

**CITY OF LAGO VISTA, TEXAS**

**ORDINANCE NO. 17-06-15-02**

**AN ORDINANCE OF THE CITY OF LAGO VISTA, TEXAS, AMENDING ARTICLE 10.100, SECTION 2, SUBSECTION 2.19.5(B) OF THE CITY SUBDIVISION ORDINANCE, ORDINANCE NO. 17-01-19-01; PROVIDING FOR INSPECTION AND CONSTRUCTION OF IMPROVEMENTS; MAKING FINDINGS OF FACT; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN OPEN MEETINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City Council adopted Ordinance No. 17-01-19-01 on January 19, 2017 to provide comprehensive requirements for the subdivision of land within the City and its extraterritorial jurisdiction; and

**WHEREAS**, the intent, public benefit, enforcement and administration of such ordinance will be enhanced by the amendment herein provided; and

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAGO VISTA, TEXAS, THAT:**

**Section 1. Findings.** The above and foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

**Section 2. Amendment of Subdivision Ordinance.** Ordinance No. 17-01-19-01, the City of Lago Vista Subdivision Ordinance (the "Subdivision Ordinance"), is hereby modified and amended as set forth in Section 3 below.

**Section 3. Amendment.** Article 10.100, Section 2., Subsection 2.19.5(B) of Ordinance No. 17-01-19-01, is hereby amended in its entirety to read as follows:

**2.19.5 Review of Improvements and Related Processes**

**(B) Inspection of Improvements.**

(1) The City shall inspect all required improvements, including but not limited to, street, drainage, water, wastewater and revegetation improvements and erosion controls used during construction to insure compliance with City requirements and the approved Construction Plans. A list of applicable inspections shall be more fully covered during the pre-construction meeting and electronically on the City's permitting system.

(2) Inspection by the City or a failure of the City to inspect construction as required herein shall not in any way impair or diminish the obligation of the subdivider to install improvements in the subdivision in accordance with the City's standards.

**Section 4. Amendment of Conflicting Ordinances.** Ordinance No. 17-01-19-01 is hereby amended to add the above-described amendment. All ordinances or parts thereof conflicting or inconsistent with the provisions of this ordinance as adopted and amended herein, are hereby amended to the extent of such conflict. In the event of a conflict or inconsistency between this ordinance and any other code or ordinance of the City, the terms and provisions of this ordinance shall govern.

**Section 5. Severability.** If any section, subsection, sentence or phrase of this Ordinance is for any reason held to be unconstitutional, void or invalid, the validity of the remaining portions of this Ordinance shall not be affected. It is the intent of the City Council in adopting this Ordinance, that no provision or regulation contained herein shall become inoperative, or fails by reason of the unconstitutionality or invalidity of any other section, subsection, sentence or phrase of this Ordinance and to this end the provisions of this Ordinance are declared to be severable.

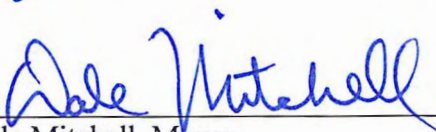
**Section 6. Conflicts.** Any portion of this Ordinance in conflict herewith is hereby repealed to the extent of such conflict only.

**Section 7. Effective Date.** This Ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of Chapter 52 of the Texas Local Government Code and the City Charter.

**Section 8. Open Meetings.** It is hereby officially found and determined that the meeting at which this Ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

**AND, IT IS SO ORDERED.**

**PASSED AND APPROVED** this 15 day of June, 2017.

  
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Dale Mitchell, Mayor

ATTEST:

  
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Sandra Barton, City Secretary

