

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF AURORA ADOPTING A NEW SUBDIVISION ORDINANCE; ESTABLISHING A FEE SCHEDULE FOR VARIOUS PLATTING REQUESTS; PRESCRIBING RULES AND REGULATIONS GOVERNING PLATS, THE SUBDIVISION AND DEVELOPMENT OF LAND, LAND DEDICATIONS AND VACATIONS, AND THE DESIGN OF LAND DEVELOPMENTS IN A MANNER WHICH PROTECTS THE PUBLIC HEALTH, SAFETY AND WELFARE WITHIN THE CITY LIMITS AND EXTRATERRITORIAL JURISDICTION OF THE CITY OF AURORA, TEXAS; PRESCRIBING RULES, REGULATIONS AND STANDARDS FOR THE CONSTRUCTION AND USE OF STREETS, ALLEYS, EASEMENTS, AND PUBLIC UTILITIES; PROVIDING FOR ADMINISTRATION AND ENFORCEMENT OF THIS ORDINANCE; PROVIDING PROCEDURES FOR OBTAINING VARIANCES OR WAIVERS; DEFINING AND PROHIBITING THE ILLEGAL RECORDING OF SUBDIVISION PLATS; PROVIDING FOR THE RECORDING OF NOTICE OF NONCOMPLIANCE; PROVIDING FOR REVIEW AND AMENDMENT OF THIS ORDINANCE; ADOPTING DESIGN CRITERIA FOR PUBLIC INFRASTRUCTURE; ADOPTING THE REQUIREMENTS OF SUB-CHAPTER B OF CHAPTER 212 OF THE LOCAL GOVERNMENT CODE; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY FOR VIOLATIONS HEREOF; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN PAMPHLET FORM; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, the City of Aurora, Texas is a Type A general-law municipality located in Wise County, created in accordance with the provisions of Chapter 6 of the Local Government Code and operating pursuant to the enabling legislation of the State of Texas; 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**, Sub-Chapter B of Chapter 212 of the Texas Local Government Code authorizes a municipality to adopt rules and regulations governing the regulation of property development within the municipality's jurisdiction and extraterritorial jurisdiction to promote the health, safety, morals and general welfare of the municipality and the safe, orderly and healthful



- b. Preliminary plat: \$1000.00 or actual cost (whichever is greater) for all professional review (e.g. engineering, attorney, or other professional fees)
- c. Final Plat \$500.00
- d. Replat with Public Hearing \$500.00
- e. Minor Plat or Plat Amendment \$300.00
- f. Plat Vacation (Abandonment) \$200.00

(2) Other matters:

- a. Street and alley vacations \$250.00 per each street or alley plus all engineering or legal fees.
- b. Easement vacation \$250.00 plus all engineering or legal fees.
- c. Community facilities contract fee - Legal fees for changes from the standard form.
- d. Request for change in master streets plan \$500.00 plus all engineering or legal fees.
- e. Street name change \$150.00
- f. Planned development site plan \$650.00
- g. Annexation:
  - 1. 75 acres or less \$500.00
  - 2. More than 75 acres \$1000.00
 Plus \$150.00 per acre

(3) Continuances:

Continuance of board of adjustment, plan or zoning commission hearing (by request of the applicant after public notice) \$150.00 plus legal and engineering fees as incurred.

### **SECTION 3.**

Sub-Chapter B of Chapter 212 of the Texas Local Government Code is hereby adopted.

### **SECTION 4.**

This ordinance shall be cumulative of all provisions of ordinances and of the Code of Ordinances of the City of Aurora, Texas, 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 5.**

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 6.**

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 7.**

All rights and remedies of the City of Aurora are expressly saved as to any and all violations that have accrued at the time of the effective date of this ordinance of the provisions of any ordinances affecting the platting or development of subdivisions or other land, 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 8.**

The City Secretary of the City of Aurora 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 9.**

The City Secretary of the City of Aurora is hereby directed to engross and enroll this ordinance by copying the caption, penalty clause, publication clause and effective date clause in the minutes of the City Council and by filing the ordinance in the ordinance records of the City.

**SECTION 10.**

The City Secretary of the City of Aurora is hereby directed to publish in the official newspaper of the City of Aurora, the caption, penalty clause, and effective date clause of this ordinance in one issue of the weekly official newspaper as authorized by Section 52.011 of the Local Government Code.

**SECTION 11.**

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

**PASSED AND APPROVED ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2005.**

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY SECRETARY

EFFECTIVE DATE: \_\_\_\_\_

APPROVED AS TO FORM AND LEGALITY:

\_\_\_\_\_  
CITY ATTORNEY

**ORDINANCE \_\_\_\_\_**

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