

ORDINANCE NO. 113

AN ORDINANCE TO PROTECT THE PUBLIC HEALTH, SAFETY, AND WELFARE OF THE TOWN OF INDIAN LAKE, TEXAS:

WHEREAS, IT HAS BEEN DETERMINED BY THE TOWN COUNCIL THAT WERE THE TWO LAKES WHICH PRESENTLY EXIST WITHIN OUR TOWN ALLOWED TO BE OVERGROWN WITH WEEDS, ALGAE, OR THE DEPLETION OF OXYGEN WOULD CAUSE A SEPTIC CONDITION TO DEVELOP WHICH WOULD CREATE OFFENSIVE ODORS, PRODUCE HARMFUL BACTERIA AND HARBOR RODENTS AND VENOMOUS REPTILES.

WHEREAS, THE COST OF MAINTENANCE OF THE TWO SECTIONS OF WATER KNOWN AS INDIAN LAKE WITHIN THE TOWN OF INDIAN LAKE, TEXAS HAS BEEN DETERMINED THAT IT IS THE RESPONSIBILITY OF THE PROPERTY OWNERS ABUTTING SAID LAKE TO BEAR THE COST OF MAINTAINING SAID LAKE. SAID SECTIONS OF INDIAN LAKE ARE LOCATED NORTH AND SOUTH OF HENDERSON ROAD WITH MAINTENANCE CONSISTING OF KEEPING THE LAKE FILLED WITH WATER VIA PUMPING FROM THE RESACA, COST OF ELECTRICITY FOR SAME ALONG WITH THE COST OF THE WATER, WEED AND ALGAE KILLING CHEMICALS, ETC., REPEALING ALL ORDINANCES OR PARTS THEREOF WHICH ARE IN CONFLICT AND ESTABLISHING AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF INDIAN LAKE, TEXAS THAT:

WHEREAS, each and every property owner with property fronting on either the North Section or the South Section of Indian Lake be assessed a yearly fee to be set by the Council to help defray the expenses of the upkeep of Indian Lake in its two sections. The annual fee is to be assessed in January and will be billed either as a yearly payment to those that do not receive a monthly water utility bill or monthly on the regular utility bill to those that receive one. Said assessment will be paid along with their water, sewer, and garbage bill subject to the same penalty for late payments and disconnection policies authorized by Town Council.

WHEREAS, the first assessment per lot will be \$6.00 Per month as of October 1, 2021.

WHEREAS, if any property owner owes past assessment as of October 1, 2021, this amount will be billed to the property owner under a separate invoice and will be payable within thirty (30) days of receipt.

WHEREAS, a lien shall be placed against the lot or real estate upon which the lake assessment was not received within the said thirty (30) day requirement.

WHEREAS, Ordinances #32, #32A, and #74 shall stand in full force as long as necessary for the Town to collect delinquent lake assessments.

If any section, paragraph, subdivision, clause, phrase or provision of this ordinance shall be adjudged invalid or held unconstitutional, the same shall not affect the validity of this ordinance as a whole or any part of provisions thereof, other than the part so decided to be invalid or unconstitutional.

All ordinances or parts of ordinances in conflict therewith are hereby repealed.

This ordinance shall be published and become effective when published in compliance with State Law.

PASSED, ADOPTED AND APPROVED THIS 16TH DAY OF AUGUST, 2021.

James Chambers, Mayor

ATTEST:

Amy Lopez, Town Secretary