

CITY OF SAVOY

RESOLUTON NO. R 02-03-19

**AGREEMENT PROVIDING FOR SUBDIVISON
REGULATION BY THE MUNICIPALITY WITHIN THE
EXTRATERRITORIAL JURISDICTION OF THE MUNICIPALITY**

This Agreement is made by and between the City of Savoy, A municipality located within Fannin County, Texas (hereinafter "the City") and Fannin County, Texas, a political subdivision of the State of Texas (hereinafter "the County"), as required by Section 242.001 of the Texas Local Government Code.

1. RECITALS

WHEREAS, the regulation of subdivisions of property is a governmental function as set forth in Chapters 212 and 232 of the Texas Local Government Code; and

WHEREAS, pursuant to Chapter 212 of the Texas Local Government Code, the City has statutory authority to adopt rules governing plats and subdivisions of land both within the limits and in the extraterritorial jurisdiction of the municipality; and

WHEREAS, pursuant to Chapter 232 of the Texas Local Government Code, the County has statutory authority to adopt rules governing plats and subdivisions of land in the areas of the county lying outside the limits of a municipality, including the area within the extraterritorial jurisdiction of a municipality; and

WHEREAS, Chapter 242 of the Texas Local Government Code prohibits requiring a person who intends to subdivide land within the extraterritorial jurisdiction of a municipality to submit plats to and obtain related permits from both the municipality and the county; and

WHEREAS,

Chapter 242 of the Texas Local Government Code further requires certain counties and municipalities to execute a written agreement that identifies the governmental entity authorized to regulate subdivision plats and approve related permits in the extraterritorial jurisdiction;

The parties to this Agreement hereby agree as follows:

2. AGREEMENT

2.1 The County and the City agree that the City is hereby authorized to exercise exclusive jurisdiction to regulate subdivision plats and approve related permits in the extraterritorial jurisdiction of the City.

2.2 In consideration of this agreement, the City agrees that it will provide the County with a copy of all current rules and regulations applicable to subdivision of property within the City's extraterritorial jurisdiction, and further agrees that, if it amends any rule or regulation pertaining to subdivision of property within its extraterritorial jurisdiction, it will provide a copy of the amended rule or regulation of the County. See Attachment A.


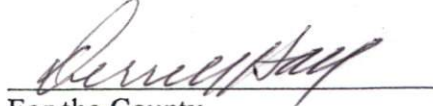
- 2.3 In further consideration of this agreement, the City agrees that, if it receives any application or request for variance or exception to a rule or regulation applicable to subdivision of property within its extraterritorial jurisdiction, it will give notice of the application or request to the County and provide the County an opportunity to comment on the application or request before consideration of the application or request.
- 2.4 As required by Section 242.001 (c) of the Local Government Code, the City agrees to notify the County of any expansion or reduction in the City's extraterritorial jurisdiction;
- 2.5 The City specifically agrees that, because it desires to have the authority to regulate subdivisions within the ETJ of the City, the authority to do so is adequate consideration for the performance of its obligations under this agreement.
- 2.6 The County agrees that, because it does not desire the responsibility of regulating subdivision development within the ETJ, being relieved of this responsibility is adequate consideration for its relinquishing of any statutory right to do so.
- 2.7 This agreement does not extend the liability of the parties. Neither the City nor the County waives any immunity or defenses available to it against claims made by third parties.

3. TERM OF AGREEMENT

The term of this agreement is for one year from the date of execution, after which the agreement will renew automatically for another term unless terminated. Either party to this agreement may terminate the agreement at the end of any term without cause by notifying the other party not later than 45 days prior to the end of the term. However, both parties understand and agree that the right to terminate this agreement does not avoid the statutory duty of the County and the City to have a written agreement providing for subdivision regulation within the City's extraterritorial jurisdiction.

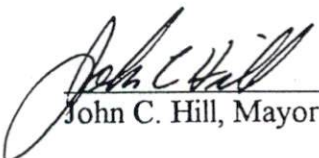
IN WITNESS WHEREOF, the governing bodies of both the County and the City have approved and adopted this Agreement and have caused this Agreement to be executed. It shall become effective upon the date that both parties have signed this Agreement.

AGREED to and ADOPTED by the Commissioners Court of _____ County, Texas
on the _____ day of _____ 2002.

For the County

Passed and approved this 19th day of March, 2002.



John C. Hill, Mayor



Beth Woodson, Administrative Secretary

Attachment "A"

CITY OF
SAVOY

1998

**SUBDIVISION
ORDINANCE**

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SUBDIVISION REGULATIONS
OF THE
CITY OF SAVOY, TEXAS

Whereas, under the provisions of the Constitution and laws of the State of Texas, including particularly Chapters 212, 242, and 43 of the Local Government Code, as amended, every owner of any tract of land situated within the City of Savoy who may hereafter divide the same into two (2) or more tracts described by metes and bounds or otherwise for the purpose of laying out any subdivision of such tract of land or any addition to said City; or for laying out suburban lots or building lots, or any lots, and purchasers or owners of lots fronting thereon or adjacent thereto, are required to submit a plat of such subdivision or addition for approval by the Planning and Zoning Commission and the City Council of the City of Savoy; and

Whereas, the rules and regulations of the City established by ordinance, governing plats and subdivisions of the land, be and the same are hereby extended to and shall apply to all of the area under the extraterritorial jurisdiction of said City, as provided for in Chapter 42 of the Local Government Code.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAVOY, TEXAS

open spaces as are required by ordinances of the City and having its principal frontage upon a public street or officially approved place.

