

City of Meadowlakes
ORDINANCE NUMBER 2020-03
April 21, 2020

TEMPORARY PERMITTING AUTHORITY

AN ORDINANCE OF THE CITY OF MEADOWLAKES AUTHORIZING THE CITY MANAGER AS THE CHIEF BUILDING OFFICIAL TO APPROVE BUILDING PERMITS AND EXERCISE THE POWERS VESTED IN THE BUILDING COMMITTEE DURING THE STATE OF LOCAL DISASTER RELATED TO COVID-19; PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT; ENACTMENT; REPEALER; SEVERABILITY; PUBLICATION; EFFECTIVE DATE; AND PROPER NOTICE AND MEETING.

WHEREAS, the City of Meadowlakes, Texas (the "City") is a Type "A" General-Law municipality located in Burnet County, Texas, and operating pursuant to the enabling legislation of the State of Texas; and

WHEREAS, on March 18, 2020, Burnet County (the "County") issued a local disaster declaration to allow the County to take measures to reduce the possibility of exposure to the COVID-19 virus, control the risk, prevent the spread of the COVID-19 virus, and promote the health and safety of individuals in Burnet County; and

WHEREAS, on March 20, 2020, the Mayor of Meadowlakes issued a local disaster declaration related to COVID-19 to facilitate and expedite the use and deployment of resources to enhance preparedness and response, and take measures to reduce the possibility of exposure to COVID-19 and promote the health and safety of Meadowlakes residents; and

WHEREAS, Section 6-2 of the Meadowlakes Code of Ordinances establishes the Building Committee and provides the powers and responsibilities of the Building Committee; and

WHEREAS, in Ordinance 2019-01, the City Council of the City of Meadowlakes appointed the City Manager as the Building Official; and

WHEREAS, Chapter 6 of the Meadowlakes Code of Ordinances establishes certain procedural deadlines related to the approval of building permits; and

WHEREAS, the City anticipates that this public health disaster will continue for an undetermined span of time; and

WHEREAS, the City Council at its special called meeting held on March 26th, 2020 authorized the City Manager, as the Chief Building Official the authority to exercise the powers vested in the Building Committee pursuant to Chapter 6 of the Meadowlakes Code of Ordinances until April 30, 2020 or until the City's state of local disaster related to COVID-19 is lifted; and

WHEREAS, to ensure that building permits are processed in a timely manner, and in accordance with the procedural deadlines of Chapter 6, the City Council desires to temporarily authorize the City Manager to exercise the powers of the Building Committee, to include approving building permits, during the state of local disaster related to COVID-19; and

WHEREAS, pursuant to Texas Local Government Code Section 51.001, the City has general authority to adopt an ordinance or police regulation that is for the good government, peace or order of the City and is necessary or proper for carrying out a power granted by law to the City; and

WHEREAS, the City Council finds that this Ordinance is characterized as reasonable, necessary, and proper for the good government of the City.

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

1. FINDINGS OF FACT

The foregoing recitals are incorporated into this Ordinance by reference as findings of fact as if expressly set forth herein.

2. ENACTMENT

The City Manager of the City of Meadowlakes, as the Building Official, is hereby authorized to exercise the powers vested in the Building Committee pursuant to Chapter 6 of the Meadowlakes Code of Ordinances until May 31, 2020 or until the City's state of local disaster related to COVID-19 is lifted, including, but not limited to, review all plans and specifications (including revisions thereof) for projects that require building committee permits in accordance with the procedures of Chapter 6 of the Meadowlakes Code of Ordinances; ensure that all plans and specifications comply with all applicable requirements and restrictions set forth in Chapter 6 of the Meadowlakes Code of Ordinances for the proposed project, prior to issuing an approved permit for proceeding with the associated project; and monitor the project in the process to ensure compliance with approved plans and permits.

3. REPEALER

All ordinances, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated, herein.

4. SEVERABILITY

Should any of the clauses, sentences, paragraphs, sections or parts of this ordinance be deemed invalid, unconstitutional or unenforceable by a court of law or administrative agency with jurisdiction over the matter, such action shall not be construed to affect any other valid portion of this ordinance.

5. CODIFICATION

The City Secretary is hereby directed to record and publish the attached rules, regulations, and policies in the City's Code of Ordinances as authorized by Section 52.011 of the Texas Local Government Code.

6. PUBLICATION

The City Secretary of the City of Meadowlakes, Texas, is hereby directed to place the information above on the City's Website and provide all other notice as required by law.

7. EFFECTIVE DATE

This ordinance shall be effective immediately upon passage and shall continue in effect for the duration of the City's declaration of local disaster related to COVID-19.

8. PROPER NOTICE AND MEETING

It is hereby officially found and determined that the meeting at which this ordinance was passed was open to the public, and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551. Notice was also provided as required by Chapter 52 of the Texas Local Government Code

PASSED and APPROVED this, the 21st day of April 2020, by a vote of 5 (ayes) to 0 (nays) to 0 (abstentions) of the City Council of Meadowlakes, Texas.

CITY OF MEADOWLAKES:



Mary Ann Raesener, Mayor

ATTEST:



Evan Bauer, City Secretary