ORDINANCE NO. 2005-O-41

AN ORDINANCE AMENDING ORDINANCE NO. 2004-O-31 SEC. 31.122 TO PROHIBIT FLAG LOTS AND ESTABLISH A MINIMUM LOT WIDTH; PROVIDING SEVERABILITY, OPEN MEETINGS, AND EFFECTIVE DATE CLAUSES

WHEREAS, the Village of Volente finds that Section 31.122 General Plat Requirements section (b) Lots does not ban flag lots; and

WHEREAS, the Village of Volente finds that Section 31.122 General Plat Requirements section (b) Lots does not specify a minimum width for a lot; and

WHEREAS, the Village of Volente finds that lots in the Village and its ETJ should have a minimum width; and

WHEREAS, the Village of Volente finds that flag lots should be prohibited;

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

1. The Village of Volente Ordinance No. 2004-O-31, Article 31.100 Subdivision Regulations, Section 31.122 General Plat Requirements section (b) Lots is amended as follows:

(A) (7) Flag Lots shall not be permitted.

(B) (8) At no point shall a lot be less than 75' in width.

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 on the 15th day of March, 2005.

JAN YENAWINE, MAYOR OF THE VILLAGE OF VOLENTE

ATTEST:

JENNIFER ZURFELT, CITY SECRETARY