

ORDINANCE NO. 2021-O-

AN ORDINANCE OF THE CITY OF STEPHENVILLE, TEXAS, AMENDING CHAPTER 155, SECTION 7 RELIEF FROM SUBDIVISION DESIGN STANDARDS OF THE CODE OF ORDINANCE OF THE CITY OF STEPHENVILLE.

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

SECTION 1.

Section 155.7.01 *Petition for Subdivision Waiver* is hereby amended by the addition of Section 155.7.01(A)(C)(3), as follows:

3. *Waiver from the Requirements for Sidewalks, Curbs, and/or Gutters*
 - a. The City Manager, Assistant City Manager, and the Director of Development Services are authorized to grant waivers for Sidewalks, Curbs, and/or Gutters under the following conditions:
 - i. The property was platted prior to March 1, 2021; and
 - ii. The property is located outside of the City of Stephenville's Sidewalk Improvement Area as defined in Resolution No. 2019-R-05.
 - b. Waivers requested that do not qualify under the conditions outlined in Section 3.a. above must follow the procedure for a Major Subdivision Waiver.
 - c. Applicants whose request for waiver is denied by the City Manager, Assistant City Manager, or the Director of Development Services may appeal this decision. Appeals under Section 3 will follow the procedures for appealing a Minor Subdivision Waiver as set forth in Section J.
 - d. All approved waivers require the payment of a fee equal to 25% of the total improvement cost as determined by the city's current bid contract for such improvements. Fees collected will be dedicated to the City's Sidewalk Cost Share Program.

SECTION 2.

Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional 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 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 3.

This ordinance shall become effective March 1, 2021.

PASSED and APPROVED this the 2nd day of February, 2021.

Doug Svien, Mayor

ATTEST:

Staci L. King, City Secretary

Reviewed by Allen L. Barnes,
City Manager

Approved as to form and legality by
Randy Thomas, City Attorney