

City of Cottonwood Shores

ORDINANCE 3018

AN ORDINANCE OF THE CITY OF COTTONWOOD SHORES, TEXAS, ADOPTING A DEVELOPMENT/CONSTRUCTION SPECIFICATIONS AND STANDARDS ORDINANCE; PROVIDING PENALTIES UP TO \$2000.00 PER VIOLATION; PROVIDING AN EFFECTIVE DATE, REPEALER, SEVERABILITY, AND PROPER NOTICE AND MEETING CLAUSE.

WHEREAS, The City Council of the City of Cottonwood Shores, Texas (“City Council”), seeks to establish reasonable construction specifications to ensure that the installation of public infrastructure is of a quality acceptable to the City; and

WHEREAS, The City Council has caused to be prepared this Ordinance calling for the implementation of certain construction specifications so as to implement and enforce certain necessary standards for the entire jurisdiction of the City of Cottonwood Shores, Texas; and

WHEREAS, The City Council has set forth said construction specifications in the form of an ordinance, herein referred to as the Development/Construction Specification and Standards of the City of Cottonwood Shores, which Development/Construction Specification and Standards Manual includes the Standard and the Standard Details (collectively referred to as the “DCSS”); and

WHEREAS, The City Council seeks to update the City’s construction standards as needed in order to use the latest and most efficient methods of construction; and

WHEREAS, The City Council adopts this Ordinance in order to promote the health, welfare, and safety of the City of Cottonwood Shores and its citizens;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COTTONWOOD SHORES, TEXAS:

SECTION I. APPROVAL

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. SPECIFICATIONS

- A.** The Development/Construction Specification and Standards of the City of Cottonwood Shores, consisting of the Standard Specifications and the Standard Details (collectively the “DCSS Manual”), dated October 18, 2018, as may be amended from time-to-time, is hereby adopted.

- B.** One (1) copy of the DCSS Manual is incorporated herein by reference and shall be filed in the office of the City Secretary for permanent record and inspection and a copy shall be maintained on the City's website.
- C.** All facilities constructed within the existing public right-of-way and utility easements, or newly dedicated right-of-way and utility easements which are intended to be dedicated to the City of Cottonwood Shores, shall comply with the applicable provisions of the DCSS Manual as amended from time to time.
- D.** Unless deleted, amended, expanded, or otherwise changed herein, all provisions of the DCSS Manual shall be fully applicable and binding. In the event a conflict is determined to exist between the DCSS Manual and the laws of the State of Texas, or a federal requirement, the state or federal requirements shall be construed as controlling and taking precedence over this ordinance.
- E.** The DCSS Manual shall be comprised of the construction requirements and standard details for trenching and backfilling, concrete, water system, sewer system, streets, sidewalks, and driveways, storm drainage, and as otherwise set forth in the DCSS Manual. The DCSS may also include any additional provisions or requirements of the City of Cottonwood Shores that pertain to the construction of site improvements such as streets, parking lots, driveways and sidewalk paving, storm drainage structures, utility lines and facilities, screening walls/fences, retaining walls, landscaping and irrigation improvements, street lighting or signage, restricted access (gated) entrances to any type of development, and other similar improvements.
- F.** The City Administrator or designee shall have the authority to determine whether or not the engineering plans for any type of site improvement are in conformance with the City's DCSS Manual.
- G.** Ordinance 3005, "Flood Damage Prevention," Article 5, Section C "Standards for subdivision proposals," is hereby amended by adding a new subsection (6), which shall read as follows:

All subdivision proposals shall comply with the DCSS Manual as adopted within Ordinance 3018, as may be amended from time to time.

SECTION III. REPEALER

All Ordinances and parts of Ordinances that are in conflict with this Ordinance are hereby repealed.

SECTION IV. PENALTY

Any individual who fails to comply with any provision of this Ordinance commits an offense punishable as a City Ordinance violation.

An offense under this section shall be filed with the Municipal Court of Cottonwood Shores by complaint or citation issued by any Code Official, or peace officer of the State of Texas and is punishable by the assessment of a fine not to exceed two hundred dollars (\$2,000.00) and each day of such violation shall be a separate violation. Such penalty shall be in addition to all the other remedies provided herein

SECTION V. SEVERABILITY

If any provision of this Ordinance or the application of any provision to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications hereof which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

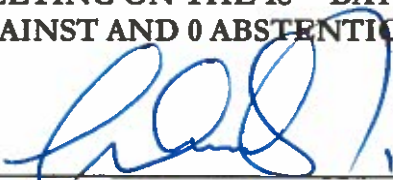
SECTION VI. EFFECTIVE DATE

This Ordinance shall take effect immediately from and after its passage and publication in the manner set forth in and required by the Local Government Code.

SECTION VII. OPEN MEETINGS

That 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, Local Government Code*).

ORDINANCE PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF COTTONWOOD SHORES, TEXAS, THERE BEING A QUORUM PRESENT, AT A MEETING ON THE 18TH DAY OF OCTOBER, WITH 3 VOTES IN FAVOR, 0 VOTES AGAINST AND 0 ABSTENTIONS.



Mayor Donald Orr



Attest:



Sheila C. Moore
City Administrator/City Secretary