2.2.7.1. Corner lot shall mean a lot which has frontage upon a side street in addition to a front street.

2.2.7.2. Lot of record shall mean any lot which is part of a subdivision the plat of which has been recorded in the office of the County Clerk of the county or counties in which the plat has been recorded.

2.2.8. Plat shall mean a complete and exact subdivision plan submitted to the City Council which if approved shall be submitted to the County Clerk of the county or counties in which the plat is located for recording.

2.2.8.1. Approved plat shall mean a plat which has been approved in accordance with the requirements of this ordinance and which has been filed for record with the County Clerk of the county (counties) in which the subdivision is located.

2.2.9. Street shall mean a way for vehicular traffic and other public uses, whether designated a street, highway, thoroughfare, parkway, throughway, road, avenue, boulevard, lane, place, or however otherwise designated.

2.2.9.1. Arterial or major streets and highways shall mean streets used primarily for fast or heavy traffic as designated in the Comprehensive Plan of the City.

2.2.9.2. Collector streets shall mean those streets which carry traffic from minor streets to major system of arterial streets and highways, including the principal entrance streets of a residential development or business park and those streets for circulation within such a development.

2.2.9.3. Minor, local, or residential streets shall mean those streets which are used primarily for access to abutting properties.

2.2.9.4. Marginal access streets shall mean those minor streets which are parallel to and adjacent to arterial streets and highways and which provide access to abutting properties and protection from through traffic.

2.2.9.5. Cul-de-sac shall mean a short minor street having only one vehicular access to another street and terminated by a vehicular turn-around.

2.2.9.6. Dead end street shall mean a street, other than a cul-de-sac, with only one outlet.

2.2.10. Subdivision shall mean the division of a tract or parcel of land into two (2) or more parts or lots for the purpose, whether immediate or future, of sale or building development or transfer of ownership with the exception of transfer to heirs of an estate, and shall include re-subdivision. An owner subdividing his land into parcels of not less than five (5) acres each for agricultural use and not involving new streets shall be exempt from the requirements of this ordinance.

2.2.10.1. Re-subdivision shall mean the division of an existing subdivision, or the relocation of any street lines.

2.2.10.2. Subdivider shall refer to any person or any agent thereof, dividing or proposing to divide land so as to constitute a subdivision. Furthermore, the term "subdivider" shall be restricted to include only the owner, equitable owner, or authorized agent of such owner or equitable owner of land sought to be subdivided. The terms "subdivider" and "developer" are used interchangeably in this ordinance.

2.2.11. Zoning Administrator shall mean the Building Inspector of the City or his designee who shall administer the provisions of this ordinance.

SECTION 3

PURPOSE, AUTHORITY AND JURISDICTION

a. Informally confer with Subdivider.

b. Advise and assist the Subdivider in procedure for approval of plats and on regulations and policies of the City regarding development either within the corporate limits of the City or its extraterritorial jurisdiction.

4.2. Approval Procedure For Preliminary Plat

4.2.1. Subdivider shall submit to the City no later than twenty (20) days prior to the Commission meeting at which it is to be considered:

a. Filing fee.

b. Ten (10) copies of plat stamped "Preliminary Plat".

c. Ten (10) copies of a letter of transmittal, stating briefly the type of street surfacing, drainage, sanitary facilities, and water supply proposed, and the name and address of the owner or agent, engineer, and surveyor.

d. Supplementary materials as applicable in other sections of these regulations.

4.2.2. The Zoning Administrator shall:

a. Conduct a study of plats and materials submitted.

b. Request written reports from departments and utilities if deemed necessary.

c. Make available plats and reports to Planning and Zoning Commission for review.

d. Consult with City's consulting engineer, Subdivider's engineer, private utility companies, and school district.

e. Schedule preliminary review with Subdivider.

4.2.3. The Planning and Zoning Commission shall:

a. Act within thirty (30) days after the filing of preliminary plat.

b. Submit one of the following recommendations to the City Council:

(1) Approve.

(2) Approve with conditions.

(3) Disapprove.

(4) Return to City Staff or Commission for further consideration.

c. Make notes on two (2) copies of preliminary plat as to action taken.

4.2.4. The City Council shall, within thirty (30) days after the Planning and Zoning Commission has submitted its recommendation, conclude one of the following:

a. Preliminary plat approved.

(1) Approve.

(2) Approve with conditions.

(3) Disapprove.

c. Make notes on two (2) copies of the final plat as to action taken.

