

**ORDINANCE NO. 006-002**

**AN ORDINANCE OF THE CITY OF DE LEON TEXAS, REGULATING THE HOURS THAT THE DE LEON CEMETERY IS OPEN TO THE PUBLIC; AUTHORIZING THE POSTING OF SIGNS; PROVIDING A PENALTY CLAUSE; PROVIDING FOR SEVERABILITY; PROVIDING AN OPEN MEETINGS CLAUSE AND AN EFFECTIVE DATE; AND PROVIDING FOR RELATED MATTERS.**

**WHEREAS,** the De Leon Cemetery is subject to periodic acts of vandalism; and

**WHEREAS,** limiting the hours that the cemetery is open to the public, may reduce acts of vandalism both to the cemetery and grave markers.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DE LEON, TEXAS, THAT:**

**Section 1. Hours of Operation:** The De Leon Cemetery shall be deemed closed to the public beginning at thirty (30) minutes after sunset, and shall remain closed until thirty (30) minutes before sunrise. That it is hereby directed that signs be erected at all entrances to the cemetery giving notice of the closing times in conformance with this ordinance.

**Section 2. Penalty:** That it shall be unlawful for any person to enter or remain in the De Leon Cemetery during the hours prohibited hereby. Any person convicted of violating this ordinance shall be deemed guilty of a misdemeanor, and upon conviction shall be subject to a fine not to exceed Five Hundred Dollars. (\$500.00)

**Section 3. Severability:** Should any section or part of this ordinance be held unconstitutional, illegal, or invalid, or the application to any person or circumstance thereof ineffective or inapplicable, such unconstitutionality, illegality, invalidity, or ineffectiveness of such section or part shall in no way affect, impair or invalidate the remaining portion or portions thereof; but as to such remaining portion or portions, the same shall be and remain in full force and effect and to this end the provisions of this ordinance are declared to be severable.

**Section 4. 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, Loc. Gov't. Code.

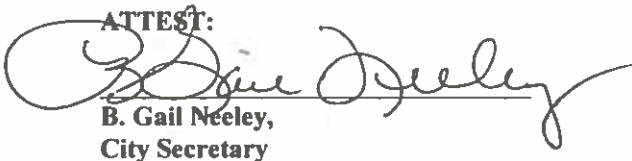
**Section 5. Effective Date:** This ordinance shall take effect immediately upon its adoption by the City Council and publications as required by Local Government Code.

**PASSED AND APPROVED** on first reading this the 25th day of June, 2002.

**FINALLY PASSED AND APPROVED** this 9th day of July, 2002.

**The City of De Leon, Texas**

**ATTEST:**

  
B. Gail Neeley,  
City Secretary

  
John R. Adcock, Mayor

**Certification**

I, B. Gail Neeley, City Secretary, of the City of De Leon, Texas, do hereby certify that the preamble to Ordinance No. 006-02 was published in the De Leon Free Press, 304 S. Texas, De Leon, Texas on the 16<sup>th</sup> day of July, 2002, and shall take effect ten (10) days after such publication, effective date being the 1<sup>st</sup> day of August, 2002.

  
B. Gail Neeley, City Secretary