

CITY OF TYE
Office of City Secretary

Incorporated 1954



ARTICLE II
PROCEDURES AND PLAT REQUIREMENTS

SEC. 1. PRELIMINARY CONFERENCE: Prior to the official filing of a preliminary plat, the sub-divider should consult with the City Secretary, or his/her duly authorized representative, for review, comment, and guidance on procedures, specifications and standards required by the City for subdivision of land.

SEC. 2. PRELIMINARY PLATS:

2-1. General: The sub-divider shall have a preliminary plat prepared by a surveyor, engineer, or land planner in accordance with this Ordinance.

2-2. Time for Filing and Copies Required: The sub-divider shall file an original and six (6) copies of the preliminary plat with the City at least ten (10) days prior to the Commission meeting at which it is to be considered.

2-3. Filing Fees: Such plat shall be accompanied by a filing fee of \$200.00 per plat, plus a cost of \$1.00 per acre. Each of the fees and charges provided herein shall be paid in advance, and no action of the Commission shall be valid until the fees, as herein provided, have been paid.

Comment: Changed Jan 16, 2007

2-4. Form and Content: The plat shall be printed on good grade, processed paper in blue-line or direct black and white. All plats shall be prepared on sheets a maximum size of 24" x 36", regardless of the size of the subdivision. The plat should be drawn to a scale appropriate to the sheet on which it is being drawn. The plat shall indicate the following data:

(a) Names, addresses, and phone numbers of the sub-divider, engineer, surveyor, and/or land planner.

(b) Proposed name of the subdivision, which shall not have the same spelling as or be pronounced similar to the name of any other subdivision located within the City or within the extraterritorial jurisdiction of the City.

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(c) Names of adjacent subdivisions and owners of adjacent parcels of un-subdivided land or un-platted lands.

(d) Adjacent un-platted or un-subdivided lands shall be so indicated.

(e) Description by metes and bounds of the subdivision. At least one corner of the plat shall be located with respect to an original survey corner.

(f) Primary control points or descriptions and ties to such control points to which all dimensions, angles, bearings, block numbers, and similar data shall be referred to.

(g) Subdivision boundary lines shall be indicated by heavy lines. The computed acreage of the entire subdivision including public dedications shall be shown.

(h) Existing sites as follows shall be shown by dashed lines:

(1) The exact location, dimensions, name, and description of all existing or recorded streets, alleys, reservations, easements, or other public rights-of-way within the subdivision, intersecting or contiguous with its boundaries or forming such boundaries.

(2) The exact location, dimensions, description, and name of all existing or recorded residential lots, parks, public areas, permanent structures, and other sites within or contiguous with the subdivision.

(3) The exact location, dimensions, description, and flow line of existing water courses and drainage structures within the subdivision or on continuous tracts.

(i) The exact location, dimensions, description, and name of all proposed streets, alleys, drainage structures, parks, other public right-of-way, blocks, lots, and other sites within the subdivision.

(j) Date of preparation, scale of plat, and north arrow.

(k) Topographical information shall include contour lines on a basis of two foot vertical intervals indicated by true elevation based on U. S. Geological Survey data.

(l) Identifying numbers for each lot or site. Identifying letters for each block. Continuous lot numbering and block lettering throughout the subdivision may be used.

(m) Front building setback lines on all lots and sites. Side yard building setback lines at street intersections for corner lots.

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(n) Location of city limits line, the outer border of the City's extraterritorial jurisdiction, and zoning district boundaries if they traverse the subdivision, form part of the boundary of the subdivision or are contiguous to such boundary.

(o) Submit at least two (2) copies showing schematic routine of water and sewer supply system, if any, showing pipe sizes and location of hydrants.

(p) Regulatory flood elevations and boundaries of flood prone areas as defined on the official flood map of the City of Tye.

(q) Preliminary plan of the drainage system with grade, pipe size, and location of outlet.

(r) Proposed fill or other structure elevating techniques, levees, channel modifications and other methods to overcome flood or erosion related hazards.

(s) Designation of all land to be reserved or dedicated for open space or recreation use.

2-5. Processing of Preliminary Plat:

(a) The City Secretary, or duly authorized representative, shall check the preliminary plat as to its conformity with the Comprehensive Plan and applicable standards and specifications set forth herein. A written report shall be provided to the Commission prior to its final action on the preliminary plat.

