

ORDINANCE NO. 08-059

AN ORDINANCE OF THE CITY OF GALVESTON, TEXAS, WAIVING THE COLLECTION OF ISLAND TRANSIT BUS FARES; PROVIDING THAT SUCH WAIVER SHALL EXPIRE AFTER SIXTY (60) DAYS; MAKING VARIOUS FINDINGS AND PROVISIONS RELATED TO THE SUBJECT AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Galveston on the 10th day of September 2008, through the Mayor of the City of Galveston and pursuant to Government Code Chapter 418 (the Texas Disaster Act of 1975) declared a Local State of Disaster pending the imminent threat of widespread or severe damage, injury, and loss of life and property, resulting from the approaching storm “Hurricane Ike”, and

WHEREAS, the President of the United States, the Governor of the State of Texas, and the County of Galveston, Texas declared a Declaration of Disaster in response to the occurrence of widespread and severe damage resulting from Hurricane Ike in the City of Galveston, Texas; and,

WHEREAS, the Mayor of the City of Galveston, pursuant to the Texas Disaster Act of 1975, extended the Declaration of a Local State of Disaster due to the catastrophic damage to the City including but not limited to infrastructure including loss of water, sewer, natural gas, and electric power, limited emergency response services including police and fire, debris creating hazardous situations and health related hazards throughout the City, the medical community cannot meet emergency needs of individuals in the City, and normal City services are not available; and,

WHEREAS, after due diligence and deliberation, the City Council of the City of Galveston has determined that as part of its continued efforts in hurricane recovery, that it is within the public interest to waive the collection of bus fares normally assessed and collected by users of Island Transit, the City’s municipal public transportation system; and,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GALVESTON, 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. The City Council of the City of Galveston, Texas, hereby waives the imposition and the collection of fares for users of the City of Galveston’s bus system (Island Transit), for a period of sixty (60) days, from September 10, 2008 through and until November 9, 2008; and,

SECTION 3. 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 4. All Ordinances or parts thereof in conflict herewith are repealed to the extent of such conflict only.

SECTION 5. In accordance with the provisions of Sections 12 and 13 of Article II of the City Charter this Ordinance has been publicly available in the office of the City Secretary for not less than 72 hours prior to its adoption; that this Ordinance may be read and published by descriptive caption only.

SECTION 6. This Ordinance shall be and become effective immediately, upon October 3, 2008.

APPROVED AS TO FORM:

SUSIE GREEN
CITY ATTORNEY

I, Barbara S. Lawrence, Secretary of the City Council of the City of Galveston, do hereby certify that the foregoing is a true and correct copy of an Ordinance adopted by the City Council of the City of Galveston at its regular meeting held on the 3rd day of October, 2008, as the same appears in records of this office.

IN TESTIMONY WHEREOF, I subscribe my name hereto officially under the corporate seal of the City of Galveston this _____ day of _____, 20__.

Secretary for the City Council
of the City of Galveston