

ORDINANCE NO. 2022-09-21-24

**AN ORDINANCE AMENDING PART I OF THE CITY'S
CODE OF ORDINANCES, CHAPTER 2, ARTICLE I,
SECTION 2-2 OFFICIAL NEWSPAPER TO DESIGNATE
THE AUSTIN AMERICAN STATESMAN AS THE CITY'S
OFFICIAL NEWSPAPER**

WHEREAS, the City of Rollingwood is a General Law Type A City under the statutes of the State of Texas; and

WHEREAS, the City Council of the City of Rollingwood ("City Council") previously designated the Westlake Picayune as the official newspaper for the city; and

WHEREAS, the City Council previously designated the Austin American Statesman as the secondary official newspaper for the city; and

WHEREAS, the Westlake Picayune has ceased publication as of September 14, 2022 after 46 years; and

WHEREAS, the City Council wishes to designate the Austin American Statesman as the city's official newspaper.

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

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

SECTION 2. Part I of the City's Code of Ordinances Chapter 2, Article I, Section 2-2 is hereby amended to read as follows with underlines being additions and strikethroughs being deletions:

Sec. 2-2. Official newspaper.

- (a) The city is needful of designating an official newspaper to serve the city, in which all notices required by law to be made by the city shall be published, in compliance with V.T.C.A., Local Government Code § 52.004. After careful review and study, it has been found by the city council that the ~~Westlake Picayune~~ qualifies as an appropriate means of publication in that it is published, read, and distributed on a daily basis within the city, ~~and purports to be published particularly for an audience comprised of those residing or working in the vicinity of the city.~~ The ~~Westlake Picayune~~ Austin American Statesman is therefore designated as an official newspaper for the city.

- (b) ~~Notwithstanding the provisions of subsection (a) of this section, the city council further finds that the Westlake Picayune is only published weekly, and that its schedule for submission of items for publication can, from time to time, cause delay in action on important municipal business for which notice by newspaper publication is required. The city council further finds that the Austin American Statesman qualifies as an appropriate means of publication in that it is published, read, and distributed on a daily basis within the city. Publication in the Austin American Statesman can more expeditiously be arranged and may, from time to time, provide for a means of timely notice and more expeditious action than would otherwise be possible by publishing notice in the Westlake Picayune. The Austin American Statesman is therefore designated as a secondary official newspaper for the city.~~
- (eb) The city secretary shall utilize the ~~Westlake Picayune~~ Austin American Statesman as the city's official newspaper and shall have published in the ~~Westlake Picayune~~ Austin American Statesman all notices required by state law, ordinance or resolution to be published therein on such dates and times as may be required; ~~provided, however, that when expeditious notice is required, as determined in the discretion of the city administrator and communicated to the city secretary, the city secretary shall utilize the Austin American Statesman as the city's official newspaper for publication of such notices required by state law, ordinance or resolution to be published on such dates and times as may be required.~~
- (dc) The publication of captions of ordinances containing penalty provisions shall be sufficient to provide notice to the public of the contents of any such ordinance.

SECTION 3. All provisions of the ordinances of the City of Rollingwood in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict, and all other provisions of the ordinances of the City of Rollingwood not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 4. Should any sentence, paragraph, 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 Code of Ordinances as a whole.

SECTION 5. This ordinance shall take effect immediately from and after its passage and the publication of the caption as the law provides.

APPROVED, PASSED AND ADOPTED by the City Council of the City of Rollingwood, Texas, on the _____ day of _____, 2022.

APPROVED:

Gavin Massingill, Mayor

ATTEST:

Desiree Adair, City Secretary