

Ordinance No. 694

“Form Survey Required”

AN ORDINANCE OF THE CITY OF GRANITE SHOALS, TEXAS, AMENDING CHAPTER 8 (BUILDINGS AND BUILDING REGULATIONS), ARTICLE II (TECHNICAL CODES), SECTION 8-29 (BUILDING CODE ADOPTED), TO ADD A NEW SUBSECTION (d) (FORM SURVEY REQUIRED) OF THE CITY OF GRANITE SHOALS CODE OF ORDINANCES; AND PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT, SAVINGS, SEVERABILITY, REPEALER, EFFECTIVE DATE, AND PROPER NOTICE AND MEETING.

WHEREAS, the City Council (“Council”) of the City of Granite Shoals, Texas (the “City”) seeks to promote the public health, safety, and general welfare of the residents of the City; and

WHEREAS, the Council finds that requiring a property owner to submit a form survey will protect the property owner from costly reconstruction requirements caused by unintentional encroachments onto public utility easements and setbacks as well as help to promote compliance with the City’s Code of Ordinances; and

WHEREAS, the Council finds that the recommended amendment as enumerated herein is in the best interest of the public health, safety, and welfare;

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

SECTION I. FINDINGS OF FACT

All of 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 II. AMENDMENT

Chapter 8 (Buildings and Building Regulations), Article II (Technical Codes), Sections 8-29 (Building code adopted) is hereby amended to add a new subsection (d) as follows:

“(d) *Form survey required.* A form survey prepared by a state-licensed surveyor shall be submitted and approved by the building inspector prior to calling for the first inspection. The form survey shall verify placement of the foundation on the lot to ensure compliance with all city requirements, including setbacks.”

SECTION III. SAVINGS

The repeal of any ordinance or part of ordinances effectuated by the enactment of this Ordinance shall not be construed as abandoning any action now pending under or by virtue of such ordinance or as discontinuing, abating, modifying or altering any penalty accruing or to accrue, or as affecting any rights of the City under any section or provisions of any ordinances at the time of passage of this Ordinance.

SECTION IV. SEVERABILITY

Should any sentence, paragraph, subdivision, clause, phrase, or section of this Ordinance be adjusted or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this Ordinance in whole or any part or provision thereof, other than the part so declared to be invalid, illegal or unconstitutional.

SECTION V. REPEALER

The provisions of this Ordinance shall be cumulative of all other ordinances or parts of ordinances governing or regulating the same subject matter as that covered herein; provided, however, that all prior ordinances or parts of ordinances inconsistent or in conflict with any of the provisions of this Ordinance are hereby expressly repealed to the extent that such inconsistency is apparent. This Ordinance shall not be construed to require or allow any act that is prohibited by any other ordinance.

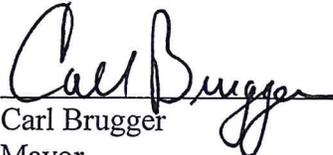
SECTION VI. EFFECTIVE DATE

This Ordinance shall take effect immediately from and after its passage and publication as may be required by law.

SECTION VII. PROPER NOTICE AND MEETING

It is hereby officially found and determined that the meeting at that this Ordinance was 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.

PASSED AND APPROVED this 12th day of July, 2016.



Carl Brugger
Mayor

ATTEST:



Elaine Simpson,
City Secretary

APPROVED AS TO FORM:

Brad Young,
City Attorney