

ORDINANCE NO. 05-102

**AN ORDINANCE OF THE CITY OF HAWK COVE, TEXAS,
LIMITING SEWER SERVICE TO NEW STRUCTURES IN
WETLAND AREAS; PROVIDING A SEVERABILITY CLAUSE;
AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the Texas Local Government Code, Chapter 51, provides for municipal ordinances not inconsistent with state law, necessary for the good order of the municipality; and

WHEREAS, the City of Hawk Cove, Texas ("City") recognizes the significance of protecting wetlands through the limiting of service to new structures in wetland areas; and

WHEREAS, the City Council of the City of Hawk Cove believes it is in the best interest of the citizens of the City to limit sewer service to new structures in wetland areas.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF
THE CITY OF HAWK COVE, TEXAS, THAT:**

SECTION 1

That all of the above premises are hereby found to be true and correct and are hereby approved and incorporated into the body of this ordinance as if copied in their entirety.

SECTION 2

The City Council hereby adopts the following ordinance:

"The City of Hawk Cove will not provide sewer service to those new residential, business or industrial structures located within the boundaries of wetland areas without verification that the proper U.S. Army Corps of Engineers, Section 404 permits have been obtained."

SECTION 3

If any section, article, paragraph, sentence, clause, phrase or word in this ordinance or application thereto any person or circumstances is held invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this ordinance; and the City Council hereby declares it would have passed such remaining portions of this ordinance despite such invalidity, which remaining portions shall remain in full force and effect.