

**ORDINANCE NO. 1041-24**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NAVASOTA, TEXAS, AMENDING CHAPTER 10, SUBDIVISION REGULATION, ARTICLE 10.02 SUBDIVISION ORDINANCE, EXHIBIT 10A SUBDIVISION DEVELOPMENT ORDINANCE, ARTICLE 7, REQUIREMENTS FOR IMPROVEMENT, RESERVATIONS, AND DESIGN OF THE CODE OF ORDINANCES OF THE CITY OF NAVASOTA, TEXAS BY AMENDING SECTION 7.03 STREETS, 7.08.04 UTILITY LOCATION STANDARDS AND 7.13 REGULATION OF CLUSTER MAILBOX UNITS; PROVIDING FOR A SEVERABILITY AND REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE; AND FINDING PROPER NOTICE OF MEETING**

**WHEREAS**, the City of Navasota ("City") is a Texas home-rule municipality; and

**WHEREAS**, pursuant to Texas Local Government Code, Section 51.001, the City has the authority to adopt ordinances and regulations for the good government, peace and order of the City; and

**WHEREAS**, as a home-rule municipality, Texas Local Government Code, Section 51.072 confirms that the City has the full power of local self-government; and

**WHEREAS**, the City Council of the City of Navasota previously adopted certain provisions relating to streets, utility location standards and cluster mailbox units; and

**WHEREAS**, the City Council desires to amend certain regulations applicable to streets, utility location standards and cluster mailbox units; and

**WHEREAS**, the City Council finds and determines that it is in the best interest of the City to adopt the regulations as set forth herein;

**NOW THEREFORE, BE IT ORDAINED** by the City Council of the City of Navasota, Texas that:

**SECTION 1. FINDINGS INCORPORATED**

The findings set forth herein above are incorporated into the body of this Ordinance as fully set forth herein.

**SECTION 2.**

Chapter 10 Subdivision Regulation, Article 10.02 Subdivision Ordinance, Exhibit 10A Subdivision Development Ordinance, Article 7, Requirements for Improvements, Reservations, and Design, subsection 7.03 Streets, 7.03.02 Design Standards, B. Street Surfacing and Improvements is hereby amended to read as follows:

B. Street Surfacing and Improvements: After sewer, water, and other utilities have been installed by the developer, the developer shall construct curbs and gutters and shall surface or cause to be surfaced streets to the widths prescribed in the City of Navasota Unified Design Guidelines, Unified Technical Specifications and Unified Standard Construction Details. Unless otherwise specified in writing by the City Engineer, all surfacing shall be of rigid pavement in accordance with adopted Unified Design Guidelines and Unified Standard Construction details as is suitable for the expected traffic and in harmony with similar improvements in the surrounding areas. Adequate provisions in accordance with the City of Navasota Unified Design Guidelines, Unified Technical Specifications and Unified Standard Construction Details, shall be made for culverts, drains, and bridges. All street pavement, shoulders, drainage improvements and structures, curbs, turnarounds, and sidewalks shall conform to all City of Navasota Unified Design Guidelines, Unified Technical Specifications and Unified Standard Construction Details.

### **SECTION 3.**

Chapter 10 Subdivision Regulation, Article 10.02 Subdivision Ordinance, Exhibit 10A Subdivision Development Ordinance, Article 7, Requirements for Improvements, Reservations, and Design, subsection 7.08.04 Utility Location Standards, is hereby amended to read as follows:

7.08.04 Utility Location Standards: When a development necessitates the installation of public utility improvements all taps must be installed within a utility easement and constructed as set forth below:

- A. All taps must be installed within four feet (4') of side lot lines.
- B. Sanitary sewer taps installed for dual service must be six inches (6") minimum unless otherwise determined in writing by the City engineer.
- C. Top of water meter boxes containing water taps must be at final grade following final site grading.

### **SECTION 4.**

Chapter 10 Subdivision Regulation, Article 10.02 Subdivision Ordinance, Exhibit 10A Subdivision Development Ordinance, Article 7, Requirements for Improvements, Reservations, and Design, subsection 7.13 (A)(7) is hereby amended to read as follows:

7. Trash receptacles are encouraged but not required.

### **SECTION 5. SEVERABILITY CLAUSE**

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional or invalid by the valid judgment or decree of any court of competent

jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation of this Ordinance of any such unconstitutional or invalid phrase, clause, sentence, paragraph or section.

**SECTION 6. REPEALER CLAUSE**

Any provision of any prior ordinance of the City whether codified or uncodified, which are in conflict with any provision of this Ordinance, are hereby repealed to the extent of the conflict, but all other provisions of the ordinances of the City whether codified or uncodified, which are not in conflict with the provisions of this Ordinance, shall remain in full force and effect.


**SECTION 7. EFFECTIVE DATE**

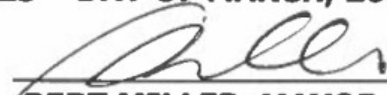
This Ordinance shall become effective from and after its passage, approval and adoption on second reading, and its publication as may be required by law.

**SECTION 8. NOTICE OF MEETING**

Notice of the time and place, where and when said Ordinance would be considered by the City Council at a public meeting was given in accordance with applicable law, prior to the time designated for meeting.


**PASSED ON FIRST READING THIS 25<sup>TH</sup> DAY OF MARCH, 2024**

**ATTEST:**  
  
**SUSIE M. HOMEYER, CITY SECRETARY**

  
**BERT MILLER, MAYOR**



**PASSED ON SECOND READING THIS 8<sup>TH</sup> DAY OF APRIL, 2024.**

**ATTEST:**  
  
**SUSIE M. HOMEYER, CITY SECRETARY**

  
**BERT MILLER, MAYOR**

