

AN ORDINANCE OF THE CITY OF LEON VALLEY, TX, CITY COUNCIL AMENDING THE LEON VALLEY CODE OF ORDINANCES, CHAPTER 10 SUBDIVISION REGULATIONS, DIVISION 4 ADDITIONAL REGULATIONS, SECTION 10.02.151 ADDITIONAL REGULATIONS, SUBSECTION (C) TO ALLOW DEFERRAL OF THE INSTALLTION OF WATER METERS AND SIDEWALKS TO THE CONSTRUCTION PHASE OF A SUBDIVISION; PROVIDING FOR REPEALER, SEVERABILITY, AND SAVING CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Chapter 10 Subdivision Regulations requires that subdividers install water meters and sidewalks prior to being issued any building permits; and

WHEREAS, installing these items prior to the building phase of the subdivision tends to cause unnecessary damage to these infrastructure improvements; and

WHEREAS, plats are reviewed and approved by the Planning and Zoning Commission and, if no variances are requested, are filed for record at the Bexar County Deeds and Records office; and

WHEREAS, if variances are requested, the plats must be additionally reviewed and approved by the City Council which adds time and an unnecessary step for the developer of the subdivision;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEON VALLEY, TEXAS, THAT:

SECTION 1. Chapter 10 Subdivision Regulations, Division 4 Additional Regulations, Section 10.02.151 Additional regulations, Subsection (C) is hereby revised as follows:

“(c) The city shall not permit repair, maintenance, installation or provision of streets or public utility services in any subdivision for which a final subdivision plat has not been approved and filed for record, nor in which the standards contained herein or referred to herein have not been complied with in full. Exceptions to this section include the installation of water meters and the construction of sidewalks, which may be delayed to the building construction phase of a project upon request by the owner and approval by the City Engineer.”

SECTION 2. It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable, and if any phrase, clause, sentence, or section of this Ordinance shall be declared unconstitutional or invalid by any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any other remaining phrase, clause, sentence, paragraph, or section of this Ordinance.

SECTION 3. The repeal of any Ordinance or part of Ordinances effectuated by the enactment of this Ordinance shall not be construed as abandoning any action now pending under or by virtue of such Ordinance or as discontinuing, abating, modifying, or

altering any penalty accruing or to accrue, or as affecting any rights of the municipality under any section or provisions at the time of passage of this Ordinance.

SECTION 4. This Ordinance shall become effective immediately upon its passage and publication as required by law.

PASSED, ADOPTED AND APPROVED by the City Council of the City of Leon Valley this the 20th day of August, 2024.

APPROVED

CHRIS RILEY

MAYOR

Attest:

SAUNDRA PASSAILAIGUE, TRMC

City Secretary

Approved as to Form:

City Attorney