ORDINANCE NO. 960917

AN ORDINANCE AMENDING THE LAND DEVELOPMENT CODE TO REQUIRE SETBACKS FROM CRITICAL ENVIRONMENTAL FEATURES; TO PROVIDE FOR REGIONAL WATER QUALITY CONTROL FACILITIES IN SINGLE FAMILY RESIDENTIAL SUBDIVISIONS; TO ELIMINATE AN EXEMPTION FROM THE REQUIREMENT TO OBTAIN A WATERSHED DEVELOPMENT PERMIT FOR CERTAIN RESIDENTIAL CONSTRUCTION IN THE UPLANDS ZONE; TO PROVIDE FOR VARIANCES ALLOWING DEVELOPMENT IN THE WATER QUALITY TRANSITION ZONE; TO ESTABLISH PROCEDURES FOR OBTAINING WATERSHED DEVELOPMENT PERMITS FOR SMALL PROJECTS; TO CORRECT THE DEFINITION OF THE TERM "SING FAMILY"; TO PROVIDE FOR VEGETATIVE FILTER WATER QUALITY CONTROLS; SETTING STANDARDS FOR VEGETATIVE FILTER WATER QUALITY CONTROLS; PROVIDING FOR GROUNDWATER INFILTRATION PROTECTION; TO PROVIDE FOR EROSION AND SEDIMENTATION CONTROLS, INCLUDING DUST CONTROL; TO PROVIDE FOR PESTICIDE AND FERTILIZER MANAGEMENT; TO PROVIDE FOR WATER CONSERVATION PLANS; CORRECTING A GRAMMATICAL ERROR IN SECTION 4.402(e)(1); PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR SEVERABILITY.

WHEREAS, the City Council of Sunset Valley finds that setbacks are required around all "Critical Environmental Features", as that term is defined in the Land Development Code, whether those features are located in the upland zone or otherwise, in order to protect the environment, including the Edwards Aquifer, and thus the health, safety, and welfare of the public;

WHEREAS, the City Council of Sunset Valley finds that single family residential subdivisions require regional water quality control facilities that serve the subdivision as a whole, rather than individual facilities for each lot in the subdivision, thus providing subdividers with regulations that provide them with greater flexibility in the subdivision of property, as well as to reduce the administrative burden on the City of inspecting and maintaining water quality control facilities;

WHEREAS, the City Council of Sunset Valley finds that regulation of the development of single family residences in the uplands zones is necessary to protect the health, safety, and welfare of the citizens of Sunset Valley and the public in general;

WHEREAS, the City Council finds that some development, under certain conditions, may be permissible within the water quality transition zone, and that variance procedures are necessary to regulate such development;

WHEREAS, the City Council finds that standards and procedures governing small development projects, specifically the construction of single family residences, are necessary to accomplish the goals behind watershed development regulations, but that those standards and procedures do not need to be as extensive and burdensome as those governing larger projects;

WHEREAS, the City Council of Sunset Valley finds that the definition of the term "single family" in Section 1.201 of the Land Development Code, which definition was incorporated into the

Code from the original Watershed Development Ordinance, should be corrected to reflect its application to the Code's watershed development regulations;

WHEREAS, the City Council of Sunset Valley finds that vegetative filter water quality controls will limit the runoff of pollutants into waterways within the City and its extraterritorial jurisdiction and limit the introduction of pollutants into the Edwards Aquifer;

WHEREAS, the City Council of Sunset Valley finds that the Land Development Code should be modified to implement certain standards for water quality controls to better protect the health, safety, and welfare of the citizens of Sunset Valley as well as to promote responsible development of land within the City and its extraterritorial jurisdiction;

WHEREAS, the City Council of Sunset Valley finds that erosion and sedimentation controls, as well as dust control, are necessary to protect the environment and thus the health, safety, and welfare of the citizens of Sunset Valley;

WHEREAS, the City Council of Sunset Valley finds that pesticide and fertilizer management plans and water conservation plans will assist in protecting the environment and thus the health, safety, and welfare of the citizens of Sunset Valley, Texas;

WHEREAS, the City Council finds that Paragraph 4.402(e)(1) of the Land Development Code contains a grammatical error;

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SUNSET VALLEY, TEXAS:

SECTION 1. SETBACKS FROM CRITICAL ENVIRONMENTAL FEATURES REQUIRED

Paragraph 4.504(b)(1) of the Land Development Code is hereby amended to read as follows:

(1) Critical Environmental Features ~~located in the uplands zone~~ shall have a standard setback of 150 feet around said feature. An administrative variance may be granted by the City engineer for a 50 feet setback on the downstream side only of said feature.

