

ORDINANCE NO. 2017 - ____

AN ORDINANCE OF THE CITY OF NEW BRAUNFELS, TEXAS, AMENDING THE CODE OF ORDINANCES CHAPTER 138, "VEHICLES FOR HIRE," BY REPEALING PORTIONS OF ARTICLE I AND REPLACING IT WITH A NEW ARTICLE I; REPEALING ALL LAWS IN CONFLICT; PROVIDING A SAVINGS CLAUSE AND SEVERABILITY; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the State Legislature adopted House Bill 100 which states that regulation of transportation network companies, drivers, and vehicles, is an exclusive power and function of the state and may not be regulated by a municipality.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS:

SECTION 1: The findings and recitations set out in the preamble to this Ordinance are found to be true and correct and they are hereby adopted by the City Council and made a part hereof for all purposes.

SECTION 2: That Chapter 138 Article I of the New Braunfels Code of Ordinances shall be amended to hereinafter read as displayed in Attachment A.

SECTION 3: All Ordinances or parts thereof in conflict herewith are repealed to the extent of such conflict only. All provisions of the Code of Ordinances of the City of New Braunfels not herein amended or repealed shall remain in full force and effect.

SECTION 4: It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable and, if any phrase, clause, sentence, paragraph or section of this Ordinance should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance.

SECTION 5: In accordance with the provisions of Section 3.10 of the City Charter, this Ordinance may be read and published by descriptive caption only. This Ordinance has been publicly available in the office of the City Secretary prior to its adoption.

SECTION 6: This Ordinance shall become adopted and effective immediately.

PASSED AND APPROVED: First reading this ____ day of _____, 2017.

PASSED AND APPROVED: Second reading this ____ day of _____, 2017.

CITY OF NEW BRAUNFELS, TEXAS

Barron Casteel, Mayor

ATTEST:

Patrick D. Aten, City Secretary

APPROVED AS TO FORM:

Valeria M. Acevedo, City Attorney