

**ORDINANCE NO. 09-038**

**AN ORDINANCE OF THE CITY OF RED OAK, TEXAS, AMENDING TITLE XV: LAND USAGE, OF THE CODE OF ORDINANCES BY REPEALING CHAPTER 151, HOUSING CODE, IN ITS ENTIRETY AND RESERVING THE SAME FOR FUTURE USE; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City of Red Oak has been and continues to update and bring its Code of Ordinances into compliance with state law through the rewriting of the same; and

**WHEREAS**, a review of Chapter 151. Housing Code. revealed that said chapter is out-of-date and the provisions relating to housing code has been provided for through the recent adoption of the rewrite of another chapter in the Code; and

**WHEREAS**, based on the foregoing, the City desires to repeal Chapter 151. Housing Code. in its entirety and reserve the same for future use.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RED OAK, TEXAS:**

**SECTION 1.** That the Code of Ordinances be, and the same is, hereby amended by amending TITLE XV: LAND USAGE, CHAPTER 151, "HOUSING CODE," by repealing the same in its entirety and reserving the same for future use, which shall read as follows:

**"TITLE XV: LAND USAGE**

.....

**CHAPTER 151: RESERVED FOR FUTURE USE."**

**SECTION 2.** That all provisions of the Code of Ordinances of the City of Red Oak, Texas, in conflict with the provisions of this ordinance be, and the same are hereby, repealed, and all other provisions not in conflict with the provisions of this ordinance shall remain in full force and effect.

**SECTION 3.** That should any word, phrase, paragraph, or section of this ordinance or of the Code of Ordinances, as amended hereby, be held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof other than the part so decided to be unconstitutional, illegal or invalid, and shall not affect the validity of the Code of Ordinances as a whole.

**SECTION 4.** That this ordinance shall take effect immediately from and after its passage and publication, as the law and charter in such cases provide.

**DULY PASSED** by the City Council of the City of Red Oak, Texas, this 13th day of July, 2009.

APPROVED:

  
ALAN HUGLEY, MAYOR

ATTEST:

  
CYNTHIA OLGUIN, CITY SECRETARY



APPROVED AS TO FORM:

  
ROBERT E. HAGER, CITY ATTORNEY  
(REH:cdh 06/19/2009)