SECTION 2. REGIONAL WATER QUALITY CONTROL FACILITIES FOR SINGLE FAMILY SUBDIVISIONS

The Land Development Code is hereby amended to include the following Section 3.314:

Sec. 3.314 Regional Water Quality Control Facilities for Single Family Residential Subdivisions

(a) For property to be subdivided into single family residential lots, where at least one of such lots is less than five acres, the subdivision shall be provided with adequate water quality control facilities that comply with the requirements of the Watershed Development Chapter of this Code. Those facilities shall be reflected on all subdivision applications required in the subdivision regulations of this Code.

(b) *The subdivider shall designate a reasonable number of water quality control facilities, each of which of sufficient design to serve as much of the area of the subdivision as is practical for each individual facility; the total number of facilities shall, however, be sufficient to serve the entire subdivision.*

(c) *Notwithstanding any other provision of this Code, such water quality control facilities may be designed, at the subdivider's option, to cross lot lines, provided that the facilities lie entirely within the subdivision; and provided that the subdivider complies with all other applicable regulations and standards in this Code regarding water quality control facilities; and provided further that the facilities comply with any other applicable minimum setbacks for structures, including but not limited to setbacks from streets, water quality zones, adjacent property that is not part of the subdivision, and critical environmental features.*

SECTION 3. EXEMPTION FROM WATERSHED DEVELOPMENT PERMIT REQUIREMENT FOR RESIDENTIAL CONSTRUCTION IN UPLANDS ZONE ELIMINATED

Paragraph 4.104(b)(1) of the Land Development Code is hereby repealed; paragraph 4.104(b)(2) is hereby renumbered as 4.104(b)(1) and paragraph 4.104(b)(3) is hereby renumbered as 4.104(b)(2). Subsection 4.104(b) is hereby amended to read as follows:

(b) Residential Construction

~~(2)~~*(1)* For the construction of a single family development that proposes residential lots of no less than five acres per lot and is appropriately restricted to that residential density, a watershed development permit is required, however, no Water Quality Controls are required, provided the owner and/or developer of the property complies with the impervious cover requirements set forth in this Chapter and with the building and site development requirements imposed by this or other applicable provisions of this Code and City ordinances.

~~(3)~~*(2)* Additions and/or accessory structures to any single-family residence existing prior to the adoption of Ordinance 920519, shall be allowed, provided that the total impervious cover including both proposed and existing structures, drives, etc. does not exceed eighteen (18) percent.

SECTION 4. VARIANCE TO ALLOW DEVELOPMENT IN THE WATER QUALITY TRANSITION ZONE

A. Subsection 4.201(d) of the Land Development Code is hereby amended to read as follows:

(d) No commercial, *multi-family, or single family residential* development shall occur within the water quality transition zone *unless a variance has been obtained pursuant to Section 4.301(k) or Section 4.107 of this Code*.

B. Subsection 4.300(c) of the Land Development Code is hereby amended to read as follows:

(c) Land within the water quality transition zone, *unless a variance is obtained pursuant to subsection 4.301(k) of this Code.*

C. The following language is hereby added as subsection (k) of Section 4.301 of the Land Development Code:

(k) Variance Allowing Additional Development in the Water Quality Transition Zone The City Council may grant a variance allowing development of commercial, multi-family, and single family residential lots in the water quality transition zone.

(1) A person desiring to develop in the water quality transition zone may submit an application for a variance at the time of submission of the preliminary site plan, and the application shall be acted upon by the City Council at the same time that the preliminary site plan is acted upon. In the case of a legal lot which is to be developed with one single family residence, or two contiguous legal lots which are to be developed by the same developer with one or two single family residences, the application shall be governed by Section 4.107 (Small Projects).

