

ORDINANCE NO. 2017-011

AN ORDINANCE OF THE VILLAGE OF SALADO, TEXAS, AMENDING SECTION 3 (B) OF ORDINANCE NO. 2008.07 "NOISE REGULATION" TO MODIFY DATES AND TIMES CONSTRUCTION AND REMODELING ACTIVITIES ARE ALLOWED; PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT; PURPOSE; GENERAL PROHIBITIONS; SPECIFIC PROHIBITIONS; NON-APPLICABILITY; REPEALER CLAUSE; A SEVERABILITY CLAUSE; EFFECTIVE DATE; ENFORCEMENT INCLUDING CRIMINAL FINES NOT TO EXCEED \$500 AND CIVIL PENALTIES NOT TO EXCEED \$100 PER OFFENSE AND INJUNCTIVE RELIEF; AND PROPER NOTICE AND OPEN MEETING.

WHEREAS, the effective control and elimination of excessive noise and excessive vibration is essential to the furtherance of the health and welfare of residents of the Village of Salado and to the conduct of the normal pursuits of life, recreation, commerce and industrial activity; and

WHEREAS, the Board of Aldermen of the Village of Salado may, within certain limitations, regulate the noise within the Village of Salado ("Village"); and

WHEREAS, in March 2008, the Board of Aldermen approved Ordinance No. 2008.07 regulating noise; and

WHEREAS, the Board of Alderman has determined that, in the interest of promoting the public's health, safety, and welfare, there is a need for additional restrictions relating to noise associated with construction and remodeling activity.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE VILLAGE OF SALADO, BELL COUNTY, TEXAS

Section 1. Findings. All of the above premises are hereby found to be true and correct legislative and factual findings of the Village of Salado and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

Section 2. Amendment.

That Section 3 (B) "Specific Prohibitions" of Ordinance No. 2008.07 is hereby amended to read as follows:

"Section 3. Specific Prohibitions

- (B) **Construction, Repairing of Buildings:** The creation (including excavating), demolition, alteration, or repair of any building within the Village, other than between the hours of seven o'clock (7:00) a.m. and seven o'clock (7:00) p.m. on Monday through Friday, and between the hours of ten o'clock (10:00) a.m. and seven o'clock (7:00) p.m. on Saturday, except in case of urgent necessity in the interest of public health and safety, and then only with a permit from the Village Mayor, or the Mayor's designee, which permit may be granted for a period up to three (3) days while the emergency continues and which permit may be renewed for periods of three days while the emergency continues. "

Section 3. Enforcement. The Village shall have the power to administer and enforce the provisions of this Ordinance, as may be required, by governing law and such enforcement shall include criminal fines not to exceed five-hundred dollars (\$500) per offense, and civil penalties not to exceed one hundred dollars (\$100) per day and injunctive relief as set forth in Ordinance No. 2008.07.

Section 4. Except as expressly amended herein, the Ordinance No. 2008.07 shall remain in full force and effect.

Section 5. All ordinances or parts of ordinances in force when the provisions of this Ordinance become effective which are inconsistent or in conflict with the terms and provisions contained in this Ordinance are hereby repealed, but only to the extent of any such conflict.

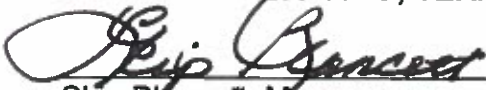
Section 6. Should any sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this Ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Ordinances as a whole.

Section 7. This Ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and charter in such cases provide.

Section 8. Open Meetings. That it is hereby officially found and determined that the meeting at which this Ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meeting Act, Capt. 551, Loc. Gov't. Code.

PASSED AND APPROVED this 5th day of October, 2017, by a vote of 4 (Ayes) to 0 (Nays) 0 (Abstain) vote of the Board of Aldermen of the Village of Salado, Texas.

VILLAGE OF SALADO, TEXAS



Skip Blancett, Mayor

ATTEST:



Cara McPartland, City Secretary

