

ORDINANCE NO. 13-05

AN ORDINANCE OF THE CITY OF COMMERCE, TEXAS, AMENDING SECTION 3.5 OF THE SUBDIVISION ORDINANCE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

BE IT ORDAINED BY THE CITY OF COMMERCE, TEXAS:

WHEREAS, Section 3.5 of the City of Commerce Subdivision Ordinance requires sidewalks having a width of not less than four feet and a thickness of not less than four inches; and

WHEREAS, it is in the best interest of the City of Commerce to amend Section 3.5.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COMMERCE, TEXAS:

SECTION 1. The recitals set forth above are hereby found by the Council to be true and correct, and are incorporated by reference herein and expressly made a part hereof as if copied verbatim.

SECTION 2. That Section 3.5 is being amended by adding the sentence below after the last sentence in Section 3.5.

Section 3.5A: Where the City Council finds that the inclusion of sidewalks under this Ordinance does not promote traffic or pedestrian safety to a degree so as to offset the expense of constructing and maintaining such sidewalks, would not be aesthetically pleasing or consistent with existing conditions in a subdivision, or are otherwise determined to be unnecessary or undesirable in a particular situation, the requirement of sidewalks may be waived by said City Council.

SECTION 3. The terms and provisions of this Ordinance shall be deemed to be severable in that if any portion hereinabove described shall be held or declared to be invalid, the same shall not affect the validity of the balance and remainder of the Ordinance.

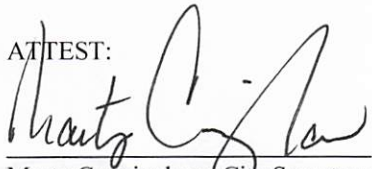
NOW, THEREFORE, BE IT RESOLVED that the Mayor of the City of Commerce, Texas, be authorized and he is hereby authorized to execute this Ordinance, and the City Manager or his designate is authorized to execute and all instruments requisite to implementing this Ordinance.

BE IT FURTHER RESOLVED that the City Secretary be and she is hereby authorized to attest to the signature of the Mayor to this Ordinance, and to attest to the signature of the City Manager to any instruments requisite to implementing this Ordinance.

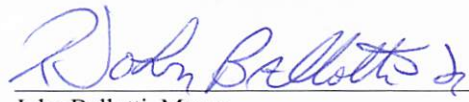
PASSED BY THE GOVERNING BODY of the City Council of the City of Commerce, Texas, on the FIRST READING this the 15th day of January 2013.

PASSED BY THE GOVERNING BODY of the City Council of the City of Commerce, Texas, on the SECOND READING this the 19th day of February 2013.

ATTEST:


Marty Cunningham, City Secretary

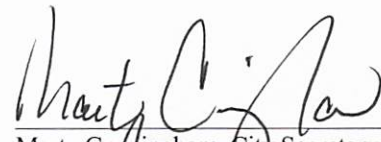
CITY OF COMMERCE, TEXAS


John Ballotti, Mayor

(seal)

I, Marty Cunningham, City Secretary of the City of Commerce, Texas, do hereby certify that the above is a true and correct copy of an Ordinance, and that the same has not been repealed and is in full force and effect.

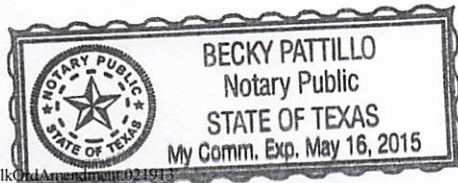
(seal)


Marty Cunningham, City Secretary
City of Commerce, Texas

Sworn to and subscribed before me, on this the 27th day of February, 20 , to certify which witness my hand and seal of office.

(Seal)


Notary Public, State of Texas



Sidewalk Ord Amendment 021913