(b) Within thirty (30) days after formal filing of the preliminary plat, the Commission shall approve or disapprove such plat, or conditionally approve it with modifications. Written notification of the Commission action shall be given the sub-divider within ten (10) days after such action is taken.

(c) Approval of a preliminary plat by the Commission shall be deemed an expression of approval of the layout submitted on the preliminary plat as a guide to the installation of streets, water, sewer, and other required improvements and utilities and to the preparation of the final plat.

(d) Approval of a preliminary plat shall be effective for two (2) years, unless reviewed by the Commission in the light of significant information which would necessitate a revision of the preliminary plat. The Commission shall inform the sub-divider in writing of any necessary changes in the preliminary plat.

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(e) If no development has occurred which would affect the proposed plat, after two (2) years of effective approval the Commission may, upon the application of the sub-divider, extend the approval for one (1) additional year.

SEC. 3. FINAL PLATS:

3-1. *Form and Content:* The final plat shall conform to the preliminary plat as approved and shall incorporate all changes, directions, and additions imposed by the Commission. The plat shall be printed on good grade, processed paper in blue line or direct black and white. All plats shall be prepared on sheets a maximum size of 24" x 36", regardless of the size of the subdivision. The plat should be drawn to a scale appropriate to the sheet on which it is being drawn. When more than one sheet is required to encompass the subdivision, an index sheet, 24" x 36", shall be filed showing the entire subdivision on one sheet, together with the complete dedication, attests, date, titles, and seals.

3-2. *Supplemental Requirements:* In addition to the various requirements for the preliminary plat, the final plat shall also include the following:

(a) The exact location, dimensions, name and description of all existing or recorded streets, alleys, reservations, easements, or other public right-of-ways within the subdivision, intersecting or contiguous with its boundary or forming such boundary, with accurate dimensions, bearing or deflecting angles and radii, area, and central angle, degree of curvature, tangent distance and length of all curves where appropriate.

(b) The exact location, dimensions, description and name of all proposed streets, alleys, drainage structures, parks, other public areas, reservations, easements or other right-of-way, blocks, lots, and other sites within the subdivision with accurate dimensions, bearing or deflecting angles with radii, area, and central angles, degree of curvature, tangent distance and length of all curves where appropriate.

(c) Site improvements data, including engineering plans showing details of streets, alleys, culverts, bridges, storm sewers, water mains, sanitary sewers and other engineering details of the proposed subdivision shall be submitted along with the final plat of the subdivision. The final plat will not be released for filing until detailed engineering plans have been approved by the Chief Administrative Officer.

(d) A certificate of ownership giving a metes and bounds description of the property, dedication of all streets, alleys, parkways, and parks where donated to the City, and dedication of reservation of all easements and drainage ways to the public use (signed and acknowledged before a.

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Notary Public by the owner of the land) shall appear on the face of the plat or on the index sheet of the plats where two (2) or more sheets are required.

(e) The certificate of the licensed professional engineer or licensed public surveyor who surveyed, mapped and monument the land shall be placed on the face of the plat or index sheet together with the seals of the engineer or surveyor.

(f) At the time the developer files the final plat with the Chief Administrative Officer, such developer shall also file a certificate showing that all the taxes have been paid on the tract to be subdivided and that no delinquent taxes exist against the property.

3-3. Processing of Final Plat:

(a) If desired by the sub-divider and if approved by the Commission, the final plat may constitute only that portion of the approved preliminary plat which he proposes to record and develop. However, such portion shall conform to all the requirements of this Ordinance.

(b) Within thirty (30) days after the final plat is formally filed, the Commission shall approve or disapprove such plat. The sub divider shall be notified in writing of the action of the Commission by the City Secretary. If the plat is approved, the sub divider shall be notified of any conditions of the approval. If the plat is disapproved, the Commission shall inform the sub divider of the reasons for disapproval.

(c) After approval of the final plat, the sub divider shall notify the City Secretary within ten (10) days as to the construction procedure he proposes to follow. One of the following procedures shall be utilized:

(1) The sub divider may proceed with construction of streets, alleys, sidewalks, and utilities that he is required to install, in which case the City will inspect the work as it progresses, and upon completion and final acceptance, and upon written request of the sub divider the final plat will be approved and filed for record with the County Clerk. The sub divider shall pay the record filing fee.

(2) The sub divider may elect to file a "Guarantee of Performance" as Section 5, in which case the guarantee of performance shall be filed with the City Secretary, together with a request that the plat be filed for record. In this case, the final plat will be approved and filed with the County Clerk. The sub divider shall pay the record filing fee. The City will inspect the construction work as it progresses

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and will make final inspection to assure compliance with City requirements.