(2) The granting of a variance under this subsection shall not be construed as relieving the grantee from obtaining a watershed development permit under applicable ordinances or this Code, nor shall the granting of a variance be construed as committing the Council to approving the grantee's application for a watershed development permit.

(3) A variance may be granted only if the following standards are met:

(i) Impervious cover in the water quality transition zone shall be no more than 8% of the total portion of the lot that is in the transition zone. The impervious cover within the water quality transition zone shall be part of, and not in addition to, the total amount of impervious cover allowed on the lot as a whole.

(ii) A minimum setback of at least 75 feet shall be maintained between the critical water quality zone and developed, impervious, or pollutant source areas, or areas with disturbed vegetation or soil in the water quality transition zone. Within the aquifer recharge zone, a 100 foot minimum setback shall also be preserved between developed, impervious, or pollutant source areas, or areas with disturbed vegetation or soil in the water quality transition zone and any identified recharge features.

(iii) Impervious cover, water quality controls, and drainage shall be designed to allow maximum infiltration of clean rainfall runoff. The applicant shall provide an increased average annual infiltration equal to 125% of the infiltration volume lost due to development within the transition zone. The increase must be shown compared to the average annual infiltration volume without the proposed water quality transition zone encroachment. Increased infiltration can be achieved using retention/re-irrigation of

storm water runoff, infiltration basins, disconnected impervious cover, and/or engineered vegetative buffers. Infiltration estimates must be based either on soil data for the site published by the Soil Conservation Service (U.S. Department of Agriculture, 1974), or on field measurements of the infiltrative capacity of the surface soil, using such devices as a ring infiltrometer. Subsurface infiltration testing methods for septic systems are not acceptable.

(iv) *Water quality controls shall be designed to be at least 25% more efficient at reducing the average annual pollutant load for total suspended solids, total nitrogen, total phosphorous and total organic carbon or chemical oxygen demand than water quality controls required for development in the Upland Zone.*

(v) *Where development encroaches into the water quality transition zone, associated turf and landscaped areas requiring fertilizer, pesticides, herbicides, insecticides, or fungicides for maintenance shall be prohibited. Disturbances of the natural vegetation and tree cover shall be prohibited except within the building footprint and the surrounding construction disturbance area. The surrounding construction disturbance area within the water quality transition zone shall be limited to a maximum radius of 20 feet from the building footprint, unless the developer can demonstrate that a greater, specified radius is necessary and would not produce greater adverse effects than a 20-foot radius.*

(vi) *A variance under this subsection may be granted only if the property to be developed in the water quality transition zone has not already been used for transferring development intensity credits.*

(4) *The conditions of a variance permitted under this subsection shall be imposed on the property as a restrictive covenant running with the land, in a form approved by the City Attorney, and recorded in the real property records of Travis County, Texas once a final site plan is approved by the City Council.*

SECTION 5. SMALL PROJECT REQUIREMENTS

A. Subsection 4.105(f) is hereby repealed.

B. The Land Development Code is hereby amended to include a new Section 4.107, which reads as follows:

Sec. 4.107 Small Project Requirements

(a) *This section applies to a legal lot which is to be developed with one single family residence, or to two contiguous legal lots which are to be developed by the same developer with one or two single family residences.*

(b) *Three (3) copies of a preliminary site plan showing the information required in this section shall be submitted with the development permit application. Only the following information will be required for submittal if the lot or lots are not otherwise exempt from the requirements of this Chapter:*

(1) *legal description of the property;*

(2) *name and address of the Owner/Developer;*

(3) *name and address of the company or individual who prepared the site plan;*

(4) *a topographic map with two (2) foot contours based upon City of Austin data showing:*

(A) *the horizontal limits and elevations of the one-hundred (100) and twenty-five (25) year flood plains with a citation of the source of the information;*

(B) *locations of the Critical Water Quality Zone (CWQZ) and the Water Quality Transition Zone (WQTZ);*

