

ORDINANCE NO. 446

AN ORDINANCE GRANTING A LICENSE TO THE LYTLE UNITED METHODIST CHURCH TO LOCATE A PORTABLE BUILDING FOR STORING FOOD TO BE DISTRIBUTED IN THEIR FOOD BANK PROGRAM ON PART OF THE ALLEY LOCATED BETWEEN OAK STREET AND MESQUITE STREET OFF OF S. BENTON STREET; AND, PROVIDING FOR A SEVERABILITY CLAUSE.

WHEREAS: The Lytle United Methodist Church has requested that it be allowed to locate a portable building for storing food to be distributed in their food bank program on part of the alley located between Oak Street and Mesquite Street off of S. Benton Street; and,

WHEREAS: The City of Lytle wants to cooperate with non-profit organizations providing benefits to the citizens of Lytle non-profit organizations whenever possible; and,

WHEREAS: The City of Lytle is a Type A General Law municipality existing under the laws of the State of Texas; and,

WHEREAS: Section 51.001 of the Texas Local Government Code authorizes the governing body of a municipality to adopt, publish, amend or repeal an ordinance, rule or police regulation that is for the good government, peace or order of the municipality or for the trade and commerce of the municipality and is necessary or proper for carrying out a power granted by law to the municipality or to an office or department of the municipality; and,

WHEREAS: The City Council of the City of Lytle has determined that granting the requested license would contribute to the good government, peace and order of the City; is good for the trade and commerce of the City; and, is necessary to carry out the City's power in the regulation of its property;

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

SECTION 1. Grant of License. For and in consideration of the observance of the terms and conditions set forth below, and only to the extent it can legally do so, the City of Lytle hereby grants to the Lytle United Methodist Church a license, being permission to locate a portable building for storing food to be distributed in their food bank program on part of the alley located between Oak Street and Mesquite Street off of S. Benton Street. The portion of the alley in question is more specifically shown on Exhibit "A" attached hereto and incorporated herein by reference for all purposes.

SECTION 2. Use. Such license is granted by the City of Lytle and is herein restricted to the use by the Lytle United Methodist Church for the sole purpose of placing a portable building in which to store food to be distributed in their food bank program on the above described alley, being the licensed premises (hereinafter called "premises").

SECTION 3. Consideration. As consideration for this grant, the Lytle United Methodist Church agrees to pay to the City of Lytle the sum of TEN AND NO/100 DOLLARS (\$10.00).

SECTION 4. Term. The license hereby granted shall be for a term of one (1) year, beginning April 15, 2021, unless otherwise terminated pursuant to the terms herein. The City of Lytle will consider, and the Lytle United Methodist Church may negotiate for, an extension hereof for a period of one (1) additional year by giving written notice to the City of Lytle at least ninety (90) days prior to the time of the expiration hereof. However, at the time of such renewal, the consideration set forth above shall be adjusted to reflect the fair market license fee existing at the time of renewal, as determined by the City of Lytle, and shall be subject to approval of the City of Lytle City Council. All other terms and provisions still in force under this agreement will remain in effect at the time of said renewal.

SECTION 5. Form of License. The form of the license hereby authorized is attached hereto as Exhibit "B" and incorporated into this ordinance at this point for all purposes.

SECTION 6. Authority. The Mayor of Lytle is hereby authorized to sign the license on behalf of the City of Lytle.

SECTION 7. Severability. If any section, provision, subdivision, clause or part of this ordinance shall be adjudged or held unconstitutional or invalid, it shall not affect the validity of this ordinance as a whole or any other part or provision contained herein.

PASSED, APPROVED AND ADOPTED at the regular meeting held on the 8th day of March, 2021.



RUBEN GONZALEZ, Mayor

ATTEST:



JOSIE CAMPA, City Secretary

