

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 9, "SUBDIVISIONS", OF THE CODE OF ORDINANCES OF THE CITY OF COLLEGE STATION, TEXAS, BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; DECLARING A PENALTY; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS:

PART 1: That Chapter 9, "SUBDIVISIONS", of the Code of Ordinances of the City of College Station, Texas, be amended as set out in Exhibit "A", attached hereto and made a part of this ordinance for all purposes.

PART 2: That if any provisions of any section of this ordinance shall be held to be void or unconstitutional, such holding shall in no way effect the validity of the remaining provisions or sections of this ordinance, which shall remain in full force and effect.

PART 3: That any person, firm, or corporation violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punishable by a fine of not less than Twenty Five Dollars (\$25.00) nor more than Two Thousand Dollars (\$2,000.00). Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense. Said Ordinance, being a penal ordinance, becomes effective ten (10) days after its date of passage by the City Council, as provided by Section 35 of the Charter of the City of College Station.

PASSED, ADOPTED and APPROVED this _____ day of _____, 2004.

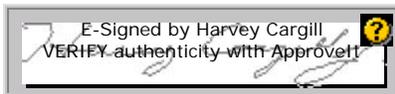
APPROVED:

RON SILVIA, Mayor

ATTEST:

Connie Hooks, City Secretary

APPROVED:



City Attorney

EXHIBIT “A”

That Chapter 9, “SUBDIVISIONS”, of the Code of Ordinances of the City of College Station, Texas, is hereby amended as follows:

- “1. By amending SECTION 9: “Responsibility for Payment for Installation Costs” by deleting the current paragraphs 9-B, 9-C, 9-D and 9-E and adding a new paragraph 9-A to read as follows.

“9-B. Oversize Participation - Subject to statutory restrictions (LGC Chapter 212, Subchapter C) and approval of the City Council, the City may make a contract with a developer of a subdivision to construct public infrastructure improvements and may participate in the cost of public infrastructure improvements. The City's participation may not exceed 30 percent of the total contract price. The City's cost may not exceed 100 percent of the total cost for any oversizing of improvements required by the municipality, including but not limited to increased capacity of improvements to anticipate other future development in the area. The City is liable only for the agreed payment of its share, which shall be determined in advance.”