

ORDINANCE NO. 90-06 A

AN ORDINANCE OF THE TOWN OF NEW HOPE, COLLIN COUNTY, TEXAS, AMENDING ORDINANCE NUMBER 90-06, TO PROVIDE FOR THE CUTTING AND REMOVAL OF HIGH GRASS AND WEEDS BY THE TOWN AND THE ASSESSMENT OF A LIEN ON THE PROPERTY FOR THE TOWN'S EXPENDITURES FOR SAID CUTTING AND REMOVAL AND PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF NEW HOPE, COLLIN COUNTY, TEXAS AS FOLLOWS:

**SECTION 1. AMENDMENT TO ORDINANCE 90-06.**

The New Hope Town Council hereby amends Ordinance 90-06 by adding the following:

**"Section 2. Notice.**

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**A. Cutting and removal by Town.**

If any person fails or refuses to comply with the provisions of this Ordinance, then the town may do such work or cause the same to be done in order to bring the property into compliance and may pay the expenses for doing or having the work done on the offending property and cause the expense to be assessed in the form of a lien on the offending property plus an administration fee of Fifty Dollars (\$50.00).

**B. Filing of Lien.**

A statement by the mayor or a designated representative of such expenses and fee shall be filed with the Collin County Clerk and upon filing the Town of New Hope will have a privileged lien on the property, second only to tax liens and liens for street improvements to secure the expenditures so made. The amount of such expenditures and fee shall bear ten percent (10%) per annum interest from the date of payment by the town until paid by the property owner. For any such expenditures and interest, as aforesaid, suit may be instituted and foreclosure had in the name of the town, and the statement so made as aforesaid, or a certified copy thereof, shall be prima facie proof of the amount expended in any such work or improvements.

**SECTION 3. CONFLICTS.**

All ordinances and provisions of the Town of New Hope, Texas, that are in conflict with this Ordinance shall be, and the same are, hereby repealed, and all

ordinances and provisions of ordinances of said Town not so repealed are hereby retained in full force and effect.

**SECTION 4. SEVERABILITY.**

That it is the intent of the Town Council that each paragraph, sentence, subdivision, clause, phrase, or section of this Ordinance be deemed severable and, should any such paragraph, sentence, subdivision, clause, phrase, or section be declared invalid or unconstitutional for any reason, such declaration of invalidity or unconstitutionality shall not be construed to affect the validity of those provisions of this Ordinance left standing, nor the validity of any ordinances of the Town of New Hope.

**SECTION 5. PUBLICATION.**

The caption of this ordinance shall be published in accordance with §52.011 of the Texas Local Government Code.

**SECTION 6. EFFECTIVE DATE.**

This ordinance shall be effective upon publication.

**ADOPTED** by the Town Council of the Town of New Hope, Collin County, Texas, this 31<sup>st</sup> day of December, 1992.  
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APPROVED:

by: Tamara Blazier  
Tamara Blazier, Mayor

ATTEST:

Carol King  
Carol King, Town Secretary

APPROVED AS TO FORM:

John E. Rapien  
John E. Rapien,  
Town Attorney