

Subdivision Regulations in March, 1960, demonstrated that certain amendments to the Subdivision Regulations are necessary in the public interest; and,

WHEREAS, it is the desire of the Board of Commissioners and other departments concerned, that unnecessary delays in obtaining subdivision approval be alleviated and the issuing of building permits be more fully clarified; now, therefore,

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF ABILENE, TEXAS:

Section 1: That Sub-Section B-1 of Section 58-2 of Chapter 58 of

The Code of The City of Abilene, Texas, 1957, as amended, more commonly referred to as "Subdivision Regulations", be, and the same is hereby amended so as to hereafter read as follows:

"Sec. 58-2 APPLICABILITY:

"B. SHORT FORM SUBDIVISION DEFINED:

"1. The land in question must be bounded by legally dedicated streets and alleys or by legally subdivided land, but in no event shall exceed an area of five (5) acres."

Section 2: That Section 58-5 B of Chapter 58 of The Code of The

City of Abilene, Texas, 1957, commonly referred to as "Subdivision Regulations" be, and the same is hereby amended by adding the following sub-section:

"Sec. 58-5 LONG FORM SUBDIVISION PROCEDURE:

"B. PROPOSED PLAT"

"(g) Upon determination of the Planning Commission the proposed Plat and the Final Plat may be considered one and the same when (1) the area to be platted is less than ten (10) acres, or (2) the area to be platted is greater than ten (10) acres and subdivided into five (5) lots or less, providing, however, that the subdivider furnishes such necessary data as required by this ordinance for a proposed plat and one reproducible print and three (3) copies of the proposed plat."

Section 3: That Subsection C-3-d of Section 58-5 of The Code of

The City of Abilene, Texas, 1957, commonly referred to as "Subdivision Regulations"

"d. Subdivision Boundary -- An accurate and complete boundary survey shall be made of the land to be subdivided. A traverse of the exterior boundaries of the tract, when computed from field measurements on the ground, must close within a limit of one to five thousand (1:5000) feet of perimeter. The boundary of the subdivision shall be clearly indicated on the final plat. Closure calculations must be submitted with the final plat for checking. All lines shown on the plat which do not constitute a part of the subdivision, and any area enclosed by such lines shall be labeled "not a part of this subdivision." All such lines shall be dashed. The City Engineer may require access to original field notes as an aid in checking closures."

Section 4: That Section 58-7, Sub-section A-2 of Chapter 58

of The Code of The City of Abilene, Texas, 1957, as amended, be, and the same is hereby amended so as to hereafter read as follows:

"Sec. 58-7

"A. IMPROVEMENTS AND GENERAL REQUIREMENTS

2. BUILDING PERMITS. No final inspection shall be performed as required by the Building Code until the City Engineer shall have certified to the Building Official that all the minimum requirements set out in these "Subdivision Regulations" has been satisfactorily completed, provided, however, this requirement may be waived by the Board of Commissioners upon recommendation of the City Engineer.

" The Building Official is hereby authorized to issue building permits for the erection of a building or structure provided that:

" (a) The plot of land on which a structure is to be erected is within one or more entire lot/s of record in common ownership and as platted and approved by the Planning and Zoning Commission and the Board of Commissioners and said plat is filed for record with the County Clerk, all as provided herein, however, this section shall not apply to agricultural structures, sign structures, or uses for which a "Temporary Permit" has been issued in accordance with Section 43 of the "Zoning Ordinance of the City of Abilene, 1960; or

"(b) The plot of land on which a structure is to be erected is on any portion of any lot or block in common ownership that is platted and filed for record, so long as the same meets the minimum specification for buildings in the zoning districts in which said building is located, provided, however, that this subsection shall not apply to residential construction or occupancy."

Section 5: That Section 58-9, Subsection A-1, Chapter 58 of The Code of The City of Abilene, Texas, 1957, be, and the same is hereby amended so as to hereafter read as follows:

"Sec. 58-9

"A. DEFINITIONS

"1. "Board of Commissioners" shall mean the Board of Commissioners of the City of Abilene, Texas. (Wherever in these Subdivision Regulations there is a referral to "City Commission"

said term shall mean the Board of Commissioners of the City of Abilene).

Section 6: That any person, firm or corporation violating any of the provisions of this ordinance shall be guilty of a misdemeanor, and upon conviction thereof shall be punishable by a fine of not more than Two Hundred Dollars (\$200.00). Each violation shall be deemed a separate offense and punishable as such.

Section 7: That if any section, sub-section, paragraph, sub-paragraph, sentence, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining portions of this ordinance and the Board of Commissioners of the City of Abilene does hereby expressly declare that this ordinance and each section, sub-section, paragraph, sub-paragraph, sentence, clause and phrase thereof would have been adopted irrespective of the fact that any one or more of such sections, sub-sections, paragraphs, sub-paragraphs, sentences, clauses or phrases be declared invalid or unconstitutional.

PASSED ON FIRST READING on the ^{22nd}~~14th~~ day of November, A. D. 1961.

After said passage, a notice of time and place, where and when said ordinance would be given a public hearing and considered for final passage, was published in the Abilene Reporter-News, a daily newspaper of general circulation in the City of Abilene, said publication being on the ^{28th}~~28th~~ day of *November*, A. D. 1961, the same being more than one (1) week prior to the time designated for said hearing. After such opportunity for the public to be heard, said ordinance was passed on second and final hearing.

PASSED ON SECOND AND FINAL READING this ^{7th}~~7th~~ day of

December, A. D. 1961.

ATTEST:

MAYOR

CITY SECRETARY