

AN ORDINANCE OF THE CITY OF UHLAND, TEXAS

ORDINANCE NO. 282

AN ORDINANCE OF THE CITY OF UHLAND, TEXAS, AMENDING SECTION 2.A., ARTICLE II, ORDINANCE NO. 245 TO PROVIDE FOR CREATION AND APPROVAL OF PLAT AND PLAN APPLICATION SUBMITTAL SCHEDULE; PROVIDING FOR DEDICATION OF REQUIRED EASEMENTS; PROVIDING A SEVERABILITY CLAUSE, PROVIDING SAVINGS, EFFECTIVE DATE AND OPEN MEETINGS CLAUSES, AND PROVIDING FOR RELATED MATTERS.

WHEREAS, the City Council of the City of Umland, Texas (the "City") desires to adopt amendments to Ordinance No. 245, its subdivision ordinance to provide for the creation and approval of a plat and plan application submittal schedule; and

WHEREAS, the City Council wishes to provide for the form of easement used to dedicate required easements; and

WHEREAS, the City Council held a public hearing to accept comments on the proposed amendments to Ordinance No. 245; and

WHEREAS, the City Council finds it reasonable and necessary to amend the subdivision ordinance to adopt the amendments set forth herein;

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

SECTION 1. Findings of Fact. The above and foregoing recitals are hereby found to be true and correct and are incorporated herein as findings of fact.

SECTION 2. Application Submission Dates. Ordinance No. 245, Article II, Section 2.A, is hereby amended in its entirety to read as follows:

A. Plat and Plan Application Submittal Schedule.

The City Administrator shall prepare or cause to be prepared a schedule for the submission of plat and plan applications to the City. The schedule may establish different dates for an originally submitted application and a resubmitted application. This submittal schedule shall be reviewed and approved by the P&Z Commission. Plat and plan applications submitted pursuant to Ordinance No. 245 will only be

accepted for submittal or resubmittal on the days authorized by the schedule approved by the P&Z Commission. The City Administrator is authorized to adjust an approved schedule to accommodate holidays, City Hall closures, and cancelled or special called meetings.

SECTION 3. Required Easements. Article III, Section 4.A of Ordinance No. 245 is hereby amended in its entirety to read as follows;

A. **Dedication Required.**

Where necessary to adequately serve lots with public utilities, the owner shall dedicate or grant easements for poles, wires, conduits, drainage channels, storm sewers, water lines, gas lines, and other utilities and other related facilities in the form approved by the City. The City may require the use of the municipal utility easement in the form approved by the City Council. These easements shall be at least 20 feet wide, except that where a utility or the City determines that a greater width is necessary.

SECTION 4. Conflicting Ordinances. Section 2A, Article II, and Section 4A, Article III, Ordinance No. 245 is hereby amended as provided herein. All ordinances or parts thereof conflicting or inconsistent with the provisions of this ordinance as adopted herein, are hereby amended to the extent of such conflict. In the event of a conflict or inconsistency between this ordinance and any other code or ordinance of the City, the terms and provisions of this ordinance shall govern. The City Secretary is authorized to replace Section 2A, Article II and Section 4A, Article III of Ordinance No. 245 with the language set forth in Sections 2 and 3, respectively, of this Ordinance.

SECTION 5. Savings Clause. All rights and remedies of the City of Umland are expressly saved as to any and all violations of the provisions of any ordinances affecting subdivision within the City which have accrued at the time of the effective date of this ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this ordinance but may be prosecuted until final disposition by the courts.

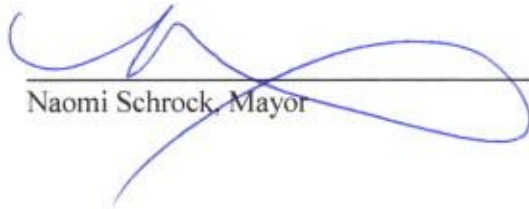
SECTION 6. Effective Date. This ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Tex. Loc. Gov't. Code.

SECTION 7. Severability. 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, 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, since the same would have been enacted by the City Council without the incorporation of this ordinance of any such invalid phrase, clause, sentence, paragraph or section. If any provision of this Ordinance shall be adjudged by a court of competent jurisdiction to be invalid, the invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision, and to this end the provisions of this Ordinance are declared to be severable.

SECTION 8. Open Meetings. It is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED on the 13th day of July, 2022.

THE CITY OF UHLAND, TEXAS



Naomi Schrock, Mayor

ATTEST:



Kim Weatherford, City Secretary