SEC. 4. WITHHOLDING OF IMPROVEMENTS:

- 4-1. *Pending Approval of Plat:* The City hereby defines its policy to be such that the City will withhold all City improvements, of whatsoever nature including the maintenance of streets and the furnishing of sewer facilities and water service from all additions, the platting of which have not been approved by the Commission.
- 4-2. *Pending Compliance with Regulations:* The City may withhold the issuing of a street number or building permit for the erection of any building in the City on a newly subdivided parcel of land until all the requirements of the subdivision regulations have been complied with including the installation of and acceptance by the City of all waterworks, sewer and paving improvements for the area designated.
- 4-3. *Pending Filing of Final Plat:* No construction work shall begin in any proposed subdivision prior to the approval of the final plat by the City as set out in Section 33.

SEC. 5. GUARANTEE OF PERFORMANCE, WORKMANSHIP, AND MATERIALS:

The sub divider shall be responsible for the cost and installation of all required utilities as specified herein and for insuring the quality of such work.

- 5-1. *Performance Guarantee:* If the sub divider decides or elects to file security in lieu of completing construction of the final plat, he may utilize one of the following methods of posting security. If the sub divider elects to file security, the plat shall not gain final approval unless the sub divider has done one of the following:
 - (a) Performance Bond: Sub divider files with the City Secretary a bond executed by a surety company holding a license to do business in the State of Texas, and acceptable to the City of Tye, Texas, on a form approved by the City, in an amount of the improvements required by this Ordinance and the time of the completion of the improvements as estimated by the City Secretary. The performance bond shall be approved as to form and legality by the City Attorney.
 - (b) Trust Agreement: Sub divider places on deposit in a bank or trust company in the name of the City and approved by the City, in a trust account a sum of money equal to the estimated cost of all improvements required by this Ordinance. The estimated cost of such improvements

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shall be the cost as estimated by the Chief Administrative Officer. Selection of the trustee shall be subject to approval by the City and the trust agreement shall be executed on the form provided by the City and approved as to form and legality by the City Attorney. Periodic withdrawals may be made from the trust account for a progress payment of installation costs.

(c) Unconditional Guarantee from Local Bank or Local Savings and Loan Association or Other Financial Institution as Approved by the City of Tye: Sub divider files with the Commission a letter, in a form approved by the City, signed by the principal officer of a local bank or local savings and loan association or other financial institution, acceptable to the City, agreeing to pay to the City of Tye, Texas, on demand, a stipulated sum of money to apply to the estimated cost of installation of all improvements for which the sub divider is responsible under this Ordinance. The letter shall state the name of the subdivision and shall list the improvements which the sub divider is required to provide. Where good cause exists; the City Secretary may extend the time of completion as specified in the performance bond, or other method of security, if the sub divider has not completed the required site improvements or completed such improvements in compliance with this Ordinance. No such extension shall be granted unless security has been provided by the sub divider covering the extended period of time.

- 5-2. Guarantee of Workmanship and Materials: The sub divider shall require his construction contracts, with whom he contracts for furnishing materials and for installation of the improvements required under this Ordinance, and shall himself be required, to furnish the City a written guarantee that all workmanship and materials shall be free of defects for a period of one year from the date of acceptance by the City Secretary.

ARTICLE III MINIMUM DESIGN STANDARDS

SEC. 1. GENERAL:

- 1-1. Conformity to Comprehensive Plan: All subdivisions shall conform to the Comprehensive Plan in order to insure the orderly and unified development of streets, utilities, neighborhood design, and public land facilities.
- 1-2. Achieving Desirable Neighborhood Development: Residential subdivisions shall be designed to take advantage of the principles and general designs for neighborhood development as established by the Comprehensive Plan and the City Council in order to achieve the most advantageous development of the entire neighborhood unit in which the subdivision is located.

