

CITY OF LAVON, COLLIN COUNTY TEXAS

ORDINANCE NO: 2011-08-01

Designating the City Council as the City Board of Adjustments

AN ORDINANCE OF THE CITY OF LAVON, COLLIN COUNTY, TEXAS: DESIGNATING THE CITY COUNCIL AS THE BOARD OF ADJUSTMENTS FOR THE CITY; PROVIDING SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Lavon has been presented with concerns that the City does not specifically address a Board of Adjustment; and

WHEREAS, the *Local Government Code Chapter 211.008* authorizes the City Council to designate a Board of Adjustments; and

WHEREAS, the *Local Government Code Chapter 211.008(g)* authorizes the City Council to designate the City Council as the Board of Adjustments; and

WHEREAS, the City Council has given due and diligent thought to this concern.

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

SECTION 1. Designating the City Council as the Board of Adjustments

A) BOARD OF ADJUSTMENTS.

1) Pursuant to *Local Government Code Chapter 211.008(g) Board of Adjustments*, The City Council does hereby designate the City Council as the City of Lavon Board of Adjustments with the duties, authorities and limitations contained in *Local Government Code Chapter 211.008 Board of Adjustments*; Statues of the State of Texas; Ordinances of the City of Lavon and any rules adopted by the Board of Adjustments.

2) The Board of Adjustments is authorized, in appropriate cases and subject to appropriate conditions and safeguards, to make special exceptions to the terms of the zoning ordinance that are consistent with the general purpose and intent of the ordinance and in accordance with any applicable rules.

3) Each case before the Board Adjustment must be heard by at least 75 percent of the members.

4) The board by majority vote shall adopt rules in accordance with *Local Government Code Chapter 211.008 Board of Adjustments*, and City Ordinances.

5) The City Secretary shall serve as the Secretary of the Board of Adjustments.

6) The City Secretary shall prepare and disseminate appropriate rules and regulations regarding the intake, handling and process for any variance request or other hearing to be presented to the board. All such rules and regulations shall be reduced to writing and made available for public inspection upon request.

7) All changes to the rules and regulations shall be implemented in a fair and consistent manner.

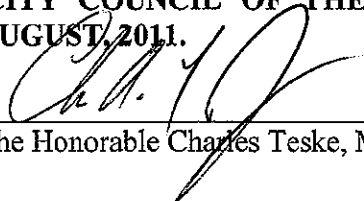
SECTION 3. SEVERABILITY

It is hereby declared by the City Council of the City of Lavon that if any of the sections, paragraphs, sentences, clauses or phrases of this ordinance shall be declared unconstitutional or otherwise illegal by the valid judgement or decree of any court of competent jurisdiction, such event shall not effect any remaining the sections, paragraphs, sentences, clauses or phrases of this ordinance.

SECTION 4. EFFECTIVE DATE


This ordinance shall be in full force and effect from and after its passage and publication and it is so ordained.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF LAVON, TEXAS ON THIS 30th DAY OF AUGUST, 2011.



The Honorable Charles Teske, Mayor

Attest:



Linda Ardis, City Secretary

Primary Sponsor:

City Council

Additional Sponsors: