

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45

ORDINANCE NO. 2022-07-20-14

AN ORDINANCE REPEALING AND AMENDING THE CITY'S CODE OF ORDINANCE RELATED TO PERMIT EXPIRATION AND RENEWALS; REPEALING PROVISION IN CONFLICT WITH THIS ORDINANCE; PROVING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City of Rollingwood is a General Law Type A City under the statutes of the State of Texas; and

WHEREAS, the City Council of the City of Rollingwood ("City Council") previously established a Land Use Development Code; and

WHEREAS, the City Council finds and determines that Sections 101-98, 101-99, and 101-100 of the Land Use Development Code conflict with State law and the City's existing codes.

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

SECTION 1. All the above premises are hereby found to be true and correct legislative and factual findings of the City Council and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

SECTION 2. Part II of the City's Code of Ordinances Chapter 101, Article III, Division 2, Sections 101-98, 101-99, and 101-100 are hereby repealed in their entirety and shall be stricken from the City of Rollingwood's Code of Ordinances.

SECTION 3. Amending Part II of the City's Code of Ordinances Chapter 107, Article II, Division 10, Section 107-374 as follows with strikethroughs being deletions and underlines being additions:

Sec. 107-374. Application for protected tree removal and tree removal permits.

(g) A permit for removal of a protected tree expires on the earlier of either ~~one~~ two years after its effective date, or upon removal of the protected tree except that if any building permit issued for the associated property expires or is revoked for any reason, the permit for removal of a tree shall ~~expire~~ be revoked as well. Subject to applicable expiration, a permit for removal of tree(s) is transferable to a subsequent owner of the affected property, provided that any obligation in the permit with respect to replacement trees is assumed by the transferee.

1 **SECTION 4.** All provisions of the ordinances of the City of Rollingwood in conflict with the
2 provisions of this ordinance are hereby repealed to the extent of such conflict, and all other
3 provisions of the ordinances of the City of Rollingwood not in conflict with the provisions of this
4 ordinance shall remain in full force and effect.

5
6 **SECTION 5.** Should any sentence, paragraph, clause, phrase or section of this ordinance be
7 adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of
8 this ordinance as a whole, or any part or provision thereof other than the part so decided to be
9 invalid, illegal or unconstitutional, and shall not affect the validity of the Code of Ordinances as a
10 whole.

11
12 **SECTION 6.** This ordinance shall take effect immediately from and after its passage and the
13 publication of the caption as the law provides.

14
15 **APPROVED, PASSED AND ADOPTED** by the City Council of the City of Rollingwood, Texas,
16 on the ____ day of _____, 2022.

17
18 APPROVED:

19
20
21 _____
22 Gavin Massingill, Mayor

23
24 ATTEST:

25
26
27 _____
28 Desiree Adair, City Secretary