

ORDINANCE NO. 120406-C

AN ORDINANCE PROVIDING FOR THE REPEAL OF A MORATORIUM ON THE APPLICATION FOR, RECEIPT, PROCESSING, CONSIDERATION, APPROVAL, AND/OR ISSUANCE OF ZONING CHANGES REQUESTS, AND ANY VARIANCES, EXCEPTIONS OR CONDITIONAL USES ALLOWED BY THE CITY'S ZONING ORDINANCE; PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Niederwald is a Type A general-law municipality; and

WHEREAS, a moratorium, and an extension of the moratorium, was previously imposed by the City Council on the application for, receipt, processing, consideration, approval, and/or issuance of zoning change requests, and any variances, exceptions or conditional uses allowed by the City's Zoning Ordinance in order to allow the City Council to temporarily maintain the status quo of the City while it contemplated changes to the City's development regulations to address concerns over its future welfare; and

WHEREAS, the City Council of the City of Niederwald, Texas desires to adopt this Ordinance in order to repeal the moratorium on the application for, receipt, processing, consideration, approval, and/or issuance of zoning change requests, and any variances, exceptions or conditional uses allowed by the City's Zoning Ordinance; and

WHEREAS, the City of Niederwald, Texas, has prepared and adopted an ordinance providing for new zoning regulations; and

WHEREAS, the City Council desires that the repeal of the moratorium on the application for, receipt, processing, consideration, approval, and/or issuance of zoning change requests, and any variances, exceptions or conditional uses allowed by the City's Zoning Ordinance, shall be effective only when the new Zoning Ordinance become effective;

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

I.

The moratorium enacted by and described in Ordinance No. 081604 imposing a one hundred and twenty (120) day moratorium on the application for, receipt, processing, consideration, approval, or issuance of zoning change requests, and any variances, exceptions or conditional uses allowed by the City's Zoning Ordinance, extended by Ordinance No. 121404-A, extended by Ordinance No. 040405, extended by Ordinance No. 080105, extended by Ordinance No. 120505, extended by Ordinance No. 040306, and extended by Ordinance No.

080706, is hereby repealed.

II.

The repeal of the moratorium on the application for, receipt, processing, consideration, approval, or issuance of zoning change requests, and any variances, exceptions or conditional uses allowed by the City's Zoning Ordinance, shall take effect at the same time that the new City of Niederwald Zoning Ordinance, contained in Ordinance No. 120406-B adopted on December 4, 2006, becomes effective. Every officer, employee, or agent of the City of Niederwald is hereby prohibited from receiving, processing, considering, approving, and/or issuing zoning change requests, and any variances, exceptions or conditional uses allowed by the City's Zoning Ordinance, until the repeal of the moratorium takes effect pursuant to the provisions contained herein.

III.

A. All ordinances, parts of ordinances, or resolutions in conflict herewith are expressly repealed.

B. The invalidity of any section or provision of this Ordinance shall not invalidate other sections or provisions thereof.

IV.


This Ordinance shall take effect shall take effect at the same time that Ordinance No. 120406-B (adopting the new City of Niederwald Zoning Ordinance on December 4, 2006) becomes effective.

READ, APPROVED and ADOPTED on this the 4th day of December, 2006.



HON. SHIRLEY WHISENANT, MAYOR
CITY OF NIEDERWALD, TEXAS

ATTEST:



ANGIE SCHULZE, CITY SECRETARY
CITY OF NIEDERWALD, TEXAS