4.4.4. The City Council shall, within thirty (30) days after the Planning and Zoning Commission has submitted its recommendation, conclude one of the following:

a. Final plat approved.

b. Final plat approved with conditions.

c. Final plat not approved but may be returned for further consideration by the Planning and Zoning Commission.

d. Final plat not approved.

4.4.5. The City Secretary shall, within thirty (30) days after City Council approval:

a. Take action on plats as follows:

(1) For plats located within the corporate limits of the City, review the file plat for proper signature and approval, and record at County Clerk's Office.

(2) For plats located outside the corporate limits of the City but within its extraterritorial jurisdiction, review the final plat for proper signature and approval, and forward copies to the County Judge for action and approval by the Commissioner's Court prior to recording at County Clerk's Office.

b. Retain three (3) copies of plat recorded in the County Records for the City files.

c. Distribute copies as directed.

4.4.6. Subdivider shall:

a. Direct his engineer to design, stake and supervise the construction (to be inspected by the City) of facilities in accordance with approved plans and specifications and these regulations.

b. Direct his contractor(s) to construct all improvements as identified in the approved engineering plans and to provide to the City a one (1) year maintenance bond in the amount of ten (10%) percent of the contract price, along with three (3) blue line sets and one (1) sepiat set of "AS-BUILT" plans, checked and corrected by the Engineer.

4.4.7. The Zoning Administrator shall, upon completion of said improvements and compliance with these regulations, receive and cause the project to be considered for acceptance by the City Council for approval by the City of Savoy, including the title, use, and maintenance of the improvements.

4.5. Conditions of Final Plat Approval

No final plat shall be filed unless and until all requirements of the subdivision regulations have been complied with and until such stipulations as may be set by the City Council have been met. At the discretion of the City Council, recommendation of approval for a final plat may be deferred to the Planning and Zoning

5.1.3.1. The proposed name of the subdivision.

5.1.3.2. The location, right-of-way width, and names of proposed streets.

5.1.3.3. The approximate width and depth of all lots. If the side lines are not parallel, the approximate distance between them at the building line and at the narrowest point should be given.

5.1.3.4. The location of building lines, alleys and easements.

5.1.3.5. The location and approximate size of sites for schools, churches, parks, including commercial retail, industrial, office, multifamily, educational, medical, and other special land uses.

5.1.3.6. The approximate acreage of the property to be subdivided.

5.1.4. Key Map

A key map showing relation of subdivision to major thoroughfares in all directions to a distance of at least one-half (1/2) mile.

5.1.5. Title, Etc.

The date, scale, north point and title under which the plat is to be recorded, with the name, address, and phone number of the owner, the name of the licensed land surveyor or registered professional engineer platting the tract.

5.2. Final Plat

The final plat shall be sized and contain the information, details and documents as follows:

5.2.1. Sheet Size and Scale

All final plats shall be drawn in permanent reproducible ink on mylar or tracing sheets 8 1/2" x 11", 8 1/2" x 14", 11" x 17", or 24" x 36" and to a scale of one (1) inch equals one hundred (100) feet. Where more than one (1) sheet is required, an index sheet of maximum size, 24" x 36", shall be filed showing the entire subdivision; all sheets shall be of the same size.

5.2.2. Measurements

The length and bearing of all straight lines, radii, arc lengths, tangent lengths, and central angles of all curves shall be indicated along the boundary line of the subdivision and along each block. All dimensions along the lines of each lot shall be shown. The curve data pertaining to block or lot boundary may be placed in a curve table at the base of the plat and prepared in tabular form.

5.2.3. Existing Features Inside Subdivision

5.2.3.1. The existing boundary lines with accurate distances and bearings of the land to be subdivided. Boundary lines shall be drawn in heavy lines for easy identification.

5.2.3.2. An accurate metes and bounds description of the area included in the subdivision, including reference to section or abstract corners, established subdivisions, primary control points, and total acreage being platted, all shall be placed upon the final plat. Where more than one ownership is involved in the area being subdivided, the limits of each owner's land shall be clearly designated on the final plat.

5.2.3.3. The location of existing water courses and other similar drainage features, flood prone land, railroads

Know All Men By These Presents:

That I, _____, do hereby certify that I prepared this plat and the field notes made a part thereof from an actual and accurate survey of the land and that the corner monuments shown thereon were properly placed under my personal supervision, in accordance with the Subdivision Regulations of the City of Savoy, Texas.

(Professional Seal and Date)

Name, Title, & Registration No.

5.2.11.3. Certificate of Approval by the City Council of the City of Savoy, to be placed on the plat:

Approved this _____ day of _____, 19____, by the City Council of the City of Savoy, Texas.

Mayor

City Secretary

5.2.12. Special Restrictions

Where restrictions of use of land, other than those given in these regulations are to be imposed by the subdivider, such restrictions shall be placed on the final plat or on a separate instrument filed with the plat.

5.2.13. Tax Receipt

Tax receipts and assessment releases showing that all taxes and all assessments have been paid are to be submitted concurrent with the final plat.

