

AN ORDINANCE OF THE CITY COUNCIL OF TOWN OF NIEDERWALD, TEXAS, AMENDING THE ORDINANCE TO CREAT AND ESTABLISH A PLANNING AND ZONING COMMISSION BY REPEALING SAID ORDINANCE AND SUBSTITUTING A NEW ORDINANCE TO HEREBY CREAT AND ESTABLISH A PLANNING AND ZONING COMMISSION OF THE TOWN OF NIEDERWALD, TEXAS, AND TO SET FORTH THE MEMBERSHIP, DUTIES, AND POWERS OF SAID COMMISSION IN THE FOLLOWING DOCUMENT. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NIEDERWALD, TEXAS:

SECTION 1. MEMBERSHIP

The Commission shall be composed of five (5) members who shall be residents living within the city limits and be qualified voters of the city. Appointments to the commission shall be made by the mayor, subject to the confirmation by the City Council. Members of the Commission shall serve two (2) year terms. 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 places shall expire in the odd numbered years. Newly appointed members shall be installed at the first regular Commission meeting after their appointment. 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.

## SECTION 2. DUTIES

1) Draft a comprehensive plan for future public and private development.

2) Draft regulations on land use zones, residential, commercial, industrial, and the subdivision of land.

3) Draft a land use map showing the location of permitted land uses, and densities of land uses within the city.

4) To hear, recommend or determine any matter relating to zoning, planning or subdivision control as may be specified or required under this section, the ordinances of the city or the laws of the State of Texas.

5) To report to the City Council and the public of its recommendations and activities.

### SECTION 3. POWERS

The Commission shall have the power to make rules, regulations and bylaws for its own government, which rules shall conform as nearly as possible to the rules governing the City Council; provided, however, that such rules shall be subject to approval by the City Council.

Such bylaws shall include:

- 1) Method of calling and conducting regular and special meetings all of which shall be open to the public.
- 2) Keeping records of its proceedings, all of which shall be open to the public.

### SECTION 4. VALIDITY

If any section, paragraph, subdivision, clause, phrase or provision of this Ordinance shall be adjudged invalid or held unconstitutional, the same shall not affect the validity of this ordinance as a whole or any part or provision thereof other than the part so decided to be invalid or unconstitutional.

PASSED, APPROVED, AND ADOPTED this the 7 day of

January,

Jack Clay Hodges

Jack Clay Hodges, Mayor

City of Niederwald, Texas

ATTEST

Martha Hodges

Martha Hodges, City Secretary

City of Niederwald, Texas

