

**ORDINANCE NO. 2017-07**

**AN ORDINANCE OF THE CITY OF ROSENBERG, TEXAS, ADOPTING THE ROSENBERG UNIFIED DEVELOPMENT CODE, INCORPORATING BUILDING REGULATIONS, FIRE CODE, FLOOD PREVENTION AND PROTECTION, MANUFACTURED HOUSING AND MOBILE HOMES, SUBDIVISIONS, CROSS-CONNECTION CONTROLS, CREATION OF CERTAIN SPECIAL DISTRICTS, STORM WATER PROTECTION, DESIGN STANDARDS, AND DEFINITIONS AS PART OF THE DEVELOPMENT CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Rosenberg has adopted a Comprehensive Plan that identifies the Unified Development Code as a priority; and,

**WHEREAS**, the City of Rosenberg intends to consolidate all of its regulations pertaining to development in one place and in logical order to avoid duplication and conflicts in terms and definitions; and,

**WHEREAS**, the City desires to make access available to the regulations thereof to all those who are concerned with development in one convenient ordinance which is capable of being published and distributed as a separate and comprehensive segment of the City Code as a whole; and,

**WHEREAS**, these regulations have been designed to lessen congestion in the streets, and to secure safety from fire, panic, and other dangers; and,

**WHEREAS**, these regulations have been adopted to facilitate the adequate provisions of transportation, water, sewerage, schools, parks, and other public interests; and,

**WHEREAS**, the City desires to achieve orderly development through land subdivision; to promote and develop land to attain the best possible community environment in accordance with the comprehensive plan; and to provide for adequate municipal services and safe streets; and,

**WHEREAS**, the City Council finds that the inclusion of all regulations relating to the development of property into a Unified Development Code is for the convenience of the public and for administrative efficiency; now, therefore,

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ROSENBERG:**

Section 1. The Code of Ordinances (Code) of the City of Rosenberg, Texas, is hereby amended to remove the following Chapters or portions thereof and cause them to be identified as "Reserved" in the Code:

- Chapter 6;
- Chapter 11, Articles IV and V;
- Chapter 12;
- Chapter 17;
- Chapter 25;
- Chapter 29, Article II, Division 2, and Articles IV and V; and
- Chapter 31.

Section 2. The Unified Development Code (UDC) of the City of Rosenberg, Texas, attached hereto as Exhibit "A," is hereby adopted.

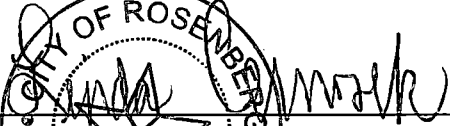
Section 3. In the event any clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Rosenberg, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

Section 4. This Ordinance shall be cumulative of all provisions of ordinances of the City of Rosenberg, Texas, except where the provisions of the Ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed. Any and all previous versions of this Ordinance to the extent that they are in conflict herewith are repealed.

Section 5. This Ordinance shall become effective immediately upon its passage, approval and publication as provided by law.

**PASSED AND APPROVED** by a vote of 7 "ayes" in favor and 0 "noes" against on this first and final reading in full compliance with the provisions of Section 3.10 of the Charter of the City of Rosenberg on the 2<sup>nd</sup> day of May 2017.

**ATTEST:**

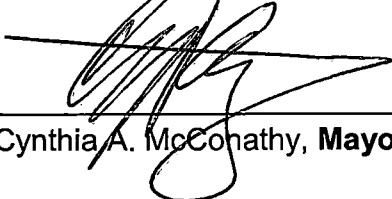
  
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Linda Cemosek, **City Secretary**

**APPROVED AS TO FORM:**

  
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Scott M. Tschirhart, **City Attorney**

Denton Navarro Rocha Bernal Hyde & Zech, P.C.

**APPROVED:**

  
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Cynthia A. McCathay, **Mayor**