

ORDINANCE NO. 05-918

AN ORDINANCE OF THE CITY OF FULSHEAR, TEXAS, AMENDING THE SUBDIVISION ORDINANCE OF THE CITY, SAME BEING ORDINANCE NO. 04-913 PASSED AND APPROVED ON THE 21<sup>ST</sup> DAY OF JULY 2004, AS AMENDED, TO PROVIDE AN EXCEPTION FROM THE PLATTING REQUIREMENTS CONTAINED THEREIN FOR TRACTS GREATER THAN TEN (ACRES); CONTAINING OTHER MATTERS RELATED TO THE SUBJECT; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000 FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; AND PROVIDING FOR SEVERABILITY

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WHEREAS, the City Council passed and approved an ordinance governing and regulating subdivisions within the City and its extraterritorial jurisdiction, same being Ordinance No. 04-913, on the 21<sup>st</sup> day of July, 2004; and

WHEREAS, the City Council desires to amend Ordinance No. 04-913 to provide an exception to the platting requirements for all divisions of land where all parcels are ten (10) acres or larger after the subdivision; now, therefore

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FULSHEAR, TEXAS:

**Section 1.** Subsection E of Section 4 of Ordinance No. 04-913, as amended, originally passed and approved on the 21<sup>st</sup> day of July, 2004 is hereby amended by adding a new subparagraph 2 thereto to read as follows:

“2. subdivisions of land in which each parcel is ten (10) acres or greater following the subdivision, where each parcel has access and no public improvement is being dedicated.”

**Section 2.** Any person who shall violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined in an amount not to exceed \$2000. Each day of violation shall constitute a separate offense.

**Section 3.** All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

**Section 4.** In the event any clause phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Fulshear, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

PASSED, APPROVED, AND ADOPTED this 19th day of January, 2005.

  
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Michael Dinges, Mayor

ATTEST:

  
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Kathy Mayfield, City Secretary

Alderman - John Smart	AYE
Alderman - Bill Archer	AYE
Alderman - J B Collins, Jr.	AYE
Alderman - Owen Bement	AYE
Alderman - Colice Watts	AYE