5.2.14. Subdivision Improvements

The developer shall install all survey monuments and markers, street paving, curbs and gutters, alley grading, storm drainage, water and sanitary sewer mains and laterals, fire hydrants, water valves, traffic signs, street lights, street signs and sidewalks, within and adjacent to the subdivision, or shall provide cash deposit or other guarantee acceptable to the City for the payment of the cost of such installations prior to the final approval by the City Council.

5.2.15. Park Improvements

Provisions for parks and open space shall be made as set forth in Section 6.1.

SECTION 6

GENERAL PROVISIONS

7.1.

Monuments

Monuments as prescribed in this ordinance shall be placed at all corners as required herein.

7.2.

Streets and Alleys

Before approval and acceptance of any final plat, the developer shall prepare and submit three (3) copies of the complete engineering plans of streets, alleys, curbs and gutters, storm sewers and drainage structures, and water and sanitary sewer improvements for the area covered by the final plat. The developer shall have these plans prepared by qualified engineer(s), subject to the approval of the plans by the City. The Zoning Administrator shall review the plans and specifications and, if approved, shall mark them "APPROVED" and return one set to the developer. If not approved, two (2) sets shall be marked, with the objections noted and returned to the developer for corrections. After approval of the plat and of the plans and specifications, the developer shall cause a contractor to install the facilities in accordance with the approved plans and specifications and the regulations of this article. The developer shall cause the engineer(s) to design, stake, and supervise the construction of such improvements, and shall cause the contractor to construct the said improvements in accordance with these regulations. The City will inspect the installation of the improvements after (1) the improvements have been completed and have been found to be installed in accordance with the approved plans and specifications, (2) upon receipt by the City of a one-year maintenance bond in the amount of ten percent (10%) of the contract price from each separate contractor, along with three (3) sets of "as-built" plans and one set of "as-built" sepias, and (3) upon receipts of a letter of the contractor's compliance with these regulations, then the Zoning Administrator shall receive and approve for the City the title, use, and maintenance of the improvements.

7.3.

Storm Drainage

An adequate storm sewer system consisting of inlets, pipes, and other underground drainage structures with approved outlets shall be constructed where drainage of storm water and the prevention of erosion cannot be accomplished satisfactorily by surface drainage facilities. Areas subject to flood conditions, as established by the City, will not be considered for development until adequate drainage has been provided.

Areas subject to flood conditions as established by the federal insurance administrator will not be considered for development until both adequate drainage and elevation of lots, streets, and alleys have been accomplished to meet the requirements of the flood plain map.

7.4.

Water Supply

All subdivisions shall be provided with an approved water system designed and constructed in accordance with the Comprehensive Plan and Standard Specifications of the City. In the corporate limits of the city, all subdivisions will be connected with the City water supply distribution system or an approved private system.

7.5.

Sewer Improvements

7.5.1. All subdivisions shall be provided with an approved sewage disposal system and, where the subdivision is inside the city limits, shall be connected to the City sanitary sewer system.

7.5.2. The developer shall furnish and install the complete sewer system, including the mains, manholes, cleanouts, Y-branches, and service laterals for all lots, lift stations, and appurtenances. The sewage system shall be designed and constructed in accordance with the Master Plan and Standard Specifications of the City.

7.5.3. In locations where sanitary sewers are not available and where there are no immediate prospects for installation of sanitary sewers, septic tanks of approved type may be installed in conformity with the rules,

SECTION 8

GENERAL REQUIREMENTS AND DESIGN STANDARDS

8.1. Relation to Land Use

All subdivisions shall conform to the Comprehensive Master Plan of the City and to all applicable zoning regulations. No subdivision design shall be approved that requires a change in zoning or an amendment to the Land Use Plan, as adopted, until a corrected Zoning and amended Land Use Plan is approved.

8.2. Streets

8.2.1. Conformity to Major Street Plan

The width and location of streets shall conform to standards the City Council may have adopted, both as to horizontal and vertical alignment and right-of-way widths.

8.2.2. Relation to Adjoining Street System

The proposed street system shall extend all existing major streets and such existing secondary and local access streets as may be desirable for convenience of circulation. Where possible, the width and the horizontal and vertical alignment of extended streets shall be preserved.

8.2.3. Street Jogs

Where off-sets in street alignment are unavoidable, in the opinion of the Planning and Zoning Commission and/or City Council, such off-sets may be employed, provided the distance between center lines is not less than one hundred twenty-five (125) feet.

8.2.4. Large-Lot Subdivisions

If the lots or tracts of land in the proposed subdivision are large enough to accommodate resubdivision in the future, or if part of the tract is not subdivided, consideration must be given to possible future street openings and access to future lots which could result from such resubdivision.

8.2.5. Through Traffic

Local streets shall be designed so as to discourage high-speed or through traffic. Where a subdivision abuts or contains an existing or proposed arterial street, the council may require marginal access streets, reverse frontages, deep lots with rear-service alleys, or such other treatment as may be necessary for adequate protection to residents of property and to afford separation of through and local traffic.

8.2.6. Topography

The street system shall bear a logical relationship to the natural topography of the ground.

