

ORDINANCE NO. 2022-_____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ANGLETON, TEXAS, FULLY REPEALING AND REPLACING CHAPTER 23 – LAND DEVELOPMENT CODE, ARTICLE II. – SUBDIVISION AND DEVELOPMENT DESIGN, SECTION 23-20. – PARK DEDICATION AND RECREATION IMPROVEMENTS; PROVIDING A PENALTY; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to Texas Local Government Code Chapter 51, the City Council of the City of Angleton, Texas (the “City Council”), has the general authority to adopt and publish an ordinance or police regulation that is for the good government, peace or order of the municipality and is necessary or proper for the carrying out a power granted by law to the municipality; and

WHEREAS, the City Council finds that it is necessary to fully repeal and replace Chapter 23– Land Development Code, Article II. – Subdivision And Development Design, Section 23-20. – Park Dedication and Recreation Improvements of the Code of Ordinances; and

WHEREAS, the City Council desires to replace Chapter 23– Land Development Code, Article II. – Subdivision And Development Design, Section 23-20. – Park Dedication and Recreation Improvements with Exhibit A – Chapter 23 – Land Development Code, Article II. – Subdivision and Development Design, Section 23-20. – Park Land Dedication and Park Development.

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

SECTION 1: All of the facts recited in the preamble to this Ordinance are hereby found by the City Council of the City of Angleton, Texas, to be true and correct and are incorporated by reference herein and expressly made a part thereof, as if copied herein verbatim.

SECTION 2: Chapter 23– Land Development Code, Article II. – Subdivision And Development Design, Section 23-20. – Park Dedication and Recreation Improvements of the Code of Ordinances is hereby repealed.

SECTION 3. Ordinance No. 2022-_____, including the attached and incorporated Exhibit A – Chapter 23 – Land Development Code, Article II. – Subdivision and Development Design, Section 23-20. – Park Land Dedication and Park Development, is hereby adopted in place and to replace the repealed Chapter 23– Land Development Code, Article II. – Subdivision And Development Design, Section 23-20. – Park Dedication and Recreation Improvements of the Code of Ordinances.

SECTION 4. Severability. In the event any clause, phrase, provision, sentence or part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part

declared to be invalid or unconstitutional; and the City Council of the City of Angleton, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

SECTION 5. *Repeal.* All ordinances or parts of ordinances inconsistent with the terms of this ordinance are hereby repealed; provided, however, that such repeal shall be only to the extent of such inconsistency and in all other respects this ordinance shall be cumulative of other ordinances regulating and governing the subject matter covered by this ordinance.

SECTION 6. *Notice.* 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.

SECTION 7. *Penalty.* Any person who violates or causes, allows, or permits another to violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than Five Hundred and No/100 Dollars (\$500.00). Each occurrence of any such violation of this Ordinance shall constitute a separate offense. Each day on which any such violation of this Ordinance occurs shall constitute a separate offense.

SECTION 8. *Effective Date.* This Ordinance shall be effective immediately and enforced when published as required by law and in full force when published as required by law.

PASSED AND APPROVED THIS THE 25TH DAY OF JANUARY 2022.

CITY OF ANGLETON, TEXAS

Jason Perez,
Mayor

ATTEST:

Frances Aguilar, TRMC, MMC
City Secretary

EXHIBIT A