

ORDINANCE NO. 2020-25

AN ORDINANCE OF THE CITY OF SAGINAW, TEXAS ADOPTING REVISIONS TO ARTICLE 9 OF THE SUBDIVISION ORDINANCE OF THE CITY OF SAGINAW; INCORPORATING REVISED CONSTRUCTION STANDARD DETAILS; PROVIDING THAT THESE AMENDMENTS ARE ADOPTED TO PROTECT THE PUBLIC HEALTH, SAFETY AND WELFARE; PROVIDING FOR THE ADMINISTRATION AND ENFORCEMENT OF THIS ORDINANCE; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY FOR VIOLATIONS HEREOF; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN PAMPHLET FORM; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Saginaw 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, Chapter 212 of the Texas Local Government Code authorizes a municipality to adopt rules and regulations governing plats and subdivisions of land within the municipality's jurisdiction to promote the health, safety, morals and general welfare of the municipality and the safe, orderly and healthful development of the municipality; and

WHEREAS, after due and careful consideration, the planning and zoning commission has recommended that the city council adopt revisions to the subdivision ordinance to incorporate a new Article 9 - Construction Standard Details; and

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

SECTION 1.

That the Subdivision Ordinance of the City of Saginaw, is hereby amended by replacing Article 9 – Construction Standard Details with the attached as shown as Exhibit "A," a copy of which is on file with the office of the City Secretary.

SECTION 2.

This ordinance shall be cumulative of all provisions of ordinances and of the Saginaw City Code, as amended, and the Subdivision Ordinance of the City of Saginaw, 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of such ordinances and such Code, in which event the conflicting provisions of such ordinances and such Code are hereby repealed.

SECTION 3.

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality 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 in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

SECTION 4.

Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this ordinance shall be fined not more than Five Hundred Dollars (\$500.00) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

SECTION 5.

All rights and remedies of the City of Saginaw are expressly saved as to any and all violations of the provisions of the Subdivision Ordinance of the City of Saginaw, or any other ordinances affecting subdivisions, platting or land development 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.

The City Secretary of the City of Saginaw is hereby authorized to publish this ordinance in book or pamphlet form for general distribution among the public, and the operative provisions of this ordinance as so published shall be admissible in evidence in all courts without further proof than the production thereof.

SECTION 7.

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 and the penalty clause of this ordinance in accordance with Section 52.013(b) of the Local Government Code.

SECTION 8.

This ordinance shall be in full force and effect from and after its passage and publication as required by law, and it is so ordained.

PASSED AND APPROVED THIS 17th DAY OF NOVEMBER, 2020.

Todd Flippo, Mayor

ATTEST:

Janice England, City Secretary

EFFECTIVE:
APPROVED AS TO FORM AND LEGALITY:

Bryn Meredith, City Attorney