8.2.7. Street Widths

"Street Right-of-way Width" shall be measured from front lot line to front lot line of opposite lots. "Street Paving Width" shall be measured from outside to outside of pavement or curb lines.

8.2.7.1. Marginal Access or Service Streets

Access or service roads shall have a minimum right-of-way width of forty (40) feet.

8.2.13.3. Temporary Turn-Arounds

Temporary turn-arounds are to be provided at the end of streets more than four hundred (400) feet long that will be extended in the future. The following note should be placed on the plat: "Cross-hatched area is temporary easement for turn-around until street is extended (give direction) in a recorded plat."

8.2.14. Street Intersections

8.2.14.1. Angle of Intersection

Except where existing conditions will not permit, all streets, major and minor, shall intersect at a ninety (90) degree angle. Variations of more than ten (10) degrees on minor streets and more than five (5) degrees on major or secondary streets must first be recommended by the Planning and Zoning Commission and approved by the City Council.

8.2.14.2. Radius at Acute Corners

Acute angle intersections recommended by the Planning and Zoning Commission and approved by the City Council are to have twenty-five (25) feet or greater radii at acute corners.

8.2.14.3. Center-Line Tie With Existing Streets

Each new street intersecting with or extending to meet an existing street shall be tied to the existing street on center line with dimensions and bearings to show relationship.

8.2.15. Partial or Half-Streets

Partial or half streets shall be prohibited, except when essential to the reasonable development of the subdivision in conforming with the other requirements of these regulations, and where the Council finds it will be practical to require the dedication of the other one-half of the street when the adjoining property is subdivided. Whenever a partial street exists along a common property line, the other portion of the street shall be dedicated. Where part of a street is being dedicated along a common property line and the ultimate planned width is sixty (60) feet, the first dedication will be thirty-five (35) feet; where the ultimate planned width is seventy-five (75) feet, the first dedication will be forty (40) feet. The following note shall be used in all such dedication: "This _____ foot strip is dedicated as an easement for all public utilities and such other utilities as may be permitted by the City and subject to such limitations as may be required by the City and shall automatically become dedicated for street purposes when and insofar as a _____ foot strip adjacent to it is so dedicated and the required improvements are installed."

8.2.16. Reserve Strips

Reserve strips controlling access to streets shall be prohibited except where definitely placed in City control under conditions recommended by the Planning and Zoning Commission and approved by the City Council. When provisional one (1) foot reserves are used along the side or end of streets that abut acreage tracts, the following note shall be used in all such dedication: "One (1) foot reserve to become automatically dedicated for street purposes when adjacent property is subdivided in a recorded plat", and access to dedicated tract is hereby prohibited until such action occurs.

8.2.17. Street Names

New streets shall be named so as to provide continuity of name with existing streets and so as to prevent conflict with identical or similar names in other parts of the City.

8.3.6. Lots on Major Streets

Lots facing or backing on major streets shall be at least ten (10) feet deeper than average lots facing on adjacent minor streets.

8.3.7. Lots on Drainage Easements

Minimum usable lot depths for lots backing on natural drainage easements shall be not less than one hundred (100) feet measured between front lot line and drainage easement.

8.3.8. Lot Shape

Lots should be rectangular insofar as practicable. Sharp angles between lot lines should be avoided. The ratio of depth to width should not ordinarily exceed two and one-half (2 1/2) times. Irregular shaped lots shall have sufficient width at the building line to meet frontage requirements for the appropriate zoning district.

8.3.9. Lot Lines

Side lot lines should be perpendicular or radial to street frontage.

8.3.10. Lot Facing

8.3.10.1. Street Frontage

Each lot shall be provided with adequate access to an existing or proposed public street by frontage on such street not to be less than forty (40) feet.

8.3.10.2. Double Front

Double frontage lots are prohibited except when backing on major thoroughfares. Where lots have double frontage, a front building line shall be established for each street.

8.3.10.3. Front Facing

Wherever feasible, each lot should face the front of a similar lot across the street. In general, an arrangement placing adjacent lots at right angles to each other should be avoided.

8.3.11. Lot Numbering

All lots are to be numbered consecutively within each block. Lot numbering may be cumulative throughout the subdivision if the numbering continues from block to block in a uniform manner that has been approved on an overall preliminary plat. Use block numbers only when previously platted units of the same subdivision have numbered blocks.

8.3.12. Driveway Restrictions

Rear and side driveway access to major thoroughfares shall be prohibited.

8.3.13. Replatting

Any person who wishes to revise a subdivision plat which has been previously filed for record must make an application of the proposed revised plat to the City Council. The replat of the subdivision shall meet all the requirements for a subdivision that may be pertinent. However, if the subdivision as replatted does not require any appreciable alteration or improvement of utility installations, streets,

8.6. Alleys

8.6.1. Alleys Required

Alleys shall be required along the rear line of all lots to be used in all residential, commercial, and industrial districts, except that the City Council may waive this requirement where other definite and assured provision is made for service access, such as off-street loading, unloading, and parking consistent with and adequate for the use proposed.

