

ORDINANCE NO. 3703

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARROLLTON, TEXAS, AMENDING ORDINANCE NO. 3145 REGARDING NATURAL GAS DRILLING AND PRODUCTION BY AMENDING THE CODIFICATION IN THE CITY OF CARROLLTON'S CODE OF ORDINANCES; PROVIDING FOR PENALTY, SAVINGS, AND SEVERABILITY CLAUSES; AND ESTABLISHING AN EFFECTIVE DATE ON AND ADTER ITS ADOPTION AND PUBLICATION.

WHEREAS, the City Council of the City of Carrollton, Texas, adopted the Gas Drilling and Production Ordinance for the City of Carrollton, Texas ("City") on June 5, 2007, in Ordinance No. 3145; and

WHEREAS, the City Council of the City of Carrollton, Texas, adopted Ordinance No. 3173 establishing regulations governing private water wells for the City on October 2, 2007, which was amended by Ordinance No. 3599 adopted on February 18, 2014; and

WHEREAS, both Ordinance No. 3145 and Ordinance No. 3599 have been inadvertently codified to Title 15, Chapter 156 in the City's Code of Ordinances; and

WHEREAS, it was not, has not been and is not now, the intent of the City to repeal either ordinance but instead to provide new codification for Ordinance No. 3145 so that it and Ordinance No. 3599 are properly displayed in the City's Code of Ordinances;

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

SECTION 1.

The Code of Ordinance, City of Carrollton, Texas is hereby amended by adding a section, to be numbered, Title 15, Chapter 157 entitled Natural Gas Drilling And Production, and to read as specified in Ordinance No. 3145, adopted June 5, 2007 by the City Council of the City of Carrollton, Texas.

SECTION 2.

Any person violating a provision of this ordinance, upon convention, is guilty of an offense punishable as provided in Section 10.99 of the Carrollton City Code.

SECTION 3.

This Ordinance shall be cumulative of all other ordinances of the City, and shall not repeal any of the provisions of those ordinances except in those instanced where the provisions of those ordinances are in direct conflict with the provisions of this Ordinance; provided, however, that any complaint, notice, action, cause of auction, or claim which prior to the effective date of this Ordinance has been initiated or has arisen under or pursuant to such other

ordinance(s) shall continue to be governed by the provisions of that ordinance or those ordinances, and for that purpose that ordinance or those ordinances shall be deemed to remain and shall continue in full force and effect.

SECTION 4.

The sections, paragraphs, sentences, phrases, clauses and words of this Ordinance are severable, and if any section, paragraph, sentence, phrase, clause or word in this Ordinance or application thereof to any person or circumstance 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 that it would have passed such remaining portions of this Ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

SECTION 5.

This Ordinance shall take effect immediately upon its adoption and publication in accordance with and as provided by law and the City Charter.

DULY PASSED AND APPROVED by the City Council of the City of Carrollton, Texas, this 15th day of September 2015.

Matthew Marchant, Mayor

ATTEST:

Krystle F. Nelinson, City Secretary



APPROVED AS TO FORM:

Meredith Ladd, City Attorney