

**CITY OF HEATH, TEXAS  
ORDINANCE NO. 250128C**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HEATH, TEXAS, *NUNC PRO TUNC*, CORRECTING A SCRIVENER'S ERROR IN ORDINANCE NO. 241210A THAT AMENDED CHAPTER 30 "GENERAL PROVISIONS" OF THE HEATH CODE OF ORDINANCES BY ADDING SECTION 30.04 "TERM LIMITS"; PROVIDING FOR A SAVINGS CLAUSE AND AN EFFECTIVE DATE.**

**WHEREAS**, on December 10, 2024, the City Council approved Ordinance No. 241210A that amended Chapter 30 "General Provisions" of the Heath Code of Ordinances by adding Section 30.04 "Term Limits" as a result of the November 5, 2024, Special Charter Amendment Election; and

**WHEREAS**, at the December 10, 2024, meeting, Councilperson Weaver made a motion to "approve Ordinance No. 241210A with replacing the retroactive aspect with a prospective calculation of the term limit calculation." As reflected in the December 10, 2024, meeting minutes, such motion was approved by the City Council in a 5-2 vote; and

**WHEREAS**, City staff discovered an inadvertent scrivener's error in the signed copy of Ordinance No. 241210A, which resulted in a retroactive term limit calculation in section 30.04(E) of the Heath Code of Ordinances, and not the prospective term limit calculation as approved by City Council; and

**WHEREAS**, City staff requests that the inadvertent mistake be revised to correctly reflect a prospective term limit calculation in section 30.04(E) of the Heath Code of Ordinances, as set forth in Section 2 of Ordinance No. 241210A; and

**WHEREAS**, the City Council has the inherent power to retroactively correct such mistakes to accurately reflect its official actions; and

**WHEREAS**, the City Council finds that said corrections are in the best interest of the citizens of the City of Heath and should be adopted as stated herein.

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

**Section 1.** All of the above premises are found to be true and correct and are incorporated into the body of this Ordinance as if copied in their entirety.

**Section 2.** Section 2 of Ordinance No. 241210A, specifically section 30.04(E), is hereby amended as follows:

**“§ 30.04 TERM LIMITS.**

...

(E) All time served prior to November 5, 2024 will not count towards these term limit restrictions.

...”

**Section 3.** All other provisions of Ordinance No. 241210A not specifically amended or deleted herein shall continue in full force and effect from the date of original passage on December 10, 2024.

**Section 4.** This Ordinance shall take effect immediately upon its passage and approval.

**PASSED, APPROVED, AND ADOPTED** on this the 28<sup>th</sup> day of January 2025.

**APPROVED:**

  
Jeremiah McClure, Mayor

**ATTEST:**

  
Norma Duncan, City Secretary