8.6.2. Alley Width

Where provided, alleys in residential districts shall not be less than twenty (20) feet in right-of-way width. Service alleys in commercial and industrial districts shall be a minimum of twenty-five (25) feet in right-of-way width and must be concrete paved fifteen (15) feet in width.

8.6.3. Cut-Offs

In case of intersecting alleys, a cut-off shall be required at each corner. Cut-offs shall be triangles having two (2) equal sides each of which shall not be less than twenty (20) feet in length or of such greater distance to provide safe vehicular movement.

8.6.4. Dead-End Alleys

No permanent dead-end alleys shall be permitted. Alleys in new subdivisions shall connect to and/or be aligned with alleys in adjacent subdivisions wherever feasible.

8.6.5. Paving

Alleys may be paved in accordance with City Specifications. If any alley is paved, it shall be paved according to paving specifications provided for in this ordinance and adopted by the City Council.

8.6.6. Access from the Alley

Access to residential property shall be permitted from any alley. Access from the alley shall not exclude another means of access from the front or side. No side lot access to residential property shall be allowed from any arterial street.

8.7. Easements

8.7.1. Size

The size of easements where alleys are not provided shall not be less than ten (10) feet on each side of rear lot lines. Easements along side lot lines shall be not less than ten (10) feet in width. However, while deemed necessary by the Planning and Zoning Commission and/or the City Council, such easements may be required to be twenty (20) feet in width.

8.7.2. Use

Where necessary, easements shall be retained for poles, wires, conduits, storm sewers, sanitary sewers, water lines, open drains, gas lines or other utilities. Such easements may be required across parts of lots (including side lines) other than as described above if the City Council determines that same is needed. Any easements so established shall be maintained by the property owner. All easements may be included in the computation of lot sizes, with the exception of drainage easements, which will be in addition to the specified lot size.

It is the purpose of this ordinance to ensure compliance with the Texas Department of Health requirements so that on-site sewerage facilities shall be designed, constructed, permitted, and operated to provide adequate sewage treatment and disposal that will not contaminate potable water supplies or threaten the health and welfare of the public. The design, construction, permitting, and operation of on-site sewerage system for use by individual homes, small business establishments, recreational areas, institutions, and other areas shall be in accordance with the "Construction Standards for On-Site Sewerage Facilities", Texas Department of Health, effective January 1, 1988, or as may be amended. These construction standards are adopted under the authority of the Texas Sanitation and Health Protection Law, Texas Civil Statutes, Article 4477-1.

All new development and construction, either in the City or its extraterritorial jurisdiction (ETJ), shall conform to these requirements. Existing individual disposal facilities should be upgraded to comply with the Standards, in order to protect the public health and welfare. On-site sewerage facilities must be upgraded by the owner, at the owner's expense, if the operation of the facility does not comply with government regulations or results in objectionable odors, unsanitary conditions, pollution, etc.

The developers of subdivisions, mobile home (manufactured housing) parks, or commercial and industrial establishments that are remote from organized sewage collection systems shall consider the method of sewage disposal in the determination of lot size and arrangement. A sewage disposal plan shall be submitted to the appropriate local regulatory authority as a part of the construction plans prior to the consideration of approval of the final plat.

Platted subdivisions served by a public water supply but utilizing individual subsurface methods for sewage disposal shall provide for individual lots having surface areas of at least one-half (1/2) acre.

Platted subdivisions served by an individual water supply well and an individual sewage disposal system shall maintain a minimum of a 150 foot radius around the well in which no subsurface sewerage system may be constructed, and each lot shall contain not less than one (1) acre.

8.10.7. Storm Drainage

Underground storm drainage facilities shall be provided where the run-off storm water and the prevention of erosion cannot be accomplished satisfactorily by surface drainage. All drainage facilities shall be constructed in accordance with the Comprehensive Plan and City specifications.

8.10.8. Monuments

8.10.8.1. Monuments consisting of three-quarter inch (3/4") diameter steel rods twenty-four inches (24") long shall be placed at all corners of block lines, the point of intersection of alley and block lines, and at points of intersections of curves and tangents of the subdivision.

8.10.8.2. Lot markers consisting of one-half inch (1/2") diameter steel rods shall be placed at all lot corners.

8.10.9. Street Name and Traffic Signs

All street name signs and traffic signs shall be provided by the subdivider and shall meet the type and erection standards of the City.

8.10.10. Street Lighting

Street lighting shall be provided and shall meet the design standards for intensity, location, type, and erection of the City.

8.10.11. Public Parks and Open Space

Public parks and open space shall be provided in accordance with location, size, and design standards as established by the City.

- 8.13.2.3. All excess excavated material from dedicated streets and alleys not used in the development of the land being platted shall be removed from the site and deposited at disposal sites designated by the City.

8.13.3. Curbs and Gutters

Curbs and gutters shall be provided by the subdivider.

8.13.4. Sidewalks

Sidewalks, if required, shall be provided by the subdivider.

8.13.5. Water

Where the City requires larger mains and branches than are necessary to serve the subdivision in order to provide for future development, the subdivider may be entitled to participating aid from the City, in accordance with current policy and availability of current funds.