(C) *location of trees having a trunk with a six (6) inch diameter or a circumference of 19 inches or greater measured four and one half (4-1/2) feet above the ground that will be removed;*

(D) *existing geologic features including but not limited to faults and fractures along waterways and other critical environmental features (CEF) as defined herein;*

(E) *location of all proposed improvements including buildings, streets, driveways, storm drainage systems, water supply and distribution systems, wastewater collection systems or wastewater treatment and disposal systems;*

(F) *location and description of all temporary erosion/sedimentation controls and permanent water quality controls, if such controls are required;*

(G) *changed drainage patterns from the property after completion of construction;*

(H) *final grades of all topography, structures, drainage ways, parking, and driveways;*

(I) *location of existing and proposed drainage easements.*

(5) With respect to any fill proposed to be deposited, the identity of the source of any fill material to be deposited, and the certification of the owner of such fill that same does not contain any hazardous or toxic substances or materials.

(6) Other information as the City may reasonably require, including but not limited to the information specified in subsection 4.107(c) below.

(c) For a legal lot to which this section applies, a variance is required to develop any portion of the lot that lies within the Water Quality Transition Zone. A variance may be granted only if the following standards are met and are demonstrated on the preliminary site plan:

(1) Impervious cover in the water quality transition zone shall be no more than 8% of the total portion of the lot that is in the transition zone. The impervious cover within the water quality transition zone shall be part of, and not in addition to, the total amount of impervious cover allowed on the lot as a whole.

(2) A minimum setback of at least 75 feet shall be maintained between the critical water quality zone and developed, impervious, or pollutant source areas, or areas with disturbed vegetation or soil in the water quality transition zone. Within the aquifer recharge zone, a 100 foot minimum setback shall also be preserved between developed, impervious, or pollutant source areas, or areas with disturbed vegetation or soil in the water quality transition zone and any identified recharge features.

(d) Upon approval of the preliminary site plan and provided that the proposed development is in compliance with all applicable provisions of this Code and other ordinances and City Codes, the City Council shall issue a Watershed Development Permit.

SECTION 6. SINGLE FAMILY RESIDENCE DEFINED

The definition of "Single Family" in Section 1.201 of the Land Development Code is hereby amended to read as follows:

(226) "**Single Family**": A detached building unit designed to provide shelter and contain one family unit. For the provisions of *the watershed development regulations* of this Code only, single family shall include two family units.

SECTION 7. ALLOWANCE OF VEGETATED FILTER WATER QUALITY CONTROLS

The following paragraph is added to subsection 4.402(a) of the Land Development Code:

(5) Vegetative buffers may be used to treat runoff from private driveways and parking areas for single family residential use, or for sidewalks, roof tops, golf courses, playfields, or landscaped areas receiving applications of chemical pesticides or fertilizers. Vegetative buffers shall not be used to treat public, commercial, or multi-family roadways, driveways, or parking areas unless water quality pretreatment is provided. Vegetative buffers shall be designed to meet the standards of the City of

Sunset Valley, as well as applicable requirements of the Lower Colorado River Authority (LCRA), City of Austin, and Texas Natural Resource Conservation Commission. Vegetative buffers must meet or exceed the standards set forth in Section 4.406.

SECTION 8. GROUNDWATER INFILTRATION PROTECTION

A. Section 4.405 of the Land Development Code is hereby amended to read as follows:

Development shall comply with *the following standards, as well as other provisions of this Code addressing ecological considerations* ~~provisions of this Code that provide for~~:

(a) ~~Minimal~~ *There shall be minimal* impairment of the regenerative capacity of aquifers and other ground water and surface water supplies~~; and~~. *Plugging, filling, or sealing any significant recharge feature, as that term is defined in this Code, is prohibited.*

(b) *There shall be minimal* ~~Minimal~~ adverse impact upon critical areas, such as streams, slopes greater than fifteen percent (15%), highly erodible soils and mature stands of native vegetation.

(c) No proposed structure shall impair creek flow or cause lateral back up of water.

