

**ORDINANCE NO. 2023-\_\_\_\_\_**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ANGLETON AMENDING THE CODE OF ORDINANCES OF THE CITY OF ANGLETON, TEXAS, SECTION 23-115–STANDARD LANGUAGE FOR SPECIAL PLAT ELEMENTS, SUBSECTION C. FIRE LANES AND FIRE EASEMENTS, STREET PAVEMENT WIDTH REQUIREMENT MODIFICATIONS. ARTICLE II. – SUBDIVISION AND DEVELOPMENT DESIGN, SECTION 23-12, TABLE 23-12.1, STREET DIMENSION STANDARDS, AND STREETS AND DRIVEWAYS, SECTION 129; PROVIDING A PENALTY; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City Council for the City of Angleton (“City Council”) is authorized by Chapter 54 of the Texas Local Government Code to enforce rules, ordinances and police regulation of the municipality by fine or penalty; and,

**WHEREAS**, as authorized under law and in the best interest of the residents, citizens and inhabitants of the City of Angleton, the City Council deems it expedient and necessary to amend and modify various subsections of the City of Angleton Code of Ordinances, Chapter 23, Land Development Code. In addition to other minor changes to the chapter pertaining to cross references, duplications, clarifications, terminologies, reorganizations, and similar, the following sections are proposed to be amended: Section 23-115–Standard language for special plat elements, Subsection C. Fire lanes and fire easements, Street pavement width requirement modifications. ARTICLE II. – Subdivision and Development Design, Section 23-12, Table 23-12.1, Street Dimension Standards, and

**WHEREAS**, the City of Angleton is a home rule city acting pursuant to its charter and City Council now finds the need to amend and revise Chapter 23 to promote the public health, safety and welfare of its citizens; and

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

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

verbatim.

**SECTION 2.** The City of Angleton, Code of Ordinances, Chapter 23, Land Development Code; in addition to other minor changes to the chapter pertaining to cross references, duplications, clarifications, terminologies, reorganizations, providing for the following:

**(Add)**

Sec. 23-115. – Standard language for special plat elements:

C. Fire lanes and fire easements.

That the undersigned does hereby covenant and agree that they shall construct upon the fire lane easements, as dedicated and shown hereon, a hard, all-weather surface and that they shall maintain the same in a state of good repair at all times and keep the same free and clear of any structures, fences, trees, shrubs, or other improvements or obstruction, including but not limited to the parking of motor vehicles, trailers, boats, or other impediments to the access of fire apparatus. The maintenance of paving on the fire lane easements is the responsibility of the owner, and the owner shall post and maintain appropriate signs in conspicuous places along such fire lanes, stating: "Fire Lane, No Parking." The police or his duly authorized representative is hereby authorized to cause such fire lanes and utility easements to be maintained free and unobstructed at all times for fire department and emergency use.

**(Add):**

I. Adequate and safe access.

7. All Cul-De-Sacs that are considered Fire Lane shall have a 47.5-foot minimum radius/ 95- foot diameter. Corner radius shall be per the fire lane width required.

**SECTION 3.** 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 Two Thousand and No/100 Dollars (\$2,000.00). 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 4.** 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 5.** 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 this declared to be invalid or unconstitutional, or whether there be one or more parts.

**SECTION 6.** That this Ordinance shall be effective and in full force immediately upon its adoption.

**PASSED AND APPROVED THIS THE 12TH DAY OF DECEMBER, 2023.**

CITY OF ANGLETON, TEXAS

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John Wright Mayor

ATTEST:

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Michelle Perez, TRMC City Secretary

