

ORDINANCE NO. 2019-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS AMENDING VARIOUS SECTIONS OF THE CITY'S DEVELOPMENT CODE TO, AMONG OTHER THINGS, ADDRESS TYPOGRAPHICAL AND TECHNICAL ERRORS, IMPLEMENT RECOMMENDATIONS OF THE HISTORIC PRESERVATION COMMISSION TO RESTRICT THE PAINTING OF MASONRY IN THE DOWNTOWN HISTORIC DISTRICT, AND TO IMPLEMENT CHANGES IN RESPONSE TO NEW LAWS ENACTED DURING THE 2019 LEGISLATIVE SESSION; AMENDING SECTION 86.188 OF THE SAN MARCOS CITY CODE TO REQUIRE NEW DEVELOPMENT TO HAVE UNDERGROUND ELECTRIC UTILITIES, TO REQUIRE OVERHEAD ELECTRTRIC SERVICE INSTALLATIONS TO BE ON STEEL POLES, AND TO ESTABLISH CERTAIN STANDARDS FOR ELECTRIC EASEMENTS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF ANY CONFLICTING PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.

RECITALS:

1. The City Council hereby finds and determines that the adoption of the following ordinance is in the interest of the public health, welfare and safety.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS:

SECTION 1. The City's Development Code, Subpart B of the San Marcos City Code, and Section 86.188 of the San Marcos City Code, are each amended as set forth in Exhibit A, attached hereto and made a part hereof for all purposes. Added text is indicated by underlining. Deleted text is indicated by strikethroughs.

SECTION 2. In codifying the changes authorized by this ordinance, paragraphs, sections and subsections may be renumbered and reformatted as appropriate consistent with the numbering and formatting of the San Marcos City Code.

SECTION 3. If any word, phrase, clause, sentence, or paragraph of this ordinance is held to be unconstitutional or invalid by a court of competent jurisdiction, the other provisions of this ordinance will continue in force if they can be given effect without the invalid portion.

SECTION 4. All ordinances and resolutions or parts of ordinances or resolutions in conflict with this ordinance are repealed.

SECTION 5. This ordinance will take effect after its passage, approval and adoption on second reading.

PASSED AND APPROVED on first reading on December 3, 2019.

PASSED, APPROVED AND ADOPTED on second reading on December 17, 2019.

Jane Hughson
Mayor

Attest:

Approved:

Tammy K. Cook
Interim City Clerk

Michael J. Cosentino
City Attorney

EXHIBIT A
[ATTACH CODE AMENDMENTS REDLINE]