(d) Pesticide and Fertilizer Management Plan

(1) A pesticide and fertilizer management plan shall be submitted providing information regarding proper use, storage, and disposal of pesticides and fertilizers. The plan shall indicate likely pesticides and fertilizers to be used. The plan shall include two lists of pesticides and fertilizers: (1) those which, due to their chemical characteristics, potentially contribute significantly to water quality degradation; and (2) those which, due to the chemical characteristics, potentially would result in minimal water quality degradation.

(2) Landscaped areas should use limited amounts of fertilizer. Nitrogen within the fertilizer should be slow-release formulations: composted organic mulches, urea formaldehyde (UF), methylene urea, isobutylidene diuriea (IBDU), and sulfur coated urea (Pitt, 1994). The mass of nitrogen applied to each area per year should not exceed the estimated nitrogen utilization rate of the vegetation. The following table provides a guide of typical nitrogen utilization rates for the Texas Hill Country:

VEGETATION	*NITROGEN UPTAKE (pounds/acre/yr.)*	*REFERENCE*
Lawn grass	*130*	*Leps and Duble (no date)*
Ryegrass	*200-280*	*U.S. EPA (1981)*
Coastal Bermuda Grass	*400-675*	*U.S. EPA (1981)*

(e) Water Conservation Plan

As part of the requirements for development, the applicant shall submit a Water Conservation Plan. The water conservation plan shall include as a minimum the following:

(1) Identity of all water users;

(2) Monitoring program to identify and repair water pipe leaks;

(3) Installation of water-efficient plumbing fixtures; and

(4) Description of a water-efficient landscape program, including options for landscape irrigation using rooftop runoff (rainwater harvesting).

B. Section 1.201 of the Land Development Code is hereby amended to include the following definition:

"**Significant Recharge Feature**": a feature that, based on a surface exposure of solutioned or fractured limestone or on the presence of topography indicative of a karst sink, is likely to provide a conduit for infiltrating surface water to the Edwards Aquifer and the City of Sunset Valley drinking water supply.

SECTION 9. STANDARDS FOR VEGETATIVE BUFFER WATER QUALITY CONTROLS

A. Section 4.406 is hereby renumbered as Section 4.407.

B. The Land Development Code is hereby amended to include the following language as a new Section 4.406:

Sec. 4.406 Standards for Vegetative Buffer Water Quality Controls

The following standards shall govern the design and implementation of vegetative buffer water quality controls:

(a) *Minimum soil depths in the vegetative filter zone must be 18 inches or more. Soil depths shall be determined from hand or mechanical borings at representative locations at a density of at least one per 2 acres in the vegetative filter zone.*

(b) *The vegetative filter will be constructed along the entire length of the contributing drainage area and shall receive runoff as sheet flow.*

(c) *Flows from impervious surfaces must be delivered to the vegetative filter in an even, diffuse, shallow, overland flow manner. If necessary, a flow spreader meeting the requirements of the City of Austin Environmental Criteria Manual will be provided to distribute flow evenly across the top of the strip.*

(d) *The runoff flow path across the vegetative filter shall be as long as possible, within topographic site constraints.*

(e) *Native, existing vegetation in the vegetative filter shall be preserved to the greatest extent possible.*

(f) *Existing vegetation shall be supplemented with grasses and ground cover as necessary to prevent erosion. Juniper trees must be trimmed and native grasses established beneath. Supplemental vegetation should be selected to be drought resistant, sturdy under short periods of inundation and shall require minimum fertilization for vigorous growth.*

(g) *Fertilizer application to the vegetative filter at a rate greater than 75 pounds/acre per year must be preceded by an assessment of the nitrogen requirements of the vegetation and the measurement of nitrogen concentration in the soil.*

(h) *The maximum slope of the vegetative filter must be 5% or less. Alternatively, a demonstration, sealed by a registered professional engineer, may be presented to show that flow velocities through the filter during the 10-year design storm will not be erosive.*

(i) *Flow velocities through the vegetative filter shall not exceed 1 ft/second for the one-year design storm.*

(j) *The average annual hydraulic load to the vegetative filter shall not exceed 20 inches per year.*

(k) *Vegetative filters shall not be used for construction-phase erosion and sedimentation controls.*

