

43 declared to be a misdemeanor in this Code or any other ordinances shall be guilty of a
44 misdemeanor and shall, upon conviction, be liable to a fine not to exceed \$2,000.00.

45 (c) Any person who shall be convicted of dumping of refuse may be fined an amount up to
46 and including \$4,000.00.

47
48 (d) Violations of traffic laws and ordinances which are punishable as a Class C misdemeanor
49 shall be punished by a fine not to exceed \$200.00.

50
51 (e) Any condition designated as a nuisance under any provision of this Code or any other
52 ordinance is hereby declared to be a misdemeanor.

53 (1) Any person, partnership, corporation or entity that shall create, maintain or allow a
54 nuisance upon property owned or under the control of such person, partnership,
55 corporation or entity shall be guilty of a misdemeanor and shall, upon conviction,
56 be liable to a fine not to exceed \$500.00.

57 (2) Any person, partnership, corporation or entity who shall create, maintain or allow
58 a nuisance relating to fire, public safety, zoning, public health and sanitation upon
59 property owned or under the control of such person, partnership, corporation or
60 entity shall be guilty of a misdemeanor and shall, upon conviction, be liable to a
61 fine not to \$2,000.00.

62
63 (f) Each day any violation of this Code shall continue shall constitute a separate offense.

64
65 (g) Notwithstanding any other provision of this section, no penalty for violation of this Code
66 or any ordinance of the city shall be greater or less than the penalty provided for the same
67 or a similar offense under state law.

68
69 (h) In the event that any such violation is designated as a nuisance under the provisions of this
70 Code, such nuisance may be summarily abated by the city. In addition to the penalty
71 prescribed above, the city may pursue other remedies such as abatement of nuisances,
72 injunctive relief and revocation of licenses or permits.

73
74 ~~(i) Any person who may be convicted in municipal court of the city or who may be committed~~
75 ~~to jail in default of the payment of the fine and costs adjudged against a person, may be~~
76 ~~ordered to community service work under the supervision of the police chief, or some~~
77 ~~person appointed by him; and such person convicted and ordered to community service, or~~
78 ~~in default of payment, shall be allowed credit against the community service time ordered,~~
79 ~~or against the fine and cost adjudged in the amount established for each day's work.~~

80
81 **SECTION 4.** All provisions of the ordinances of the City of Rollingwood in conflict with the
82 provisions of this ordinance are hereby repealed to the extent of such conflict, and all other

83 provisions of the ordinances of the City of Rollingwood not in conflict with the provisions of this
84 ordinance shall remain in full force and effect.

85
86 **SECTION 5.** Should any sentence, paragraph, clause, phrase or section of this ordinance be
87 adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of
88 this ordinance as a whole, or any part or provision thereof other than the part so decided to be
89 invalid, illegal or unconstitutional, and shall not affect the validity of the Code of Ordinances as a
90 whole.

91
92 **SECTION 6.** This ordinance shall take effect immediately from and after its passage and the
93 publication of the caption as the law provides.

94
95 **APPROVED, PASSED AND ADOPTED** by the City Council of the City of Rollingwood, Texas,
96 on the _____ day of _____, 2024.

97
98
99 **APPROVED:**

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101
102 _____
103 Gavin Massingill, Mayor

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105 **ATTEST:**
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108 _____
109 Desiree Adair, City Secretary

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