

ORDINANCE NO. 891

AN ORDINANCE OF THE CITY OF KYLE, TEXAS AMENDING ORDINANCE 891; CHAPTER 50 ("UTILITIES"), ARTICLE IX ("STORMWATER REGULATIONS") ADOPTED ON FEBRUARY 16, 2016 SO AS TO REFLECT CHANGES SHOWN IN EXHIBIT A; PROVIDING FOR AN EFFECTIVE DATE; AND MAKING SUCH OTHER FINDINGS AND PROVISIONS RELATED HERETO.

WHEREAS, the City of Kyle is charged with providing for the health, safety and welfare of the citizens of the City; and

WHEREAS, it is the intent of the City of Kyle to comply with the regulations mandated by both the United States Environmental Protection Agency and the Texas Commission on Environmental Quality through the regulation of non-stormwater discharges to the storm drainage system to the maximum extent practicable as required by federal and state law; and

WHEREAS, this Ordinance establishes methods for controlling the introduction of pollutants into the municipal storm sewer system in order to comply with requirements of the National Pollutant Discharge Elimination System permit process; and

WHEREAS, Texas Local Government Code Section 51.001 provides that the governing body of a municipality may adopt, publish or repeal an ordinance that is for the good government, peace, or order of the municipality.

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

SECTION 1. Ordinance 891 amended as set forth in Exhibit A. Added text is indicated by underlining and in red. Deleted text is indicated by strikethroughs. In codifying the changes authorized by this Ordinance, paragraphs, sections and subsections may be renumbered and reformatted as appropriate and consistent with the existing numbering and formatting of the existing Ordinance.

SECTION 2. If any provision, section, sentence, clause, or phrase of this Ordinance, or the application of same to any person or set of circumstances is for any reason held to be unconstitutional, void or invalid (or for any reason unenforceable), the validity of the remaining portions of this Ordinance or the application to such other persons or sets of circumstances shall not be affected hereby, it being the intent of the City Council of the City of Kyle in adopting this Ordinance, that no portion hereof or provision contained herein shall become inoperative or fail by reason of any unconstitutionality or invalidity of any other portion or provision.

SECTION 3. This Ordinance shall be published according to law and shall be and remain in full force and effect from and after the date of its final approval by the City's Mayor and City

Council.

SECTION 4. It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public as required by law.

SECTION 5. Effective immediately following the publication in accordance with the City's charter.

APPROVED ON FIRST READING on the _____ day of _____, 2017.

APPROVED ON SECOND READING on the _____ day of _____, 2017.

R. Todd Webster, Mayor

ATTEST:

Jennifer Vetrano, City Secretary

EXHIBIT 'A'