

CITY OF DRIPPING SPRINGS

ORDINANCE NO. 2024-

RELEASE OF EXTRATERRITORIAL JURISDICTION ORDINANCE

AN ORDINANCE OF THE CITY OF DRIPPING SPRINGS, TEXAS, TO INVOLUNTARILY RELEASE EXTRATERRITORIAL JURISDICTION BY REQUEST OF THE PROPERTY OWNERS APPROXIMATELY _____ ACRES OF LAND OUT OF THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF DRIPPING SPRINGS, TEXAS INCLUDING THE FOLLOWING: FINDINGS OF FACT; EFFECTIVE DATE; REPEALER; SEVERABILITY; AND PROPER NOTICE AND MEETING.

WHEREAS, the City of Dripping Springs (“City”) is a Type-A, General Law municipality located in Hays County, Texas with the rights and privileges thereto; and

WHEREAS, Chapter 42, Subchapter D. Release of Area by Petition of Landowner or Resident from Extraterritorial Jurisdiction of the Texas Local Government Code requires a Type-A general law municipality to release from the extraterritorial jurisdiction certain areas on request of property owners or residents of the area: and

WHEREAS, the City received written petitions from _____ in Exhibit “A” on _____, 2024; and

WHEREAS, the area identified in Exhibit “A”, _____ acres located in the _____, Hays County, Texas, is within the City’s current extraterritorial jurisdiction; and

WHEREAS, each petition was filed by a resident of the area or majority value landowner of the area in question; and

WHEREAS, each petition includes legal descriptions of the area boundaries by either (1) metes and bounds description; or (2) Lot and Block; and a map of the land to be released; and

WHEREAS, the signatures on all petitions comply with all statutory requirements; and

WHEREAS, the areas identified in Exhibit “A” are not subject to a strategic partnership agreement; are not within five miles of an active military base; are not located in a designated industrial district; and is not an area voluntarily annexed into the extraterritorial jurisdiction in Hays County, Texas; and

WHEREAS, the City Council grants the petitions and releases the areas identified in Exhibit “A” from the City of Dripping Springs, Texas extraterritorial jurisdiction; and

WHEREAS, the City Council finds that release of the areas identified in Exhibit “A” is required pursuant to the statutory provisions adopted by the 2023 Texas Legislature in Senate 2038.

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

1. FINDINGS OF FACT

All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council of Dripping Springs, Texas, and are hereby approved and incorporated into the body of this Ordinance as if copied herein in their entirety.

2. RELEASE OF TERRITORY FROM EXTRATERRITORIAL JURISDICTION

- A.** The property in the areas described in Exhibit “A”, which is attached hereto and incorporated herein for all purposes, is hereby released from the extraterritorial jurisdiction of the City of Dripping Springs.
- B.** The official map and boundaries of the City of Dripping Springs and its extraterritorial jurisdiction is hereby amended and revised so as to exclude the area released.
- C.** The owners and inhabitants of the area herein released are no longer entitled to any of the rights and privileges of other citizens extraterritorial jurisdiction of the City of Dripping Springs including access to services and utilities, representation on city boards and commissions where applicable, regulations, and other benefits provided by the City to the residents of the extraterritorial jurisdiction.

3. EFFECTIVE DATE

This ordinance is effective, and the extraterritorial release achieved herein shall be final and complete upon adoption of this Ordinance on the date set forth below.

4. FILING

- A.** The City Secretary is hereby instructed to include this Ordinance in the records of the City.
- B.** The City Secretary is hereby instructed to have prepared maps depicting the new municipal boundaries and extraterritorial jurisdiction.
- C.** The City Secretary is hereby instructed to file a certified copy of this Ordinance with the Hays County Clerk.

D. The City Secretary is hereby instructed to submit by certified mail a certified copy of the this ordinance a map of the entire city that shows the change in boundaries, with the released portion clearly distinguished, resulting from the release to the Texas Comptroller's Office.

5. SEVERABILITY

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this Ordinance be 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 or sections of this Ordinance, and the remainder of this Ordinance shall be enforced as written.

6. PROPER NOTICE AND MEETING

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

PASSED AND APPROVED this the ____ day of _____ 2024, by a vote of ____ (ayes) to ____ (nays) to ____ (abstentions) of the City Council of the City of Dripping Springs, Texas.

THE CITY OF DRIPPING SPRINGS:

Bill Foulds Jr.

ATTEST:

Andrea Cunningham, City Secretary

EXHIBIT “A”

ETJ RELEASE PETITIONS