8.13.6. Sanitary Sewers

Where the City requires larger sewer lines than are necessary to serve the subdivision in order to provide for future development, the subdivider may be entitled to participating aid from the City, in accordance with current policy and availability of funds.

8.13.7. Storm Drainage

- 8.13.7.1. Where the City requires larger storm drainage facilities than are necessary to serve the subdivision in order to provide for future development, the subdivider may be entitled to participating aid from the City, in accordance with current policy and availability of current funds.

- 8.13.7.2. Where the City does not participate in storm drainage improvements and the cost of necessary storm drainage construction is prohibitive for the subdivider to bear, all areas affected by such drainage may be omitted from the development.

8.13.8. Monuments

Monuments shall be provided by the Subdivider.

8.13.9. Lot Markers

Lot markers shall be provided by the Subdivider.

8.13.10. Street Name Signs and Traffic Signs

Street name signs and traffic signs shall be provided by the Subdivider.

8.13.11. Street Lights

Street lights shall be provided by the Subdivider.

8.13.12. Public Parks and Open Space

Public parks and open space shall be provided by the Subdivider in the manner set forth in Section 6.1 herein.

8.16. Inspection of Construction

The City shall be given opportunity to inspect all phases of the construction of improvements for subdivisions. The subdivider, or his contractor, shall maintain daily contact with the City Engineer, or his representative, during construction of improvements.

No sanitary sewer, water, or storm sewer pipe shall be covered without approval of the City Engineer or his representative. No concrete shall be poured for streets, structures, or curbs and gutters without said approval. No flexible base material shall be placed on the street subgrade, or asphaltic surface applied to the flexible base of a street without said approval.

8.17. Penalty

Any person violating this ordinance or any portion thereof shall upon conviction be guilty of a misdemeanor and shall be fined any sum not exceeding one thousand dollars (\$1,000.00) and each day that such violation continues shall be considered a separate offense and punishable accordingly.

SECTION 9 FILING FEES AND CHARGES

The following schedule of fees and charges shall be paid to the City when any plat is tendered to the Planning and Zoning Commission, City Council, or any other authorized board or agency of the City. Each of the fees and charges provided herein shall be paid in advance, and no action of the Commission, the City Council or any other board or agency shall be valid until the fee or fees shall have been paid to the officer designated therein.

These fees shall be charged on all plats, regardless of the action taken by the Planning and Zoning Commission and the City Council, and whether the plat is approved or denied.

The subdivider shall cause a check to be made payable to the City of Savoy to cover all recording fees involved in finishing the platting process and have this delivered to the City Secretary prior to the submission for approval.

The City Engineer shall calculate the fees and charges, in accordance with the following schedule.

9.1. Preliminary Plats

\$50.00 per plat, plus \$3.00 per lot.

9.2. Final Plats

\$100.00 per plat, plus \$3.00 per lot.

9.3. Combination Preliminary and Final Plats

\$20.00 per plat, plus \$1.00 per lot.

9.4. Multiple Dwelling, Commercial, or Industrial Areas

For approval of multiple dwelling areas, commercial or industrial areas not subdivided into lots, the preliminary plats shall carry a fee of \$50.00 per plat, plus \$5.00 per acre. The fee for the final plat shall be \$100.00 per plat, plus \$5.00 per acre.

SECTION 12

SAVING CLAUSE

If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be unconstitutional, void, or invalid, the validity of the remaining portions of this ordinance shall not be affected thereby, it being the intent of the City Council in adopting this ordinance that no portion thereof, or provision or regulation contained herein shall become inoperative or fail by reason of the unconstitutionality or invalidity of any section, subsection, sentence, clause, phrase, or provision of this ordinance.

(DENIED) (PASSED AND APPROVED) by the following vote of the City Council of the City of Savoy, Texas,
on this the _____ day of _____, 199

AYES _____
NAYS _____
ABSTENTIONS _____

Mayor

Attest:

City Secretary



MINUTES

108 E. Hayes St.
Savoy, TX 75479
(903) 965-7706

The City Council of Savoy met for Regular Meeting, Tuesday, March 19, 2002 at 7:00 p.m. in the Savoy Civic Center. Those present were Mayor John Hill, Council Members Weldon Beckham, Vonda Frailicks, J.W. Vaughn, Mark Johnson and Joe Isom. Employees present were Administrative Secretary Beth Woodson, Police Chief Milton Hill and Public Works Director Jim Garretson. Troy Sellars with TXU Electric/Gas, and Katricia Sandlin. Citizens present were as follows: Cheryl Halter, Denise Pugh, Tom Melugin, Don Wrenn, Scott and Tammy Francis, Billy Burks, R.L. Munger, Marty Baker, Darryl Walden, John Berube, Robert Hodges, and Donna Thomasson.

