

SUBDIVISION ORDINANCE OF
THE CITY OF GARRETT, TEXAS
Ordinance 19-104

AN ORDINANCE DEFINING THE GENERAL RULES AND REGULATIONS GOVERNING PLATS AND SUBDIVISIONS OF LAND FALLING WITHIN THE JURISDICTION OF THE CITY OF GARRETT FOR THE PURPOSE OF PROVIDING FOR THE ORDERLY, SAFE AND HEALTHFUL DEVELOPMENT OF THE AREA WITHIN THE CITY AND WITHIN THE AREA SURROUNDING THE CITY AND TO PROMOTE THE HEALTH, SAFETY AND GENERAL WELFARE OF THE COMMUNITY; DEFINING TERMS; SETTING FORTH THE GENERAL PURPOSE OF THE ORDINANCE; CITING THE AUTHORITY TO ADOPT SUCH REGULATIONS; DEFINING THE JURISDICTION OF THE CITY; REQUIRING APPROVAL OF ALL PLATS; PROVIDING GENERAL PROVISIONS RELATING TO SUBDIVISION DEVELOPMENT; ESTABLISHING GENERAL REQUIREMENTS AND DESIGN STANDARDS FOR STREETS, LOTS, BLOCKS, BUILDING LINES, ALLEYS, EASEMENTS, AND FLOOD AREAS; REQUIRING IMPROVEMENTS; PROVIDING FOR RESERVATIONS, VARIANCES AND INSPECTIONS OF CONSTRUCTION AND IMPROVEMENTS, ESTABLISHING PLAT FILING FEES AND CHARGES; REQUIRING A PERFORMANCE BOND, PROVIDING FOR THE WITHHOLDING OF IMPROVEMENTS UNTIL THE SUBDIVISION IS APPROVED, PROVIDING A SAVINGS CLAUSE; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR THE REPEAL OF FORMER ORDINANCES REGARDING SUBDIVISIONS; ESTABLISHING AN EFFECTIVE DATE; AND PROVIDING FOR A GENERAL PENALTY NOT TO EXCEED FIVE HUNDRED DOLLARS (\$500.00) FOR EACH VIOLATION OF THIS ORDINANCE, EXCEPT ANY INVOLVING ZONING WHICH SHALL BE A FINE NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000.00).

**SUBDIVISION REGULATIONS
OF THE CITY OF GARRETT, TEXAS**

WHEREAS, under the provisions of the Constitution and laws of the State of Texas, including particularly Chapters 212, 242, and 43 of the Local Government Code, as heretofore or hereafter amended, hereafter every owner of any tract of land situated within the City limits of Garrett; who hereafter divides the same into two (2) or more tracts described by metes and bounds or otherwise for the purpose of laying out any subdivisions of such tract of land or any addition to said City; or for laying out suburban lots or building lots, or any lots, and purchasers or owners of lots fronting thereon or adjacent thereto, must have a plat of such subdivision or addition for approval by the City Council of the City of Garrett; and

WHEREAS, the rules and regulations of the City established by ordinance, governing plats and subdivisions of the land, be and the same are hereby extended to and shall apply to all the of the area under the extraterritorial jurisdiction of the City, as provided for by Chapter 42 of the Local Government Code.

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

SECTION 1. The Recitals to this ordinance are deemed to be true and correct and are hereby adopted into this ordinance as if fully recited.

SECTION 2. The attached Exhibit “A” is incorporated herein by reference as if fully recited. Said Ordinance 08-62, the previously adopted subdivision ordinance is hereby repealed in its entirety and replaced with this new Exhibit “A”.

SECTION 3. That all ordinances of the City of Garrett, Texas in conflict with the provisions of this ordinance be and the same are hereby repealed and all other ordinances of the City of Garrett, Texas not in conflict with the provisions of this ordinance shall remain in full force and effect. Specifically, the previous zoning ordinance is repealed in its entirety and replaced with the herein referenced Exhibit “A”.

SECTION 4. If any section, article, paragraph, sentence, clause, phrase or word in this Ordinance or application thereof to any person or circumstance is held invalid or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this Ordinance, and the City Council hereby declares it would have passed such remaining portions of this Ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

SECTION 5. That this ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law in such cases provide.

PASSED AND APPROVED this 21st day of March 2019.

APPROVED:

By: _____


Matt Newsom, Mayor

ATTEST:

By: Judy Braddock
Judy Braddock, City Secretary