

ORDINANCE NO. 066

AN ORDINANCE OF THE CITY OF HIGHLAND HAVEN, TEXAS, AUTHORIZING ADOPTION OF THE RIGHTS, POWERS, PRIVILEGES, IMMUNITIES AND FRANCHISES OF A TYPE "A" GENERAL LAW MUNICIPALITY; AND PROVIDING SEVERABILITY, OPEN MEETINGS AND EFFECTIVE DATE CLAUSES.

**Whereas**, the City of Highland Haven (the "City), Texas, is incorporated as a Type "B" General-Law City, having a population in excess of 600 inhabitants and at least one manufacturing establishment;

**Whereas**, at least two-thirds of the Board of Alderman of the City at a regular meeting voted to adopt the rights, powers, privileges, immunities, and franchises of a type "A" General-Law Municipality;

**Whereas**, the Board of Alderman, after accepting citizens comments and statements at an open public meeting, determined that the citizens of the City of Highland Haven would be better served under the Type "A" General-Law powers;

**Whereas**, the City is authorized by the *Tex. Loc. Gov't Code § 6.011* to adopt the general powers of a Type "A" General-Law Municipality; and,

**Whereas**, the orderly transition from the rights, powers, privileges, immunities, and franchises of a type "B" General-Law City to a type "A" General-Law City is in the best interest of the citizens.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY'S BOARD OF ALDERMAN OF THE CITY OF HIGHLAND HAVEN, TEXAS, THAT:**

**Section 1. Findings.** The foregoing recitals are hereby found to be true and correct and are hereby adopted by the Board of Alderman and made a part hereof for all purposes as findings of fact. The Board of Alderman hereby further finds and determines that (a) the average population per residence within the City is 1.99 persons per residence based on the 2000 census; (b) there are 320 residential water meters located and active within the City limits; (c) that the true and correct population of the City is more than 600 persons; and (d) King Construction is a manufacturing entity located within the City limits.

**Section 2. Authorization.** Upon the effective date of this Ordinance the City of Highland Haven shall hold the same rights, powers, privileges, immunities and franchises as a Type "A" General-Law Municipality. The Mayor shall sign a copy of the record of these proceedings and the City Secretary shall attest the record of these proceedings under corporate seal and a copy of the record shall be filed and recorded in the office of the county clerk of the county of Burnet, Texas.

**Section 3. Continuation.** The City shall retain the name the City of Highland Haven, Texas and continue to be a body corporate with perpetual succession.

**Section 4. Effective Date.** This ordinance shall take effect immediately from and after its passage and shall be filed in the manner set forth with the provisions of the *Tex. Loc. Gov't Code §6.012*.

**Section 5. Severability.** If any provision of this ordinance or the application of any provision to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications hereof which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

**Section 6. Open Meetings.** That it is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the *Open Meetings Act, Chapt. 551, Tex. Gov't. Code*.

**PASSED AND APPROVED this 16<sup>th</sup> day of September 2008 during a scheduled meeting of the Board of Aldermen of The City of Highland Haven, Texas.**

**ATTEST**

**HIGHLAND HAVEN, TEXAS**

Jeanne Ormiston, City Secretary \_\_\_\_\_

Peter E. Freehill, Mayor \_\_\_\_\_