

**CITY OF HUTCHINS, TEXAS
ORDINANCE NO. 2023-1185**

AN ORDINANCE OF THE CITY OF HUTCHINS, TEXAS AMENDING CHAPTER 1, “GENERAL PROVISIONS”, OF THE CODE OF ORDINANCES OF THE CITY OF HUTCHINS, TEXAS, BY AMENDING ARTICLE 1.11 “PUBLIC PARKS”, TO ADD DIVISION 3 “KEEP HUTCHINS BEAUTIFUL ADVISORY BOARD”, TO PROVIDE FOR ITS CREATION AND PURPOSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Hutchins, Texas is a Type A general law municipality located in Dallas County, created in accordance with the provisions of Chapter 6 of the Local Government Code and operating pursuant to the enabling legislation of the State of Texas; and

WHEREAS, the City Council has determined it is in the public’s best interest to establish the “Keep Hutchins Beautiful Advisory Board” as an advisory board dedicated to promoting public interest in the improvement of the physical environment of the City; and

WHEREAS, this advisory board will support programs dedicated to preserving and enhancing the City’s natural environment and quality of life for citizens living and working within the City of Hutchins by conducting community activities promoting Keep Texas Beautiful programs involving litter prevention, minimization of solid waste, beautification, education, and general community improvement regarding the natural surrounding environment.

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

SECTION 1. Chapter 1, “General Provisions”, of Article 1.11 “Public Parks”, of the City of Hutchins Code of Ordinances is hereby amended by adding a new Division 3 “Keep Hutchins Beautiful Advisory Board”, to read as follows:

“Division 3. Keep Hutchins Beautiful Advisory Board.

Sec. 1.11.041. – Creation and purpose.

There is hereby created a Keep Hutchins Beautiful Advisory Board. Which shall consist of seven (7) regular voting members and three (3) alternates and three non-voting student members for the purpose of preserving and enhancing the City’s natural environment and quality of life for citizens living and working within the City of Hutchins, by conducting community activities promoting Keep Texas Beautiful programs involving litter prevention, minimization of solid waste, beautification, education, and general community improvement regarding the natural surrounding environment.

Sec. 1.11.042. – Membership and Terms.

(a) Appointed by majority vote of the City Council, this advisory board shall consist of seven (7) regular members and three (3) alternates designated by places 1 through 7 and three (3) non-voting student members selected by the Board members. The term for each regular Board member shall be two (2) years with a six-year term limit. Student members are selected for a school-year term. Members must meet the following qualifications:

(1) Shall have resided in the corporate limits of the city or owned and/or operated a business located within the corporate limits of the city for at least one (1) year;

(2) Continue residency or own and/or operate a business in the city during the term of office; and

(3) Must demonstrate their civic interest, general knowledge of the City while understanding the importance of maintaining the environment and beautification, independent judgment, and the ability and availability to prepare for and attend regular meetings.

(b) The City Council shall appoint a replacement to fill any vacancy for the unexpired term of the members whose place has become vacant.

(c) The City Council shall have the authority to remove any member at any time, with or without cause.

Sec. 1.11.043. – Organization and officers.

(a) During the first meeting of the operational year, the Parks and Recreation Board shall determine, by simple majority vote, a Chair, Vice Chair, Secretary, and Historian. These officers will serve terms in accordance with the City of Hutchins Boards and Commissions Policies and Procedures Handbook.

(b) Chair: the Chair shall preside at all meetings of the Board members. The Chair shall perform all duties incidental to the office and advise such action as may be deemed likely to increase the objectives of the Board Members.

(c) Vice Chair: The Vice Chair shall act in the absence of the Chair, and in the absence or disability of the four (4) officers named, a member of the Parks and Recreation Board shall be chosen to act temporarily.

(d) Secretary: The Secretary shall work with the Staff Liaison to keep minutes and attendance of the meetings and shall notify officers and members of meeting times and locations when necessary.

- (e) Historian: The Historian shall keep account of all community activities along with putting together a digital scrapbook of yearly activities and events of the organization. The Historian will also work with the Staff Liaison to make publications through social media, press releases, and event fliers.

Sec. 1.11.044. – Meetings.

(a) Regular meetings of the Board shall be held monthly. The Board will set meeting dates and items at the first meeting of the operating year. Special meetings may be called by the Staff Liaison, Chair, or on petition of the majority of current Board members. The Chair may call special meetings as necessary.

(b) The Board shall conduct meetings and govern its proceedings according to the City Council's adopted rules of order, abide by the Texas Open Meetings Law, and shall keep a record of its proceedings, including votes and attendance, and shall submit these records to the City Secretary's office.

(c) Members of the Board shall not take any action unless a quorum is present. A quorum shall consist of four (4) members. Each member, including the Chair, is entitled to one (1) vote, and action of the Board shall require a majority of those members present.

(d) The City Manager shall designate a City employee to serve as Staff Liaison to the Board.

Sec. 1.11.045. – Powers and duties.

(a) This board is advisory only and shall not have any decision-making authority.

(b) The Board shall have the following duties:

(1) Encourage the reduction of litter in the city, and problems associated therewith;

(2) Recommend to the City Council city-wide refuse policy, environmental policy, and beautification programs for the community as may be needed;

(3) Recommend to the city council the priorities of programs adopted in accordance with this section;

(4) Evaluate effectiveness of such policies which may be adopted by the city council in accordance with this section;

(5) Recommend enforcement and additional program alternatives;

(6) Complete summer, spring, and fall activities;;

(7) Monitor program accomplishments from data collected and examined under the Keep Texas Beautiful and Keep America Beautiful System Guidelines; and

(8) Carry out such other tasks as the city council, parks board and city administrator may designate.

(c) To accomplish these duties, the Board may establish subcommittees as necessary. Any subcommittee shall be chaired by a Keep Hutchins Beautiful Advisory Board member, and an unspecified number of community volunteers may be chosen by the Board as working subcommittee members.

Sec. 1.11.046 – 1.11.049. – RESERVED.”

SECTION 2. It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph, or section.

SECTION 3. This Ordinance shall be cumulative of all provisions of ordinances and of the City of Hutchins City Code, except when the provisions of this Ordinance are in direct conflict with the provisions of such ordinances and such code, in which event the conflicting provisions of such ordinances and such code are hereby repealed.

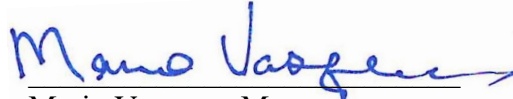
SECTION 4. All rights and remedies of the City of Hutchins are expressly saved as to any and all violations of the provisions of the City of Hutchins City Code or any other ordinances regulating noise which have accrued at the time of the effective date of this ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this ordinance but may be prosecuted until final disposition by the courts.

SECTION 5. The City Secretary of the City of Hutchins is hereby directed to publish this ordinance as required by law.

SECTION 6. This Ordinance shall be in full force and effect from and after the date of its passage and publication as required by law, and it is so ordained.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF HUTCHINS, TEXAS, ON THIS 13TH DAY OF NOVEMBER 2023.

CITY OF HUTCHINS, TEXAS


Mario Vasquez, Mayor

ATTEST:


Cynthia Olguin, City Secretary



APPROVED AS TO FORM AND LEGALITY:

Joseph J. Gorfida, Jr., City Attorney