

ORDINANCE NO. 2021-11

AN ORDINANCE OF THE CITY OF OVILLA, TEXAS, AMENDING CHAPTER 10 (SUBDIVISION REGULATION), ARTICLE 10.02, DIVISION 3 (PLAT REQUIREMENTS AND PROCEDURES); PROVIDING A REQUIREMENT OF PLATS PRIOR TO THE ISSUANCE OF PERMITS AND CONSTRUCTION OF IMPROVEMENTS; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERANCE CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Ovilla, Texas, is a Type-A General Law Municipality within the State of Texas (the "City"); and

WHEREAS, City staff periodically reviews the City's Code of Ordinances and recommends revisions thereto based on, among other things, current needs, outdated provisions, changes in the law, advances in technology, and for the protection of citizens of the City; and

WHEREAS, the City's staff had recommended an amendment to the City's subdivision ordinance by the addition of a requirement for an approved plat for land prior to the issuance of any permit by the city and prior to the construction of any improvement on such land; and

WHEREAS, based on the recommendations of staff, the City Council finds and determines that it is prudent and in the best interests of the health, safety and welfare of the citizens of the City to amend the subdivision regulations as set forth herein.

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

SECTION 1. INCORPORATION OF RECITALS

The foregoing recitals are hereby incorporated by reference and made a part hereof as if fully set forth.

SECTION 2. AMENDMENT OF CHAPTER 10, ARTILCE 10.02, DIVISION 3, OF THE CODE OF ORDINANCES OF THE CITY OF OVILLA

Chapter 10, Article 10.02, Division 3, of the Code of Ordinances of the City of Ovilla is hereby amended by the addition of Section 10.02.060 to read as follows:

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Sec. 10.02.060. Plat and Approval Required

Unless and until a plat or replat shall have been first approved in the manner provided herein, it shall be unlawful for any person, firm, corporation, or organization to construct or cause to be constructed any streets, utilities, buildings or other improvements to any tract of land, and it shall be unlawful for any official of the city to issue any permit for such improvements or to serve or connect said land, or any part thereof, or for the use of owners or purchasers of said land, or any part thereof, with any public utilities such as water, sewers, lights, gas, etc., which may be owned, controlled, distributed, franchised, or supplied by the city. No building permits will be issued for the construction of any building on any unplatted land within the City of Ovilla; provided, however, that minor repair permits may be issued.

SECTION 3. SAVINGS CLAUSE

This ordinance shall be cumulative of all provisions of ordinances and of the Code of Ordinances for the City of Ovilla, Texas, as amended, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances and such Code, in which event, conflicting provisions of such ordinances and Code are hereby superseded.

SECTION 4. SEVERANCE CLAUSE

Should any word, sentence, paragraph, subdivision, clause, phrase, or section of this Ordinance, or of the Code of Ordinances, as amended hereby, be adjudged or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said Ordinance or the Code of Ordinances, as amended hereby, which shall remain in full force and effect.

SECTION 5. EFFECTIVE DATE

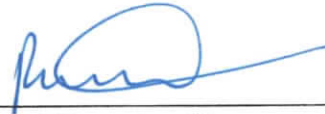
Because of the nature of the interests sought to be protected and of the safeguards sought to be provided by this Ordinance, and in the interest of the health, safety, and welfare of the citizens of Ovilla, Texas, this Ordinance shall take effect immediately after its passage, approval, and publication as required by law.

SECTION 6. PUBLICATION

The City Secretary is hereby authorized and directed to cause publication of the descriptive caption and penalty clause hereof as an alternative method of publication provided by law.

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PASSED, APPROVED and ADOPTED by the City Council, the City of Ovilla, Texas, on this the 14th day of June, 2021.



Richard Dormier, Mayor

ATTEST:



G. Miller, City Secretary



APPROVED AS TO FORM:



Ron G. MacFarlane, Jr., City Attorney