

ORDINANCE NO. 131

AN ORDINANCE SETTING RULES AND PENALTIES TO PROTECT LAKES AND RESACAS LOCATED WITHIN THE TOWN OF INDIAN LAKE, TEXAS:

WHEREAS, IT HAS BEEN DETERMINED BY THE BOARD OF ALDERMAN OF THE TOWN OF INDIAN LAKE THAT EACH AND EVERY PROPERTY OWNER WITH PROPERTY FRONTING ON THE NORTH SECTION OR THE SOUTH SECTION OF INDIAN LAKE OR THE RESACA THAT FLOWS THRU THE TOWN, IS RESPONSIBLE FOR THE UPKEEP OF THE BANKS ALONG INDIAN LAKE AND THE PREVENTION OF TRASH, JUNK, AND NON-ORGANIC MATERIAL FROM ENTERING INTO THE LAKE AS STATED IN THE SECTIONS BELOW:

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMAN OF THE TOWN OF INDIAN LAKE:

DEFINITIONS:

LAKE: A large body of water surrounded by land.

RESACA: A channel of water utilized for irrigation, flood control, and water storage.

BANK: The rising ground at the edge of a lake or waterway.

*The banks surrounding North and South Indian Lake and the resacas are generally 5 feet in width by the length of the property along the lake or resaca.

GRASS: A type of plant of a large family (Gramineae or Poaceae) of monocotyledonous plants with narrow leaves growing from the base. A common kind of grass is used to cover the ground in places such as lawns and parks.

TRASH: Things that are no longer needed or wanted and have been thrown away.

JUNK: Something of poor quality, little meaning, worth, or significance.

SECTION 1: No property owner with property fronting on the North section or the South Section of Indian Lake or the resaca that flows thru the Town shall allow any trees, brush, or any form of vegetation that is not grass to be allowed to grow along the banks of Indian Lake or the resaca that flows thru Town. All banks shall be maintained by the property owner at all times.

SECTION 2: No property owner with property fronting on the North section or the South Section of Indian Lake or the resaca that flows thru Town, shall allow any trash, brush, refuse, junk, or any non-organic matter to fall, blow, or be thrown into Indian Lake or the resaca that flows thru the Town.

SECTION 3: Pre-existing trees may receive a variance from the Mayor's office or the Town's Code Enforcement Officer but no new trees or brush may be planted or allowed to grow along the banks.

SECTION 4: 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.

Any person violating any provision of this article shall be guilty of a misdemeanor and shall be punished by a fine not exceeding \$500.00. Each day that a violation occurs shall constitute a separate offense; provided, however, that if the violation relates to public health or sanitation, the maximum penalty shall be \$2,000.00 for each offense, unless state law requires a lesser penalty or permits a higher penalty.

SECTION 5: This ordinance shall become effective upon its adoption, approval, and publication of its descriptive caption.

PASSED, ADOPTED AND APPROVED THIS 15TH DAY OF JUNE, 2023.

James Chambers, Mayor

ATTEST:

Amy Lopez, Town Secretary