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- 1-3. Provision for Future Subdivision: If a tract is subdivided into parcels larger than ordinary building lots, such parcels shall be arranged to allow logical further subdivision and the opening of future streets.
- 1-4. Reserve Strips: Reserve strips controlling access to land dedicated or intended to be dedicated to public use shall be prohibited except under conditions approved by the Council.
- 1-5. Public Use Property: The sub divider shall give consideration to suitable sites for schools, parks, and other areas for public use, so as to conform with the recommendations of the Commission. Any provision for schools, parks, etc., shall be indicated on the preliminary plat.
- 1-6. Existing Topography: No individual, partnership, firm, or corporation shall deepen, widen, fill, reroute, or change the course or location of any existing ditch, channel, stream, or drainage way, without first obtaining written permission of the City or other agency having jurisdiction.
- 1-7. Abutting Public Sites: In cases where a subdivision contains or abuts a school, park, or playground, the sub divider shall dedicate one-half (1/2) a normal residential street twenty-five feet (25') and provide for one-half (1/2) the cost of paving and the full cost of all the utilities necessary. The interested agency shall provide the necessary right-of-way to make the street sixty feet (60') in width which is thirty-five feet (35') and provide one-half (1/2) the cost of paving.

SEC. 2. STREETS:

- 2-1. Layout: Adequate streets shall be provided by the sub divider, at his cost, and such that the arrangement, character, extent, width and grade of each shall conform to the Comprehensive Plan of the City and to the topographical conditions, to the public safety and convenience, and to their appropriate relationship to the proposed use of land to be served by such streets.
- 2-2. Relation to Adjoining Streets: Where appropriate to the neighborhood pattern, existing streets in adjoining areas shall be continued and tied into the proposed street layout. The width and alignment of such streets shall be as determined by the Commission.
- 2-3. Streets Jogs: Street jogs with centerline offsets of less than one hundred twenty-five feet (125') shall be avoided.
- 2-4. Minor or Local Streets: Shall be laid out to discourage their use by through traffic.

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- 2-5. Marginal Access Streets: Where a subdivision abuts or contains an existing or proposed arterial street, the Commission may require marginal access streets, reverse frontages, deep lots with rear service alleys, or such other treatment as may be necessary for adequate protection to residents of property and to afford separation of through and local traffic.
- 2-6. Cul-de-sacs: Cul-de-sacs shall not exceed 600 feet in length to radius point and shall have a turnaround of not less than 100 feet in diameter.
- 2-7. Partial or Half streets: Half streets shall be prohibited except when essential to reasonable development of the subdivision in conformity with other requirements of this Ordinance, and where the Commission finds it practical to require the dedication of the other one-half when the adjoining property is subdivided.
- 2-8. Dead-end Streets: Dead end streets shall be prohibited except as short stubs to permit future expansion.
- 2-9. Street Intersections: Street intersections shall be as nearly at right angle as practicable, giving due regard to terrain and topography.
- 2-10. Street Right-of-Way Widths: Street right-of-way widths shall be as shown on the Comprehensive Plan and, where not shown therein, shall not be less than the following:

DESCRIPTION	MINIMUM WIDTH
Major Thoroughfare	80 Ft.
Secondary Arterial	60 Ft.
Collector Street	60 Ft.
Minor Local Street	50 Ft.
Access or Service Road	50 Ft.
Minor Street Apartment, Commercial, Industrial Areas	60 Ft.

- 2-11. Street Names: Names of new streets shall not be duplicate or cause confusion with the names of existing streets, unless the new streets are a continuation of or in alignment with existing streets, in which case names of existing streets shall be used.
- 2-12. Street Signs: Street signs shall be installed by the sub divider at all intersections within or abutting the subdivision. Such signs shall be of a type approved by the City, and shall be installed in accordance with standards of the City.
- 2-13. Curbs: Curbs shall be installed by the sub divider on both sides of all interior streets, and on the subdivision sides of all streets forming part of the boundary

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of the subdivision. Construction shall be in accordance with the City specifications.

- 2-14. Paving: Streets shall be paved in accordance with the specifications for the City of Tye.

SEC. 3. ALLEYS: Alleys shall be required in all new developments and replating of old additions, unless expressly waived by the Commission because of drainage or topographical features or because of existing conditions, which may preclude the use of an alley in a particular location.

- 3-1. Width and Paving: Alleys shall be a minimum of 20 feet in width. Alleys may be paved in accordance with the City of Tye specifications.
- 3-2. Intersections and Turns: Where two alleys intersect, or where an alley turns, additional width may be required to allow turning of vehicles or guying of utility poles.
- 3-3. Dead ends: Dead-end alleys shall be avoided where possible, but, if unavoidable, shall be provided with adequate turnaround facilities having a minimum radius of 32 feet.
- 3-4. Access From the Alley: Access to residential property shall be permitted from any alley however, access from the alley shall not exclude another means of access from the front or side. No side lot access to residential property shall be allowed from any arterial street.