- I. Call to Order and Announce a Quorum is Present.
Mayor called the meeting to order at 7:08 with a quorum.
- II. Invocation
Vonda Frailicks led the invocation.
- III. Approval of Minutes of February 19, and February 25, Bills Paid and Water/Sewer Adjustments.
Joe Isom made the motion to accept the minutes of February 19 2002, and February 25, 2002, Bills paid, and Water/Sewer. Weldon Beckham seconded the motion. Motion Carried All For.
Visitors/Citizens Forum: At this time, any person with business before the Council not scheduled on this Agenda may speak to the Council. No formal action can be taken on these items at this meeting.
Troy Sellers commented to the council the appreciation of the city for their help during the crisis they had with the gas leak under the construction of the sewer grant.
- IV. Contract Reports:
 - A. Ambulance Service
Jackie Miller presented the council with a Financial Statement from the EMS. She stated that the second ambulance had been put in to service March 1st, 2002. EMS billing service was up and running smoothly.
 - B. Fire Department
Fire Chief Billy Burks commented concerning the letter in the paper stating no raises, he ask for an explanation. John Hill stated that this would be covered later in meeting. Billy Burks asked what report the council wanted. Mayor John Hill stated that Chief Burks could report on their runs are other items. Chief Burks said he had nothing else to state.
- IX. Committee Reports:
 - C. Park Committee
Katricia Sandlin stated she would like to wait until Jim Garretson presented the review of the park expenses.
 - D. Beautification Committee
No one was present from the Beautification Committee. Council member J.W. Vaughn stated that he would speak for the committee. The Beautification Committee stated they would do the Spring Clean Up of the city. They wanted to include the children in the cleanup.
- V. Action Item:
 - 1.) Consider and act upon new Fire Protection Contract for 2002
Chief Burks commented on the Survey the City had done concerning Fire Departments. Joe Isom noted the expenses on the 2001 Expenses given on December 18, 2001 and the one mailed to the city after requesting a Budget for 2001. The two did not match up. R.L.

Munger apologized for the error and Billy Burks made the comment that "He does not make fourteen something an hour either."

No action taken

2.) Consider and act upon any and items relating to Savoy City Park Grant
Jim Garretson presented an overview of the cost for the park and explained the cost listed on the schedule was must lower than actual cost to build. Jim stated that the Emergency Management was going to rip-rap the creek in the park, saving the cost of the rip-rap.

Katricia Sandlin stated that it was brought to her attention the wording in the August 21, 2001 minutes was reflected as dollars and needs to be restated as \$20,000.00 in kind for tennis courts.

J.W. Vaughn made the motion to amend the August 21, 2001 minutes concerning the renewal of pledge from the Savoy I.S.D. to the park. The minutes reflect the Savoy I.S.D. renews their pledge for \$20,000.00 dollars in kind for tennis courts in the park. Vonda Frailicks seconded. Motion Carried, All For.

3.) Consider and act upon any and all items relating to TCDP Sanitary Sewer Improvements #719741

Jim Garretson, Public Works Director stated he was very pleased with the work with L.B. Brown Construction. He commented that the gas line hit was due to mislocation on the locator. Some changes had been made due to the design having the manholes in the bar ditches.

No Action was taken.

The meeting was interrupted due to concerned citizens wanting to ask questions concerning the Fire Department issue. Police Chief Milton Hill reinstated the procedures of the meeting and the council continued.

4.) Consider and review Bid of choice on replacement of air conditioning unit to Air Tech

J.W. Vaughn made the motion to approve the review on Bid of Choice and award the work to Air Tech, Ron Hutchins. Mark Johnson seconded. Four For, One Opposed (Joe Isom). Motion Carried.

5.) Consider and act upon increase in Dental Insurance

J.W. Vaughn made the motion to approve the increase in Dental Insurance. Weldon Beckham seconded. Motion Carried, All For.

6.) Consider and approve City-County Agreement on ETJ Platting.

J.W. Vaughn made the motion to approve Resolution 020319, City-County Agreement on ETJ Platting. Joe Isom seconded. Motion Carried, All For.

7.) Consider and act upon:

a.) Invoice for Morris Engineers for 1999 TCDP #719741

Joe Isom made the motion to approve Invoice for Morris Engineers for 1999 TCDP #719741 in the amount of \$798.75. Weldon Beckham seconded. Motion Carried, All For.

a.) Invoice for S.W. Consultant # 25 for 1999 TCDP # 719741

Joe Isom made the motion to approve Invoice for S.W. Consultant #25 for 1999 TCDP #719741 in the amount of \$700.00. Vonda Frailicks seconded. Motion Carried, All For.

8.) Consider and approve B&B Equipment for removal of Class B Sludge from Wastewater Plant.

Jim Garretson, Public Works Director informed the council that all Class B Sludge registration were changing to permits, fees beginning at \$1,000.00 annually. We could contract with B & B Equipment of Paris for \$100.00 a load, at approximately three load annually, and use their permit.

J.W. Vaughn made the motion to approve B & B Equipment to remove the sludge for the city of Savoy at a cost of \$100.00 per load. Joe Isom seconded. Motion Carried, All For.

9.) Consider and approve schools:

a.) Jim Garretson – Municipal Inspectors Training School and Exam, May

