

**VILLAGE OF VOLENTE**

**ORDINANCE NO. 2004-O-27**

**AN ORDINANCE OF THE VILLAGE OF VOLENTE, TEXAS, AUTHORIZING JOINT PUBLIC HEARINGS BY THE COUNCIL WITH THE VILLAGE’S PLANNING AND ZONING COMMISSION; PROVIDING FOR CONFLICTS WITH OTHER ORDINANCES; PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE FOR THE ORDINANCE.**

WHEREAS, the Village of Volente (“Volente”) was incorporated pursuant to the laws of the State of Texas as a Type B General-Law Municipality following an election held on February 1, 2003; and

WHEREAS, the Village Council of Volente (“Village Council” or “Council”) has established a Planning and Zoning Commission (“Commission”) and has appointed members to serve on that Commission; and

WHEREAS, the Village is currently considering the adoption of zoning and subdivision ordinances, the adoption of a Comprehensive Plan for the Village, the adoption of a zoning map for the Village, and the initial zoning of all properties within the Village; and

WHEREAS, the Council has concluded joint public hearings before the Council and the Commission would be beneficial to both the Village and its citizens for the following reasons:

(1) Joint public hearings would be cost effective to the Village by cutting in half the cost of newspaper notices, staff time, experts fees, and attorneys fees;

(2) Joint public hearings would be beneficial to the citizens of the Village in that they would only have to attend one public hearing on each of the matters being considered by the Commission and the Council in this initial phase of adopting ordinances, maps and plans;

(3) Both the Planning and Zoning Commission and the Council will be hearing the same testimony on the issues under consideration; and

(4) Both the Planning and Zoning Commission and Council will be able to work closely together in the adoption of the initial laws governing the current and future development of the Village.

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

SECTION 1. Authorizing joint public hearings before the Council and the Commission

The Council hereby authorizes joint public hearings before the Commission and the Council on all matters that are to come before the Commission before they are to come before the Council, provided that the Village complies with the notice provisions of the Texas Local Government Code that joint public hearings before the Commission and the Council will be held on the issue.

SECTION 2. Conflicting Provisions.

In the event there is a conflict between the provisions of this Ordinance and any other currently effective ordinance of Volente, the provisions of this Ordinance will control.

SECTION 3. Severability.

If any portion of this Ordinance or the application of this Ordinance to any person or set of circumstances is held to be invalid or unenforceable for any reason, then that holding shall not be construed to affect the validity of any other portion of this Ordinance, and all other portions shall remain in full force and effect. All provisions of this Ordinance are declared severable for that purpose.

SECTION 4. Effective Date.

This Ordinance shall take effect immediately upon its approval by the Village Council.

PASSED AND APPROVED this, the 10<sup>th</sup> day of August 2004, by a vote of the Volente Village Council of 3 in favor to 0 opposed with 0 abstentions.



Jan Yenawine, Mayor

Attest:



Jennifer L. Zufelt

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