SEC. 4. BLOCKS:

- 4.1. General: The length, width and shape of blocks shall be determined with regard to topography, zoning requirements, if applicable, convenient traffic circulation and adequate building sites for the type of use contemplated.
- 4-2. Length: In general, block lengths along minor or secondary streets shall not exceed 1,400 feet or be less than 500 feet and along major thoroughfares shall not exceed 1,800 feet or be less than 900 feet however, these requirements may be varied if special conditions necessitate an increase or decrease in order to allow connecting streets, circulation of traffic and public safety.
- 4-3. Width: Blocks generally shall be platted to provide two tiers of lots with a utility easement or alley between them, with proper regard for drainage channels, wooded areas and other topographical features lending themselves attractive treatment.
- 4-4. Walkways: Walkways, not less than four (4) feet nor more than eight (8) feet shall be provided where deemed necessary by the Commission to provide

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circulation or access to schools, playgrounds, shopping centers, and transportation and other community facilities, or to provide pedestrian circulation within a subdivision.

SEC. 5. LOTS:

- 5-1. *Conformity*: Lot dimensions shall conform to the minimum requirements established by the City, or, if applicable, zoning regulations of the established district.
- 5-2. *Fronting*: Each lot shall face on a public street.
- 5-3. *Corner Lots*: Corner lots abutting on two streets shall have a front building line on both streets.
- 5-4. *Depth*: No lot shall be platted less than 100 feet in depth however, in cases where an irregularly shaped tract is platted into lots and a remnant piece of property is of sufficient area to plat one or more lots, the Commission may waive the depth requirement to prevent a hardship on the developer.
- 5-5. *Side Lot Lines*: Side lot lines shall be substantially at right angles or radial to the street line.
- 5-6. *Double Frontage and Reverse Frontage Lots*: Double frontage and reverse frontage lots shall be avoided except where essential to provide separation of residential development from traffic arteries or where necessary to overcome special topographical conditions. Where lots have double frontage, a front building line shall be established for each street.
- 5-7. *Access*: Every lot shall be provided with adequate access to a public street, either by direct frontage on such street, or by a public pedestrian access way approved by the Commission. Rear and/or side driveway access to major thoroughfares shall be prohibited.

SEC. 6. EASEMENTS:

- 6-1. *Utility Easements*: Easements across lots, or centered on rear or side lot lines, shall be provided for utilities where necessary, and shall be of such width as may be reasonably necessary for the utility or utilities using the same.
- 6-2. *Storm or Drainage Easement*: Where a subdivision is traversed by a watercourse, drainage way, channel, or street there shall be provided a storm easement or drainage right-of-way conforming substantially with such course and of such additional width as may be designated by the City Secretary, and which will be reasonably adequate for the purpose. Parallel streets or parkways may be

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required in connection with this easement. Drainage easements may be used for utilities.

- 6-3. Exclusion of Easement in Computing Lot Area: Easements shall not be considered part of the lot area for purposes of minimum lot size requirements.

SEC. 7. UTILITIES:

- 7-1. General: Sanitary sewers, storm sewers, water mains, and street improvements, along with all appurtenances pertaining to such, shall be constructed and installed in each new subdivision in accordance with the specifications for the City of Tye. The cost for all such improvements shall be the responsibility of the developer.
- 7-2. Water Supply and Distribution: All subdivisions shall be provided with water supply and distribution systems for fire protection and domestic use as approved by the City Secretary. Fire hydrants shall be installed as a part of the water distribution system, at locations approved by the City Secretary, and in single family and duplex districts, shall be spaced to serve lots within a 500 foot radius but not more than 800 feet measured along a public thoroughfare, in apartment and commercial districts shall be spaced to serve buildings within 300 feet.
- 7-3. Sanitary Sewers: All subdivisions shall be provided with an approved sanitary sewage system connected to the City system unless the City Secretary deems such connection unreasonable. (Where septic tanks are installed, they shall meet the tests required by the TCEQ.) Sewers cannot be curved at less than a 100 foot radius. Manholes at least every 500 feet must be provided.
- 7-4. Storm Drainage: Drainage facilities shall be provided to handle the runoff in accordance with City specifications. Drainage shall be handled in natural stream channels insofar as practical.
- 7-5. Services Beyond the Limits of City Systems: If a proposed subdivision is located beyond the service area of the sewage collection system or beyond the area of the water distribution system, the sub divider shall be required to furnish with his final plat satisfactory evidence including the results of soil tests and borings and statements from local and State health authorities, water engineers, and other proper officials that water satisfactory for human consumption may be obtained from surface or subsurface water sources on the land and that soil conditions are such that satisfactory sewage disposal can be provided through the use of approved septic tanks or similar devices.
- 7-6. Extension to Extraterritorial Jurisdiction: In the extraterritorial jurisdiction, where a permit is not required, no City water or sewer utilities shall be extended to the development until all sections of this Ordinance, applicable to

