

ORDINANCE NO. O19-_____

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS SUSPENDING APPLICATION OF ORDINANCE PROVISIONS CONTAINED IN THE TOWN'S SUBDIVISION ORDINANCE, AS IT NOW EXISTS OR AS IT MAY BE AMENDED, THAT CONFLICT WITH THE PROVISIONS OF HB 3167 PASSED BY THE 86TH LEGISLATURE OF THE STATE OF TEXAS AND SIGNED BY GOVERNOR GREG ABBOTT ON JUNE 14, 2019; DIRECTING TOWN STAFF TO PROCESS ALL PLANS AND PLATS AS DEFINED IN HB 3167 IN ACCORDANCE WITH THE PROVISIONS OF HB 3167; PROVIDING FOR A CONFLICT/SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the 86th Legislature of the State of Texas passed HB 3167 which was signed by Governor Abbott on June 14, 2019, with an effective date of September 1, 2019 (the "Act"); and

WHEREAS, the Act requires extensive revisions to the Subdivision Ordinance and to the way in which the plats and plans, as defined in the Act, are processed by the staff and the Planning & Zoning Commission; and

WHEREAS, the City Council of the Town of Addison, urges the Texas Legislature to reconsider the provisions of the Act at its earliest opportunity.

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

SECTION 1. The recitals set forth above are incorporated as if fully set forth herein.

SECTION 2. The City Council hereby acknowledges the provisions of the Act and suspends the application of any ordinance or process contained in the Subdivision Ordinance, as it now exists or as it may be amended, that conflict with the provisions and requirements of the Act.

SECTION 3. The City Council further directs the Town's Planning & Zoning Commission, staff and outside consultants to process, approve, approve with conditions or deny all plats and plans, as defined in the Act, in accordance with the provisions and requirements of the Act.

SECTION 4. Conflict/Savings Clause. In the event of a conflict between the provisions of this Ordinance and any other regulation or rule prescribed by charter, another ordinance, resolution or authorization of the Town, the provisions of this ordinance shall control. Notwithstanding the foregoing, all rights and remedies of the Town are expressly saved as to any and all complaints, actions, claims, or lawsuits, which have been initiated or have arisen under or pursuant to such conflicting Ordinance, or portion thereof, on the date of adoption of this Ordinance shall continue to be governed by the provisions of that Ordinance and for that purpose the conflicting Ordinance shall remain in full force and effect.

SECTION 5. Effective Date. This Ordinance shall take effect immediately from and

after its date of passage.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE TOWN OF ADDISON,
TEXAS, on this the 27th day of AUGUST 2019.**

TOWN OF ADDISON, TEXAS

Joe Chow, Mayor

ATTEST:

Irma Parker, City Secretary

APPROVED AS TO FORM:

Brenda N. McDonald, City Attorney