

CITY OF ROLLINGWOOD, TEXAS

ORDINANCE NO. 2011-03-09 (C)

AN ORDINANCE OF THE CITY OF ROLLINGWOOD, TEXAS, AMENDING CHAPTER FOURTEEN, DIVISION SIXTEEN, SECTION 14.02.853 TO REQUIRE WRITTEN PROOF OF COMPLIANCE WITH THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY'S REGULATIONS FOR THE EDWARDS UNDERGROUND AQUIFER AS PART OF SUBMISSION OF APPLICATIONS FOR A BUILDING PERMIT FOR PROPERTY LOCATED IN THE CITY THAT MAY BE SUBJECT TO SUCH REGULATIONS; PROVIDING FOR FINDINGS OF FACT, A REPEALING CLAUSE, A SAVINGS AND SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Texas Commission on Environmental Quality ("TCEQ") has regulations, located at 30 Texas Administrative Code, Chapter 213, applicable to construction and development over the Edwards Underground Aquifer; and

WHEREAS, the City of Rollingwood contains land that is subject to such regulations; and

WHEREAS, it is the desire of the City Council of the City of Rollingwood that applicants for construction or development of such property provide written proof of compliance with such TCEQ regulations prior to issuance of a building permit;

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROLLINGWOOD, TEXAS THAT:

SECTION 1. 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 2. Chapter 14, Division 16, Section 14.02.853, entitled "Application for Permit" is hereby amended by adding a new Subsection (11) which shall read as follows:

(11) For new construction, reconstruction and additions (excluding that occurring inside an existing structure) on land in the City that is located over the Edwards Aquifer Recharge Zone and which is subject to the Texas Commission on Environmental Quality Edwards Rules located at

30 Texas Administrative Code (TAC) Chapter 213, as amended, the applicant shall furnish, as part of the application submitted, written proof of compliance with such regulations.

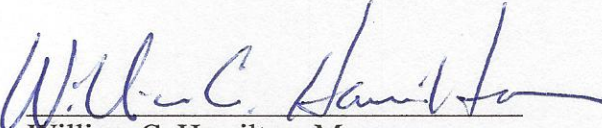
SECTION 3. All provisions of the ordinances of the City of Rollingwood in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict, and all other provisions of the ordinances of the City of Rollingwood not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 4. Should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Code of Ordinances as a whole.

SECTION 5. This ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law in such cases provides.

DULY PASSED AND ADOPTED by the City Council of the City of Rollingwood, Texas, on the 9th day of March, 2011.

APPROVED:


William C. Hamilton, Mayor

ATTEST:


Robyn Ryan, City Secretary