ORDINANCE NO. 2005-O-40

AN ORDINANCE AMENDING ORDINANCE NO. 2004-O-36 TO ADD A DEFINITION OF DWELLING UNIT TO SEC. 33.312; PROVIDING SEVERABILITY, EFFECTIVE DATE, AND OPEN MEETINGS CLAUSES

WHEREAS, the Village of Volente finds that Section 33.312 of Article 33.300 lacks a definition for the term dwelling unit; and

WHEREAS, the Village of Volente finds that a lack of definition of the term dwelling unit creates confusion in enforcing the Site Development Ordinance of the Village;

NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL OF THE VILLAGE OF VOLENTE:

1. The Village of Volente Ordinance No. 2004-O-36, Article 33.300 Site Development Regulations, passed and approved on October 26, 2004, is amended as follows:

(a) SECTION 33.312 shall include the definition of a dwelling unit.

(b) A dwelling unit shall be defined as a residential unit designed for one (1) household.

2. SEVERABILITY: In the event that any provision of this Ordinance shall be found by a court of competent jurisdiction to be void or unenforceable, such void or unenforceable provision shall be severed, and all remaining provisions shall remain in full force and effect as though such void or unenforceable provisions had never formed a part of this Ordinance.

3. EFFECTIVE DATE: This Ordinance shall take effect immediately from and after its passage and publication of its enacting ordinance in accordance with the provisions of *Chapter 52 of the Texas Local Government Code.*

4. OPEN MEETINGS: It is hereby officially found and determined that the meeting at which the enacting ordinance of this article 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 of the Texas Government Code.*

PASSED AND APPROVED this March day of 15th 2005

Jane Yenawine
Mayor

ATTEST: Jennifer Zufelt
Jennifer Zufelt
City Secretary