

ORDINANCE NO. 2003-45

AN ORDINANCE DECLARING AN EMERGENCY OF GRAVE PUBLIC NECESSITY REQUIRING THE AMENDMENT OF THE BUDGET OF THE TOWN OF TALTY FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2002 AND ENDING SEPTEMBER 30, 2003.

WHEREAS, the budget of the Town of Talty for the fiscal year beginning October 1, 2002 and ending September 30, 2003 was duly presented to the governing body of the Town of Talty and a public hearing was ordered by and a public notice of said hearing was caused to be given by the governing body and said notice was published in the official town newspaper and said public hearing was held according to said notice. Said budget was approved by the governing body of the Town of Talty on September 17, 2002.

WHEREAS, the Town of Talty is currently engaged in litigation to enforce its building codes within its ETJ, and its zoning and nuisance ordinances related to the septic discharge from the Exxon Service Station.

WHEREAS, on January 22, 2003, the Board of Aldermen unanimously approved proceeding with legal action, when necessary, to enforce these ordinances.

WHEREAS, Texas Local Government Code Section 102.009(c) provides for amending the budget in the event of a declared emergency.

NOW THEREFORE:

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE TOWN OF TALTY, TEXAS:

SECTION 1. DECLARATION OF EMERGENCY

An emergency of grave public necessity is hereby declared due to unforeseen legal expenses incurred as a result of enforcing the Town's ordinances. Enforcement of the ordinances is considered critical in protecting the public safety and welfare.

SECTION 2. AMENDMENT OF BUDGET FOR ATTORNEY FEES

The budget of the Town of Talty shall be amended to increase Attorney Fees for the fiscal year ending September 30, 2003 by \$15,000 (fifteen thousand dollars) to cover litigation expenses related to the enforcement of the Town's ordinances.

SECTION 3. FILING OF THE AMENDED BUDGET

A copy of the amended budget shall be attached to this ordinance and shall be filed with the Town Secretary and the County Clerk as required by Texas Local Government Code Section 102 Sections 108 and 109.

DULY PASSED AND APPROVED by the Board of Aldermen of the Town of Talty, Texas this 13th day of May, 2003.

APPROVED:

Allison Weaver, Mayor

ATTEST:

Carla Milligan, Town Secretary

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