

ORDINANCE NO. 52-1986

AN ORDINANCE AMENDING CHAPTER 23, "PLANNING AND COMMUNITY DEVELOPMENT," SUBPART D, "SUBDIVISION REGULATIONS," OF THE ABILENE MUNICIPAL CODE, BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING A PENALTY.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:

PART 1: That Chapter 23, Subpart D, "Subdivision Regulations," of the Abilene Municipal Code be amended as set out in Exhibit "A," attached hereto and made a part of this ordinance for all purposes.

PART 2: That if any provision or any section of this ordinance shall be held to be void or unconstitutional, such holding shall in no way affect the validity of the remaining provisions or sections of this ordinance, which shall remain in full force and effect.

PART 3: That any person, firm or corporation violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than One Thousand Dollars (\$1,000.00). Each day such violation shall continue, or be permitted to continue, shall be deemed a separate offense. Said ordinance, being a penal ordinance, becomes effective ten (10) days after its publication in the newspaper as provided by Section 19 of the Charter of the City of Abilene, Texas.

PASSED ON FIRST READING this 12 day of June,  
A.D. 19 86.

PASSED ON SECOND AND FINAL READING this 26 day of \_\_\_\_\_  
June, A.D. 19 86.

ATTEST:

Patricia Patten  
CITY SECRETARY

David Stubbleman  
MAYOR

APPROVED:

Jonathan Graham

EXHIBIT "A"

SUBDIVISION REGULATIONS - Chapter 23, Subpart d, Code of the City of Abilene, to Amend Section 23-262.5

5. Streets. All public and private streets shall be designated one of the five categories...
- 5.(A) Street Design. All streets shall be improved and rights-of-way platted and/or indicated on the plat map in the case of private streets, in accordance with standards...
- 5.(E) Projection of Streets. [add new sentence at end of 5.(E)]  
Private streets shall not be allowed to project beyond the subdivision boundary, and therefore shall not be allowed to dead-end at the subdivision boundary.
- 5.(I) Private Streets. (new entry)  
Private streets shall be permitted only as minor or subcollector streets in all subdivisions. Construction and development of private streets, except interior streets located in Mobile Home Parks and Vacation Travel Trailer Parks, shall meet the standards for right-of-way width and improvement as set forth in this section, 23-262, as applied to public streets.

At the time a private street is proposed, it shall be classified as either a minor or subcollector street, as described herein and made to conform in all respects with right-of-way paving, curb and gutter, construction and design requirements as applicable to a public street.

New subdivision boundary streets shall not be private.

Amend Section 23-260.2

2. Acceptance of Dedication. The Director of Public Works shall be responsible for certifying acceptance of completed subdivision improvements intended for dedication to the City of Abilene. In the case of private streets, the Director of Public Works shall certify said streets conform to all applicable standards and specifications referred to or contained herein this chapter. The subdivider shall furthermore provide to the Director of Public Works a schedule for construction of private streets to accommodate inspection. In addition, the subdivider shall reimburse the City of Abilene the costs of inspections.