

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE SUBDIVISION ORDINANCE OF THE CITY OF FORT WORTH, CODIFIED AS CHAPTER 31 "SUBDIVISION ORDINANCE" OF THE CODE OF THE CITY OF FORT WORTH, TO AMEND ARTICLE V, "SUBDIVISION GENERAL STANDARDS", SECTION 31-81 TO SPECIFICALLY INCORPORATE BY NAME THE INSTALLATION POLICY AND DESIGN CRITERIA FOR WATER, WASTEWATER AND RECLAIMED WATER INFRASTRUCTURE; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND NAMING AN EFFECTIVE DATE.

WHEREAS, on September 12, 2006, the City Council of Fort Worth adopted Ordinance Number 17154 which combined the Subdivision Regulations of Chapter 31 of the City Code and the Plan Commission Rules and Regulations into one revised subdivision ordinance adopted by the City Council as Appendix C, "Subdivision Ordinance" to the City Code; and

WHEREAS, on October 30, 2007, the City Council adopted Ordinance Number 17851 which repealed the contents of Chapter 31 "Subdivision Regulations", replaced with the contents of Appendix C, "Subdivision Ordinance" and repealed Appendix C; and

WHEREAS, on May 7, 2019, the City Council adopted the Installation Policy and Design Criteria for Water, Wastewater, and Reclaimed Water Infrastructure; and

WHEREAS, on June 4, 2019, the City Council adopted Ordinance No. 23679-06-2019, to incorporate the City's utility construction policies into the Subdivision Ordinance by reference; and

WHEREAS, to avoid confusion, it is advisable to amend the Subdivision Ordinance to specifically incorporate by name the Installation Policy and Design Criteria for Water, Wastewater, and Reclaimed Water Infrastructure; and

WHEREAS, the City Plan Commission has reviewed the proposed amendment and recommends amending the Subdivision Ordinance as proposed;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FORT WORTH, TEXAS

SECTION 1.

Chapter 31, "Subdivision Ordinance" of the Code of the City of Fort Worth, Texas (2015), as amended, is hereby further amended by amending Article V, "Subdivision General Standards," Section 31-81, to revise subsection (b)(5)a. to read as follows:

- a. ***Design manuals.*** The City’s traffic engineering manual; Installation Policy and Design Criteria for Water, Wastewater, and Reclaimed Water Infrastructure; and utility construction policies, as adopted and amended by the City Council and published by the City are hereby incorporated by reference as if fully set forth in these regulations.

SECTION 2.

This ordinance shall be cumulative of all provisions of ordinances and of the Code of the City of Fort Worth, Texas (2015), as amended, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances and such Code, in which event conflicting provisions of such ordinances and such Code are hereby repealed.

SECTION 3.

It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this ordinance are 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 and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

SECTION 4.

All rights and remedies of the City of Fort Worth, Texas, are expressly saved as to any and all violations of the provisions of Code of the City of Fort Worth which have accrued at the time of the effective date of this ordinance and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this ordinance but may be prosecuted until final disposition by the courts.

SECTION 5.

This ordinance shall take effect after adoption.

APPROVED AS TO FORM AND LEGALITY:

Richard A. McCracken
Senior Assistant City Attorney

Jannette S. Goodall
City Secretary

ADOPTED: _____

EFFECTIVE: _____