

ORDINANCE NO. 2006-018

AN ORDINANCE OF THE VILLAGE OF WIMBERLEY, TEXAS AMENDING TITLE XV (LAND USAGE) SECTION 155.107 PLANNING AND ZONING COMMISSION (B) CREATION; MEMBERSHIP; OFFICERS; RULES AND BYLAWS (7) OF THE CODE OF ORDINANCES, IN ORDER TO PROVIDE THAT THE PLANNING AND ZONING COMMISSION CHAIR MAY SERVE NO MORE THAN TWO CONSECUTIVE TERMS AND PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT; REPEALER; SEVERABILITY; EFFECTIVE DATE; AND PROPER NOTICE AND MEETING.

WHEREAS the City Council of the Village of Wimberley ("City Council") seeks to provide for the orderly development of land within its corporate limits and its extraterritorial jurisdiction; and

WHEREAS, the City Council is authorized by the Texas Local Government Code, Chapter 211, to adopt zoning regulations; and

WHEREAS, the Zoning Ordinance can be amended to supplement or change the regulations by order of the City Council; and

WHEREAS, the Planning and Zoning Commission conducted a public hearing on January 25, 2007 in accordance with Section 11.4(B) of the Ordinance; and

WHEREAS, the Planning and Zoning Commission has delivered a final report to the City Council regarding the amendments contained herein in accordance with Section 11.2(A) of the Ordinance; and

WHEREAS, the City Council held public hearings on February 1st, 2007 and February 15th, 2007 regarding the amendments contained herein, in accordance with Section 11.7 of the Ordinance.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE VILLAGE OF WIMBERLEY, COUNTY OF HAYS, STATE OF TEXAS:

I. FINDINGS OF FACT

All of the above premises are hereby found to be true and correct legislative and factual findings of the Village of Wimberley and are hereby approved and incorporated into the body of this ordinance as if copied in their entirety.

II. AMENDMENTS

A. That Title XV (Land Usage), Chapter 155 (Zoning), Section 155.107 (Planning and Zoning Commission) (B) (Creation; Membership; Officers; Rules and Bylaws) of the code of

Wimberley is hereby amended to be deleted in its entirety and read as follows: "From among its members the Commission shall elect its officers, those being the Chair, Vice Chair, Secretary and Parliamentarian. Officers shall be elected for terms of one (1) year. The Chair may hold the position for no more than two (2) consecutive terms. The Commission, at its first meeting each November shall select all the positions. New officers shall begin serving during the meeting following their selection and they shall serve until the next election of officers."

III. REPEALER

All ordinances or parts of ordinances in force when the provisions of this Ordinance becomes effective which are inconsistent or in conflict with the terms and provisions contained in this Ordinance are hereby repealed only to the extent of any such conflict.

IV. SEVERABILITY

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this ordinance be severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this ordinance, and the remainder of this Ordinance shall be enforced as written.

V. EFFECTIVE DATE

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

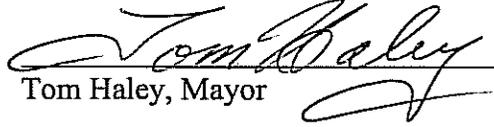
VI. PROPER NOTICE AND MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public 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. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

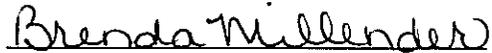
PASSED AND APPROVED on first reading this 1st day of February, 2007, by a 5 (Ayes) 0 (Nays) 0 (Abstain) vote of the City Council of the Village of Wimberley, Texas.

PASSED AND APPROVED on second reading this 15th day of February, 2007, by a 5 (Ayes) 0 (Nays) 0 (Abstain) vote of the City Council of the Village of Wimberley, Texas.

VILLAGE OF WIMBERLEY

By: 
Tom Haley, Mayor

ATTEST:


Brenda Millender, City Secretary

APPROVED AS TO FORM:


Patty L. Akers, City Attorney