

ORDINANCE NO. 041904-A

AN ORDINANCE AMENDING ORDINANCE NO. 010603-A PROVIDING FOR MEMBERSHIP ON THE PLANNING AND ZONING COMMISSION OF THE CITY OF NIEDERWALD, TEXAS; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Niederwald desires to amend Ordinance No. 010603-A in accordance with and as authorized by Chapter 211 of the Texas Local Government Code; **NOW THEREFORE**,

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

I.

That Section 1 of Ordinance No. 010603-A is hereby amended to read as follows:

SECTION 1. MEMBERSHIP

The Commission shall be composed of five (5) members who shall be residents living within the city limits or the city's extraterritorial jurisdiction and shall be qualified voters of the city or the county, as the case may be.

Appointments to the Commission shall be made subject to the confirmation by the City Council. Members of the Commission shall serve two (2) year terms.

Newly appointed members shall be installed as soon as possible after the member's appointment is confirmed by the City Council.

The members of the Commission shall be identified by place numbers one (1) through five (5). The even numbered places shall expire in the even numbered years: the odd numbered shall expire in the odd numbered years.

If a member of the commission is absent, without excuse, for three consecutive meetings, whether said meetings are regular or special meetings, the member's office is deemed vacant without the necessity for any further action by the Mayor, City Council, or Commission.

Vacancies by death or other reasons on the Commission shall be filled for the unexpired term by the mayor subject to confirmation by the City Council.

Members of the Commission may be removed by the mayor subject to consent of the City Council. Prior to such action, good cause, demonstrated in writing, shall be provided the member in question, and a public hearing of the City Council shall be held.

The members of the Commission shall serve without compensation.

II.

That should any of the various clauses, sentences, paragraphs, sections or parts of this Ordinance be held for any reason invalid, unconstitutional, or unenforceable as

applied to a subdivision or a particular property, building, or structure therein, the same shall not be construed to affect any other valid portion of this Ordinance; but all portions hereof shall remain in full force and effect.

III.

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

IV.

That this Ordinance shall become effective on the 19th day of April, 2004.

PASSED, APPROVED AND ADOPTED this the 19th day of April, 2004.

Shirley Whisenant

HON. Shirley Whisenant, Mayor
City of Niederwald, Texas

ATTEST:

Angie Schulze
ANGIE SCHULZE, City Secretary
City of Niederwald, Texas

