

TOWN OF ADDISON, TEXAS

ORDINANCE NO. _____

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS AMENDING THE CODE OF ORDINANCES, APPENDIX A – ZONING, ARTICLE XXIX (CHANGES AND AMENDMENTS) TO DELETE SECTION 6 (APPLICATION FOR CHANGE; FEE); TO AMEND APPENDIX B – SUBDIVISION TO DELETE SECTION IX-A (FEE FOR SUBDIVISION OR PLAT – GENERALLY); TO AMEND APPENDIX B – SUBDIVISION, SECTION IX-B (SAME-VIOLATIONS) TO RENAME IT AND REVISE IT TO REFLECT THE NEW LOCATION FOR FEES RELATED TO SUBDIVISION MATTERS AND PROVIDING FOR SAVINGS, SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, in 2015, the City Council adopted Ordinance No. 015-021 establishing revised fees for development services applications and placed those fees in Chapter 18 of the Code of Ordinances; and

WHEREAS, a conflict now exists between the fees located in Chapter 18 of the Code of Ordinance and those still remaining in the Zoning Ordinance and the Subdivision Ordinance.

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

Section 1. The Code of Ordinances of the Town of Addison, Texas Appendix A - Zoning, Article XXIX (Changes and Amendments), Section 6 (Application for change; fee) be and is hereby deleted.

Section 2. The Code of Ordinances of the Town of Addison, Texas Appendix B – Subdivisions, Section IX-A (Fee for subdivision or plat – Generally) be and is hereby deleted.

Section 3. The Code of Ordinances of the Town of Addison, Texas Appendix B – Subdivisions, Section IX-B (Same-Violations) be and is hereby amended to read in its entirety as follows:

Section IX-B. - Same—Violations.

Any person, firm or corporation violating any of the provisions of this ordinance or falsifying any document to reduce the fee chargeable for activities or applications pursuant to this ordinance or Section 18-2 of the Code of Ordinances shall be deemed guilty of a class C misdemeanor, and upon conviction in the municipal court shall be subject to a fine as provided in Section 1-7 of the Code of Ordinances.

Section 4. Recitals. The above and foregoing recitals are true and correct and are incorporated herein and made a part hereof for all purposes.

Section 5. Savings; Repealer. This Ordinance shall be cumulative of all other ordinances of the City and shall not repeal any of the provisions of those ordinances except in those instances where the

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provisions of those ordinances are in direct conflict with the provisions of this Ordinance. Provided, however, that the repeal of such ordinances or parts of such ordinances and the amendments and changes made by this Ordinance, shall not affect any right, property or claim which was or is vested in the City, or any act done, or right accruing or accrued, or established, or any suit, action or proceeding had or commenced before the time when this Ordinance shall take effect; nor shall said repeals, amendments or changes affect any offense committed, or an penalty or forfeiture incurred, or any suit or prosecution pending at the time when this Ordinance shall take effect under any of the ordinances or sections thereof so repealed, amended or changed; and to that extent and for that purpose the provisions of such ordinances or parts of such ordinances shall be deemed to remain and continue in full force and effect.

Section 6. Severability. The sections, paragraphs, sentences, phrases, clauses and words of this Ordinance are severable, and if any section, paragraph, sentence, phrase, clause or word in this Ordinance or application thereof to any person or circumstances is held invalid or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this Ordinance, and the City Council hereby declares that it would have passed such remaining portions of this Ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

Section 7. Effective Date. This Ordinance shall take from and after its adoption and publication as required by law.

PASSED AND APPROVED by the City Council of the Town of Addison, Texas this the _____ day of _____, 2016.

Todd Meier, Mayor
Town of Addison, Texas

ATTEST:

Laura Bell, City Secretary

APPROVED AS TO FORM:

Brenda N. McDonald, City Attorney