

## **CITY OF DRIPPING SPRINGS**

### **ORDINANCE No. 2020-\_\_\_\_\_**

AN ORDINANCE AMENDING APPENDIX A: ARTICLE A1.000 (GENERAL PROVISIONS) OF THE DRIPPING SPRINGS CODE OF ORDINANCES; AMENDING THE DRIPPING SPRINGS FEE SCHEDULE SECTION 3: SITE DEVELOPMENT AND SECTION 4: SUBDIVISIONS; AND SECTION 17: DRIPPING SPRINGS RANCH PARK; PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT; ENACTMENT; REPEALER, SEVERABILITY; PUBLICATION; EFFECTIVE DATE; AND PROPER NOTICE AND MEETING.

**WHEREAS,** the City is required to review site plan and subdivision applications within a specific amount of time as required by Chapter 212 of the Texas Government Code; and

**WHEREAS,** an applicant can submit an application and the City can disapprove of the application with specific criteria and must allow one resubmittal by the applicant to be reviewed within a specific period of time; and

**WHEREAS,** the City can disapprove a resubmittal if the resubmittal does not address the City's comments and the City requires refiling after the resubmission if it is disapproved; and

**WHEREAS,** the City wishes to adequately reflect the cost to the City of reviewing a refiling after disapproval of the resubmittal; and

**WHEREAS,** the City acknowledges that the time and cost of reviewing a refiling of a subdivision or site plan is less than the review costs of an initial review; and

**WHEREAS,** the City acknowledges that the cost of park services changes over time and should be updated; and

**WHEREAS,** the City Council finds that the attached schedule of fees is reasonable and prudent in light of the municipal resources expended in the review of site plan and subdivision refiling; and

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

**WHEREAS,** the fees approved and instituted by this ordinance are consistent with, and in accordance with, the annual budget for the City.

**NOW, THEREFORE, BE IT ORDAINED by the Dripping Springs City Council:**

## **1. FINDINGS OF FACT**

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

## **2. ENACTMENT**

Appendix A, Article A1.000 of the City of Dripping Springs Code of Ordinances, Sections 3 and 4 are amended so to read in accordance with Attachment “A”, which is attached hereto and incorporated into this Ordinance for all intents and purposes. Any underlined text shall be inserted into the Code and any struck-through text shall be deleted from the Code, as stated within Attachment “A”.

## **3. REPEALER**

All ordinances, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated, herein.

## **4. SEVERABILITY**

Should any of the clauses, sentences, paragraphs, sections or parts of this Ordinance be deemed invalid, unconstitutional, or unenforceable by a court of law or administrative agency with jurisdiction over the matter, such action shall not be construed to affect any other valid portion of this Ordinance.

## **5. CODIFICATION**

The City Secretary is hereby directed to record and publish the attached rules, regulations and policies in the City’s Code of Ordinances as authorized by Section 52.001 of the Texas Local Government Code.

## **6. EFFECTIVE DATE**

This Ordinance shall be effective immediately upon passage and publication.

## **7. PROPER NOTICE & MEETING**

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 8<sup>th</sup> day of September 2020, by a vote of \_\_ (ayes) to \_\_ (nays) to \_\_ (abstentions) of the City Council of Dripping Springs, Texas.**

**CITY OF DRIPPING SPRINGS:**

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Bill Foulds, Jr., Mayor

**ATTEST:**

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Andrea Cunningham, City Secretary