

ORDINANCE NO. 2023-007

AN ORDINANCE AMENDING CITY OF EAST BERNARD, TEXAS, ORDINANCE 2023-004, WHICH PROVIDES RULES AND REGULATIONS GOVERNING OUTDOOR BURNING WITHIN THE CITY; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE, BY AMENDING PARAGRAPH “G” OF SECTION 2-3 TO ALLOW OUTDOOR BURNING OF DOMESTIC WASTE ON PROPERTY THAT IS AT LEAST ONE (1) ACRE.

**BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF
EAST BERNARD, TEXAS:**

SECTION 1. FINDINGS

City of East Bernard, Texas, Ordinance No. 2023-004, passed and approved the 15th day of May, 2023, and being an ordinance establishing the limited authorization for outdoor burning within the City, is hereby amended by replacing Paragraph G of section 2-3 with a new Paragraph G to provide as follows:

2-3. Permissible burning; exceptions.

...

G. Outdoor burning of domestic waste shall be allowed on property that is at least ~~ten (10) acres~~ one (1) acre, but is subject to the following:

...

SECTION 2. SEVERABILITY

In the event any clause phrase, provision, sentence, or part of this Ordinance or the application of this Ordinance to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and, the Board of Alderman declares that it would have passed each and every part of this Ordinance

notwithstanding the omission of any such part declared to be invalid or unconstitutional, whether there be one or more parts.


SECTION 3. REPEALER

All ordinances or parts of ordinances inconsistent herewith or in conflict herewith are, to the extent of such inconsistency or conflict, hereby repealed.

SECTION 4. EFFECTIVE DATE

This Ordinance shall become effective as of the date of adoption hereof.

PASSED AND APPROVED THIS 16th DAY OF October, 2023.


MARVIN HOLUB, MAYOR

ATTEST:


LISA PLESS, CITY SECRETARY