

**CITY OF GLEN ROSE
ORDINANCE #2022.05.10**

AN ORDINANCE OF THE CITY OF GLEN ROSE, TEXAS, DEFINING THE BOUNDARIES OF THE CITY THROUGH ADOPTING AN UP-TO-DATE MAP OF THE CITY LIMITS AND THE CITY'S EXTRATERRITORIAL JURISDICTION; PROVIDING FOR REPEALING, SEVERABILITY AND PROPER NOTICE, MEETING, QUORUM, AND PRESUMPTION OF CONSENT CLAUSES; AND, ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Glen Rose (City) is a Type A General Law municipality, and is subject to the laws of the State of Texas as they apply to such municipalities;

WHEREAS, Chapter 41 of the Texas Local Government Code (TLGC) requires that:

1. A "... municipality shall prepare a map that shows the boundaries of the municipality and of its extraterritorial jurisdiction";
2. "If the municipality annexes territory, the map shall be immediately corrected to include the annexed territory. The map shall be annotated to indicate: (1) the date of annexation; (2) the number of the annexation ordinance, if any; and (3) a reference to the minutes or municipal ordinance records in which the ordinance is recorded in full"; and,
3. "If the municipality's extraterritorial jurisdiction is expanded or reduced, the map shall be immediately corrected to indicate the change in the municipality's extraterritorial jurisdiction. The map shall be annotated to indicate: (1) the date the municipality's extraterritorial jurisdiction was changed; (2) the number of the ordinance or resolution, if any, by which the change was made; and (3) a reference to the minutes or municipal ordinance or resolution records in which the ordinance or resolution is recorded in full."

WHEREAS, the City has conducted several annexations requiring the map of the City limits and the City's extraterritorial jurisdiction (ETJ) to be updated;

WHEREAS, at the City's request, eHT Engineering has prepared an updated map of the City limits and ETJ identified as Exhibit "A";

WHEREAS, the map included in Exhibit "A" defines the boundaries of the City of Glen Rose; and,

WHEREAS, pursuant to §51.001 of the TLGC, in the lawful exercise of the powers granted to it and for the good government, peace, and order of the City, the City Council has decided to adopt an ordinance which defines the boundaries of the City and the City's ETJ through approving and adopting the map included in Exhibit "A".

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

**SECTION 1 (of 7)
INCORPORATION OF RECITALS**

All of the above recitals are found to be true and correct and are incorporated into the body of this Ordinance as if copied in their entirety.

**SECTION 2 (of 7)
ADOPTION OF MAP OF THE CITY LIMITS AND ETJ**

Exhibit “A”, a map of the City of Glen Rose city limits and its extraterritorial jurisdiction (ETJ), prepared by eHT Engineering and dated 2022, is hereby approved, adopted, and incorporated into the body of this Ordinance as if copied in its entirety. The boundaries identified in this map are, hereby, officially recognized and adopted.

**SECTION 3 (of 7)
SAVINGS/REPEALING CLAUSE**

The City’s Code of Ordinances shall remain in full force and effect, save and except as amended by this or any other ordinance. All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict. Any remaining portions of said ordinances shall remain in full force and effect.

**SECTION 4 (of 7)
SEVERABILITY CLAUSE**

Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional, illegal or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. The City Council of the City of Glen Rose hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, and phrases be declared unconstitutional or invalid.

**SECTION 5 (of 7)
PROPER NOTICE, MEETING, AND QUORUM CLAUSE**

It is hereby officially found and determined that the meeting at which this Ordinance was adopted by majority vote of the City Council of the City of Glen Rose, Texas was open to the public; that public notice of the time, place, and purpose of the meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code; and, that a quorum was present pursuant to §22.039 of the Texas Local Government Code.

SECTION 6 (of 7)
PRESUMPTION OF CONSENT

Pursuant to §43.901 of the Texas Local Government Code, “A municipal ordinance defining boundaries of...a municipality is conclusively presumed to have been adopted with the consent of all appropriate persons, except another municipality, if 1. two years have expired after the date of the adoption of the ordinance; and 2. an action to annul or review the adoption of the ordinance has not been initiated in that two-year period.”

SECTION 7 (of 7)
EFFECTIVE DATE

This Ordinance shall take effect immediately upon passage.

PASSED AND APPROVED this the 10th day of May 2022.

APPROVED:

Julia Douglas, Mayor

ATTEST:

Rosario Sosol-Lihaut, Deputy City Secretary