

**CITY OF HARDIN, TEXAS  
ORDINANCE NO. 2015/ 05 # 18**

**AN ORDINANCE OF THE CITY OF HARDIN, TEXAS, AMENDING ORDINANCE NO. 2013-12 #2 PROVIDING RULES AND REGULATIONS FOR PERMIT FEES AND SUBDIVISIONS; PROVIDING FOR CUMULATIVE PROVISIONS, PROVIDING FOR SEVERABILITY, PROVIDING A PENALTY, AND PROVIDING AN EFFECTIVE DATE.**

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**WHEREAS**, the City Council of the City of Hardin, Texas is constantly reviewing the Code of Ordinances; and

**WHEREAS**, the City Council of the City of Hardin recognizes that an effective and efficient Code of Ordinances promotes the health, safety, and general welfare of the residents of the City of Hardin; and

**WHEREAS**, the City Council of the City of Hardin has heretofore adopted Ordinance No. 2013-12 #2, adopting the above referenced codes; and

**WHEREAS**, the City Council of the City of Hardin determines that Ordinance No. 2013-12 #2 should be amended; and

**WHEREAS**, the City Council of the City of Hardin desires to amend Ordinance No. 2013-12 #2.

**NOW, THEREFORE** be it ordained by the City Council of the City of Hardin, Texas Code of Ordinances shall read:

**Section 1 Adoption of Preamble**

That the recitations in the Preamble of this Ordinance are true and correct and are adopted herein as if set forth verbatim.

**Section 2 Amendment to Section 5.0 of Ordinance No. 2013-12 #2**

That Section 5.0 of Ordinance No. 2013-12 #2 is amended to read as follows:

“5.0 It shall be unlawful for any person to construct, structurally alter, or move onto a property any building 100 square feet or larger within the city limits without obtaining a permit therefore from the city secretary. Application for such building permit shall be made upon a form furnished by the city. The permit fee for issuance of the building permit shall be based on valuation of improvement or total cost of new construction.”

**Section 3 Amendment to Section 7.0 of Ordinance No. 2013-12 #2**

That Section 7.0 of Ordinance No. 2013-12 #2 is amended to read as follows:

“7.0 Before the building permit process can begin, persons proposing residential subdivisions, manufactured housing communities, multi-unit residential developments, commercial units, institutional units, business parks, duplex units, and townhomes being constructed on a single tract of land, or other similar uses, shall submit planning materials for these developments to the permitting authority. The planning materials shall be prepared by a professional engineer and shall include an overall site plan, topographic map, 100-year floodplain map, soil survey, location of water wells or access to the municipal water supply, locations of easements, and a complete report detailing the types of utilities to be considered and their compatibility with area-wide drainage and groundwater. A comprehensive drainage plan shall also be included in these planning materials. The permitting authority will either approve or deny the planning materials, in writing, within 45 days of receipt. The city requires the submission of a preliminary and final plat upon subdivision of land. If exempt from subdivision per state law, the city requires a preliminary and final plat, if any roads are required to be built to serve the development. Platting is required in the city and extraterritorial jurisdiction.”

#### **Section 4 Cumulative Clause**

The provisions of this Ordinance are to be cumulative of all other ordinances or parts of ordinances, currently in force or hereafter enacted, governing or regulating the same subject matter as that covered herein; provided, however, that all prior ordinances or parts of ordinances inconsistent with or in conflict with any of the provisions of this ordinance are hereby expressly repealed to the extent of any such inconsistency or conflict.

#### **Section 5 Severability Clause**

If any section or provision of this Ordinance is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, or contravened by reason of any preemptive legislation, the remaining sections or provisions, or both, of this Ordinance shall remain valid. The City Council hereby declares that it would have adopted this Ordinance, and each section or provision thereof, regardless of the fact that any one or more section(s) or provision(s) may be declared invalid or unconstitutional or contravened via legislation.

#### **Section 6 Penalty**

Any person who violates or causes, allows or permits another to violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than five hundred dollars (\$500.00). Each occurrence of any such violation of this Ordinance shall constitute a

separate offense. Each day on which any such violation of this Ordinance occurs shall constitute a separate offense

**Section 7 Effective Date**

This Ordinance shall become effective and shall be in full force and effect after passage and adoption by the City Council of the City of Hardin, Texas, and upon approval thereof by the Mayor of the City of Hardin, Texas and publication hereof as prescribed by law.

**PASSED, APPROVED, and ADOPTED** by the City Council of the City of Hardin, Texas this 18<sup>th</sup> day of May, 2015.

**APPROVED:**



A handwritten signature in cursive script, appearing to read 'S Blume', is written above a horizontal line.

Stephanie Blume, Mayor

**ATTEST:**

A handwritten signature in cursive script, appearing to read 'Zoraida Huerta', is written above a horizontal line.

Zoraida Huerta, City Secretary