

TOWN OF PROVIDENCE VILLAGE, TEXAS

ORDINANCE NO.: 2010-07

**AN ORDINANCE MAKING THE PROVISIONS OF LOCAL GOVERNMENT CODE SECTION 43.075 APPLICABLE TO THE TOWN OF PROVIDENCE VILLAGE**

**WHEREAS**, the Town of Providence Village is a municipal corporation organized under the laws of the State of Texas; and

**WHEREAS**, it is the intent of the Town of Providence Village to protect the health, safety and welfare and well being of its citizens; and

**WHEREAS**, the Providence Village Water and Control District was duly created pursuant to Chapter 53, Water Code, as a fresh water supply district by an order of the Denton County (the "County") Commissioners' Court on August 29, 2000; and

**WHEREAS**, on November 30, 2000, pursuant to Chapter 51, Water Code, the District converted to a water control and improvement district; and

**WHEREAS**, pursuant to an Order, dated April 13, 2010, issued by the Texas Commission on Environmental Quality, the name of the District was changed to "Providence Village Water Control and Improvement District of Denton County"; and

**WHEREAS**, pursuant to an election held May 8, 2010, at which a majority of the votes cast were for incorporation, on June 19, 2010, the Denton County Judge made an entry in the records of the County Commissioners' Court that the Town was incorporated; and

**WHEREAS**, upon incorporation, the boundaries of the Town included all of the land within the District other than the Little Elm ETJ Tract, as well as areas outside of the District within the unincorporated areas of the County; and

**WHEREAS**, the Town has the authority to adopt and enforce public safety ordinances and traffic laws and own, operate, and maintain roads; and

**WHEREAS**, pursuant to Section 43.075, Local Government Code, the governing bodies of the Town and District may make contracts relating to (i) the division and allocation between themselves of their duplicative and overlapping powers and functions, and (ii) the use, management, control, purchase, conveyance, assumption, and disposition of the property and other assets, debts, liabilities, and obligations of the District; and

WHEREAS, pursuant to Section 43.075, Local Government Code, the Town may contract with the Water District for the Town's operation of the District's property and for the transfer, conveyance, annexation or sale of that property; and

**NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PROVIDENCE VILLAGE, TEXAS:**

**SECTION 1. LOCAL GOVERNMENT CODE SECTION 43.075**

Local Government Code Section 43.075 is hereby applicable to the Town of Providence Village.


**SECTION 2. SEVERABILITY**

If any section, paragraph, sentence, clause, phrase or word of this ordinance of the application thereof to any person or circumstance is held invalid or unconstitutional, such holding shall not affect the validity of the remaining portion of this ordinance, and the Town Council hereby declares that it would have passed such remaining portions despite invalidity or unconstitutionality.

**SECTION 3. EFFECTIVE DATE**

This Ordinance shall be in full force and effect from and after its adoption by the Town Council of the Town of Providence Village.

**PASSED, APPROVED AND ADOPTED this 25<sup>th</sup> DAY OF OCTOBER, 2010.**

  
\_\_\_\_\_  
Brian D. Roberson  
Mayor, Town of Providence Village, Texas

**ATTEST:**

  
\_\_\_\_\_  
CONNIE HANSEN Town Secretary

