

# *VILLAGE OF WEBBERVILLE*

ORDINANCE No. 2020-06

## **SUBDIVISION ORDINANCE AMENDMENT**

AN ORDINANCE OF THE VILLAGE COMMISSION OF THE VILLAGE OF WEBBERVILLE (THE "VILLAGE"), TEXAS AMENDING SECTION 14, LOTS; AND SECTION 2, DEFINITIONS, WITHIN ORDINANCE NO. 2005-11, SUBDIVISION ORDINANCE, AS ATTACHED IN EXHIBIT A; AND PROVIDING FOR FINDINGS OF FACT, ENACTMENT, A REPEALER, SEVERABILITY, CODIFICATION; AND ESTABLISHING AN EFFECTIVE DATE; AND PROPER NOTICE AND MEETING.

**WHEREAS**, the Village Commission of the Village of Webberville, Texas seeks to promote the public health, safety, morals, and general welfare of the municipality and the safe, orderly, and healthful development of the municipality, including its extraterritorial jurisdiction; and

**WHEREAS**, the Village Commission finds that haphazard laying out of lots and erratic dedication of public infrastructure is harmful to the environment and quality of life; and

**WHEREAS**, the Village Commission's regulation of development is based on the government's legitimate interests in promoting orderly development, ensuring that subdivisions are constructed safely, and protecting the future owners; and

**WHEREAS**, the Village Commission finds that haphazard laying out of lots and erratic dedication of public infrastructure is harmful to the environment and quality of life; and

**WHEREAS**, the Village Commission has determined that reasonable rules and regulations governing subdivision plats are necessary to maintain water quality, ensure traffic safety, protect the regions livability, and preserve property values; and

**WHEREAS**, pursuant to Texas Local Government Code Section 51.001, the Village has general authority to adopt an ordinance or police regulation that is for the good government, peace or order of the Village and is necessary or proper for carrying out a power granted by law to the Village; and

**WHEREAS**, pursuant to Chapter 212 of Texas Local Government Code, the Village has the authority to adopt rules governing plats and subdivisions of land; and

**WHEREAS**, the Village Commission finds that it is necessary and proper for the good government, peace and order of the Village of Webberville to adopt an ordinance regulating the subdivision of land.

**NOW, THEREFORE, BE IT ORDAINED** by the Village Commission of Webberville, Texas.

**SECTION 1: FINDINGS OF FACT**

The foregoing recitals are incorporated into this Ordinance by reference as findings of fact as if expressly set forth herein.

**SECTION 2: ENACTMENT**

The Village Commission hereby amends the Subdivision Ordinance by Ordinance, as attached in Exhibit A.

**SECTION 3: REPEALER**

In the case of any conflict between other provisions of this Ordinance and any existing Ordinance of the Village, the provisions of this Ordinance will control.

**SECTION 4: SEVERABILITY**

If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, that invalidity or the unenforceability will not affect any other provisions or applications of this Ordinance that can be given effect without the invalid provision.

**SECTION 5: CODIFICATION**

The Village Clerk is hereby directed to record and publish the attached Subdivision Ordinance Amendment in the Village's Code of Ordinances as authorized by Section 52.001 of the Texas Local Government Code.

**SECTION 6: EFFECTIVE DATE**


This Ordinance shall be effective immediately upon passage and publication.

**SECTION 7: OPEN MEETINGS**


It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

**PASSED & APPROVED** this, the 12<sup>th</sup> day of August 2020, by a vote of 3 (*ayes*) to 0 (*nays*) to 0 (*abstentions*) of the Village Commission of Webberville, Texas.

**VILLAGE OF WEBBERVILLE:**

by:   
Hector Gonzales, Mayor

**ATTEST:**

  
Carissa Cannaday, Village Clerk

**APPROVED AS TO FORM:**

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Alessandra Gad, Associate Attorney

**Exhibit "A"**

**SUBDIVISION ORDINANCE**

**SECTION 2, DEFINITIONS**

2.2. Specific.

**Accessory Structure.** A structure that is subordinate to, incidental to, and is detached from, a principal building or a principal use of a lot. Also may be referred to as "secondary structure".

**Principal Structure.** A structure in which the primary use of the lot is conducted. For example, for residential lots, the house is the principal structure. Also may be referred to as "primary structure" or "main structure".

**SECTION 14, LOTS**

**14.8 Number of Principal Structures Allowed on a Lot.**

**Only one Principal Structure is allowed per platted or legal lot within the village's ETJ and village limits.**