

ORDINANCE NO. 2022-09-21-21

**AN ORDINANCE OF THE CITY OF ROLLINGWOOD
AMENDING PART II OF THE CITY'S CODE OF
ORDINANCES, CHAPTER 101, ARTICLE VI, SECTION 101-
247 CONDUCT OF CONSTRUCTION PROHIBITED**

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 prohibited construction or demolition activities on city holidays; and

WHEREAS, the City Council finds it necessary to amend the prohibition on construction to only holidays designated by the City Council at the time of adoption of the annual holiday calendar.

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 VI, Section 101-247 is hereby amended to read as follows with underlines being additions and strikethroughs being deletions:

Sec. 101-247. – Conduct of Construction Prohibited

- (b) Prohibited days and hours/signage. Except as provided in subsection (f) of this section, construction or demolition activities shall not be permitted on weekends or designated city holidays, or between the hours of 7:00 p.m. and the following 7:00 a.m. on weekdays. Except in connection with activity excepted by subsection (f) of this section, the building permit holder shall post on the affected site a sign prescribed by the building official or other designee of the city council site providing notice of the restrictions provided in this subsection. At the permit holder's election, the building official may provide the prescribed sign to be posted and may charge a reasonable fee therefor, based on the cost of production to the city, to be added to the building permit fee.

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provisions of the ordinances of the City of Rollingwood in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict, and all other provisions of the ordinances of the City of Rollingwood not in conflict with the provisions of this ordinance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

SECTION 4. Should any sentence, paragraph, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Code of Ordinances as a whole.

SECTION 5. This ordinance shall take effect immediately from and after its passage and the publication of the caption as the law provides.

APPROVED, PASSED AND ADOPTED by the City Council of the City of Rollingwood, Texas, on the _____ day of _____, 2022.

APPROVED:

Gavin Massingill, Mayor

ATTEST:

Desiree Adair, City Secretary