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subdivision in extraterritorial jurisdictions, have been complied with. Where no City water or sewer utilities are required to be extended to the subdivision in the extraterritorial jurisdiction of the City and where the sub divider/developer refuses to comply with the applicable regulations of this Ordinance, the City Secretary shall file action in District Court seeking to restrain the sub divider/owner from violating the applicable provisions of this Ordinance, as permitted by Title 7, Subtitle A (Municipal Regulatory Authority), Section 212 (Municipal Subdivisions Regulation and Property Development), VERNON'S TEXAS CIVIL STATUTES – LOCAL GOVERNMENT CODES.

- 7-7. Restrictions for Permits: No building permit, nor any water, sewer, plumbing or electrical permit shall be issued by the City to the owners or any other person with respect to any property in any subdivision covered by this Ordinance until such time as the developer, sub divider, and/or owner has complied with the requirements of this Ordinance and the approved final plat, or has filed appropriate security equal to the cost of required improvements.

ARTICLE IV SPECIAL CONDITIONS

SEC. 1. VARIANCES: The City Council may authorize a variance from these regulations when, in its opinion, undue hardship will result from requiring strict compliance. In granting a variance, the Council shall prescribe only conditions that it deems necessary or desirable to the public interest in making the findings herein below required. The Council shall take into account the nature of the proposed usage of land involved, the existing usage of the land in the vicinity, the number of persons who will reside or work in the proposed subdivision, and the probable effect of such variances upon traffic conditions and upon the public health, safety, convenience, and welfare of individuals in the vicinity. No variances will be granted unless the Council finds the following:

- 1-1. Special Circumstances or Conditions: That there are special circumstances or conditions affecting the land involved such that the strict application of the provisions of this Ordinance would deprive the applicant of the reasonable use of his land.
- 1-2. Preservation of Property Right: That the variances are necessary for the preservation and enjoyment of a substantial property right of the applicant, and that the granting of the variance will not be detrimental to the public health, safety, or welfare of individuals, or injurious to other properties in the area.
- 1-3. Effect on Other Lands in the Area: That the granting of the variance will not have the effect of preventing the orderly subdivision of other lands in the area in accordance with the provisions of this Ordinance.

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- 1-4. Observance of Other Ordinances: The Council may not authorize a variance that would constitute a violation of any other valid Ordinance of the City.
- 1-5. Planned Unit Development: Standards and requirements of this Ordinance may be modified in order to encourage a complete and unique residential, business or industrial development, with full consideration for public health, safety and welfare. A planned unit development may, under unusual circumstances, require no subdivision of land however, generally if division into lots, drainage easements, utility easements, streets, parks, and other public lands are to be provided, or are required by the City, the requirements of this Ordinance for submission of a preliminary plat and a final plat shall be complied with. Such findings of the Council, together with the specific facts upon which such findings are based, shall be incorporated in the official minutes of the Council meeting at which such variance is granted. Variances may be granted only when in harmony with the general health, safety and welfare of citizens may be secured, and substantial justice be done. Pecuniary hardship to the sub divider, standing alone, shall not be deemed to constitute undue hardship.

PENALTY AND SEVERABILITY

SEC. 1. PENALTY:

1-1. Any person violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction, shall be subject to a fine of not more than two hundred dollars (\$200). Each transaction in violation of any of the provisions hereof shall be deemed a separate offense.

1-2. Any person who shall violate any of the provisions of this Ordinance, or who shall fail to comply with any of the provisions hereof, within the extraterritorial jurisdiction of the City, shall be filed on in District Court, as provided for in Title 7, Subtitle A (Municipal Regulatory Authority), Section 212 (Municipal Subdivision Regulation and Property Development), VERNON'S TEXAS CIVIL STATUES LOCAL GOVERNMENT CODES, with the purpose of restraining and enjoining the violation of this Ordinance.

In addition City owned utilities will not be extended into the subdivision until the provisions of this Ordinance are complied with.

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