABILITY AND RELATED MATTERS.

WHEREAS, the City of Burnet (the "City") is the owner of the airport located in Burnet known as the Kate Craddock Field (the "Airport"); and

WHEREAS, the City Council of the City of Burnet adopted Ordinance Number 2004-18 on the 28th day of September 2004 authorizing the Valley South Airport Community; and

WHEREAS, said airport community through-the-fence operation has not been permitted by the Texas Department of Transportation or the Federal Aviation Administration, and said community has not been developed; and

WHEREAS, the Federal Aviation Administration has now prohibited residential through-the-fence operations.

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

Section. 1. Findings. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

Section. 2. Repeal. Chapter 18, Article III of the City of Burnet Code of Ordinances is hereby repealed in its entirety and removed from the City of Burnet Code of Ordinances, and the remainder of Chapter 18 shall be renumbered and amended as necessary.

Section 3. Conflicting Ordinances. All ordinances or parts of ordinances inconsistent with or in conflict with this ordinance are hereby amended and repealed to the extent of such inconsistency or conflict.

Section 4. Severability. If any provision of this ordinance or the application of any provision to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications hereof which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

Section 5. Open Meetings. That it is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public

notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapt. 551, Loc. Gov't. Code.

Section 6. Effective Date. This ordinance shall take effect immediately upon its adoption by the City Council and publication as required by the Local Government Code.

PASSED AND APPROVED on First Reading this 12th day of July, 2011.

FINALLY PASSED AND APPROVED on this the 26th day of July, 2011.

CITY OF BURNET, TEXAS

Gary Wideman, Mayor

ATTEST:

Kelly Dix, City Secretary