

ORDINANCE NO. 2023-__

AN ORDINANCE OF THE CITY OF SAGINAW, TEXAS, AMENDING APPENDIX B, THE SAGINAW SUBDIVISION ORDINANCE, OF THE SAGINAW CITY CODE BY REPEALING AND REPLACING THE CITY CONSTRUCTION STANDARDS REFERENCED IN SECTION 7.01 B. THEREOF, IN ITS ENTIRETY; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Saginaw, Texas is a home rule City acting under its Charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, the City Council has previously adopted the Saginaw Subdivision Ordinance, pursuant to Chapter 212 of the Texas Local Government Code; and

WHEREAS, the Saginaw Subdivision Ordinance incorporates by reference the adopted City Construction Standards; and

WHEREAS, the City Council now desires to repeal and replace the existing City Construction Standards with the revised City Construction Standards set forth in Exhibit “A,” attached hereto; and

WHEREAS, a public hearing was conducted in accordance with Chapter 212 and the City Council finds that the amendment described herein will promote the health, safety, morals and general welfare of the City and the healthful development of the City.

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

SECTION 1.

The “city construction standards” referenced in Section 7.01 B. of the Saginaw Subdivision Ordinance, and incorporated therein by reference, is hereby repealed and replaced with the revised “city construction standards” attached hereto and incorporated herein as Exhibit “A” to this Ordinance. The text of Section 7.01 B. of the Saginaw Subdivision Ordinance shall remain unmodified.

SECTION 2.

This ordinance shall be cumulative of all other ordinances of the City of Saginaw and shall not repeal any of the provisions of such ordinances, except in those instances where provisions of such ordinances are in direct conflict with the provisions of this ordinance.

SECTION 3.

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, clause, sentence, paragraph or section of this ordinance shall be declared void, ineffective or unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such voidness, ineffectiveness, or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this ordinance, since the same would have been enacted by the City Council without the incorporation herein of any such void, ineffective or unconstitutional phrase, clause, sentence, paragraph or section.

SECTION 4.

All rights or remedies of the City of Saginaw, Texas, are expressly saved as to any and all violations of the City Code or any amendments thereto that have accrued at the time of the effective date of this ordinance; and as to such accrued violations, and all pending litigation, both civil or criminal, same shall not be affected by this ordinance but may be prosecuted until final disposition by the courts.

SECTION 5

The City Secretary of the City of Saginaw is hereby directed to publish at least twice in the official newspaper of the City of Saginaw, the caption of this ordinance in accordance with Section 52.013(b) of the Local Government Code.

SECTION 6.

This ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the laws of the State of Texas.

PASSED AND APPROVED ON this the ____ day of _____, 2023.

Todd Flippo, Mayor

ATTEST:

Janice England, City Secretary

APPROVED AS TO FORM AND LEGALITY:

Bryn Meredith, City Attorney

**EXHIBIT “A”
CITY OF SAGINAW
CONSTRUCTION STANDARDS**