

CHAPTER 34: REPEALING CLAUSE

Flagg Creek Water Reclamation District - Repealing Clause

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Section

- 34-1.01 Repeal of general ordinances
- 34-1.02 Pending suits

' 34-1.01 REPEAL OF GENERAL ORDINANCES.

All general ordinances of the District passed by the President and Board of Trustees prior to this Ordinance are hereby repealed, except such as are referred to herein as being in force or are by necessary implication herein reserved from repeal (subject to the saving clauses contained in the following section), from which are excluded the following ordinances: appropriation ordinances, ordinances relating to boundaries and annexations and other ordinances granting special rights to persons or corporations; contract ordinances and ordinances authorizing the execution of a contract or the issuance of warrants; salary ordinances; improvement ordinances; bond ordinances; ordinances relating to elections; ordinances relating to the transfer or acceptance of real estate by or from the District; ordinances establishing an industrial cost recovery system and a federal user charge in lieu of ad valorem taxes to pay for the operation, maintenance and replacement of the works of the system; establishing a lien therefor and establishing classes of users, procedures, budget, budget year, rates, manner of collection thereof, penalties for refusal to pay, procedure for disconnection in the event of non-payment; establishing of allowable chemical concentrations and penalties for excess concentrations, commonly known as Ordinance 405, as amended; and all special ordinances.

(Prior Code, ' 34-1.01)

' 34-1.02 PENDING SUITS.

(A) No new ordinance shall be construed or held to repeal a former ordinance, whether such former ordinance is expressly repealed or not, as to any offense committed against the former ordinance or as to any act done, any penalty, forfeiture or punishment so incurred, or any right accrued, or claim arising under the former ordinance, or in any way whatsoever to affect any such offense or act so committed or so done, or any penalty, forfeiture or punishment so incurred or any right accrued or claims arising before the new ordinance takes effect, save only that the proceedings thereafter shall conform so far as practicable to the ordinance in force at the time of such proceedings. If any penalty, forfeiture or punishment be mitigated by any provision of a new ordinance, such provision may, by consent of the party affected, be applied to any judgment announced after the new ordinance takes effect.

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(B) This section shall extend to all repeals, either by express words or by implication, whether the repeal is in the ordinance making any new provisions upon the same subject or any other ordinance.

(C) Nothing contained in this or the preceding section shall be construed as abating any action now pending under or by virtue of any general ordinance of the District herein repealed; or as discontinuing, abating, modifying or altering any penalty accrued or to accrue, or as affecting the liability of any person, firm or corporation, or as waiving any right of the District under any section of provision of ordinances existing at the time of the passage of this Ordinance.

(Prior Code, ' 34-1.02)