(l) *Vegetative filter strips for commercial or multifamily development will be operated and maintained either by the City of sunset Valley or by the owner. If maintained by the owner, an annual operating permit to ensure the continued effectiveness of the flow spreader and that there is no erosion or gullying, and the presence of adequate vegetation to prevent erosion shall be required.*

(m) *Vegetative filter strips for residential development will be maintained by the City of Sunset Valley.*

(n) *The vegetative filter strips shall be inspected visually by the owner at least once each year and following every rainfall event of 8 inches or more within 24 hours. Inspection will include, at a minimum:*

(1) *Examination of vegetation for indications of distress.*

(2) *Examination of the soil and topography for indications of erosion or flow channeling.*

(3) *Examination of the entire length of all diversion berms and level spreaders.*

(o) *Any changes in vegetation which reduce the effectiveness of the vegetative buffer strip will be repaired. If repeated channeling and erosion of the vegetative filter occur, it may be necessary to supplement or replace the filter with structural controls.*

SECTION 10. EROSION-SEDIMENTATIONCONTROLANDCONSTRUCTIONSEQUENCING; DUST CONTROL

A. The heading of Section 4.401 of the Land Development Code is hereby changed to read as follows:

Sec. 4.401 ***Erosion-Sedimentation Control and Construction Sequencing; Dust Control***

B. Section 4.401(d) of the Land Development Code is hereby amended to read as follows:

(d) Development shall require a temporary erosion and sedimentation control plan and water quality plan certified by a registered professional engineer and approved by the City engineer which will control off-site sedimentation during the construction of the project by temporary structural controls, site management practices, or other approved methods until permanent ~~revegatation~~ *revegetation* is certified complete. The temporary erosion control plan must be phased to be effective at all stages of construction and must be adjusted, maintained, and repaired as necessary. The water quality plan shall be approved in conjunction with the site plan approval. *In addition, a dust control plan approved by the City engineer shall be included with the other plans required herein.*

(1) *At the time that the developer submits a final site plan, the developer also shall submit the erosion and sedimentation control, water quality, and dust control plans.*

(A) *The plan must specify site layout, grading, and drainage patterns, locations of all land disturbance, silt fences, spoils disposal areas, delineation of limits of construction, construction staging areas, construction entrances, temporary and permanent erosion and*

sedimentation controls, and temporary and permanent water quality controls.

(B) The plan must contain a discussion of project phasing and measures for assuring that proper erosion protection is in place.

(C) The plan must contain measures to limit airborne particulates and dust when dry and/or windy conditions create potential air quality degradation.

(2) Prior to clearing activities at the site, all permanent water capture-type controls must be excavated and drainage appurtenances constructed such that these facilities will serve as temporary construction-phase sedimentation traps prior to final finishing and revegetation of the structure.

(3) Silt control measures must be placed in the unfinished water quality structure to assure that sediment does not flow unfiltered from the unfinished facility.

(4) The contractor's representative responsible for compliance with construction-phase sediment and erosion control rules must perform the following activities:

(A) Attend the pre-construction meeting at the site to present proposed temporary erosion control measures to the City Engineer and/or the City's representative.

(B) Prior to any site clearing, conduct an inspection of all temporary erosion control measures with the City Engineer and/or the City's representative.

(C) During or immediately after all significant rainfall events, visit the site to evaluate the performance of temporary erosion control measures.

(D) Following each significant rainfall event, schedule a meeting with the City Engineer or the City's engineering representative to discuss the performance, ongoing adequacy and required upgrades of the site's temporary erosion control measures.

(E) During dry or windy conditions creating potential dust migration off-site, must implement the dust suppression measures described in the erosion/sedimentation plan.

(5) All drainage from potentially disturbed areas must drain through a properly installed silt fence prior to exiting the site. Silt fences must be constructed in strict compliance with design specifications detailed in the City of Austin's Environmental Criteria Manual. Silt fence construction must use proper excavation and anchoring depth and minimal disturbance and complete compaction of disturbed areas adjacent to the silt fence, as described in the City of Austin Environmental Criteria Manual. Silt fences must be properly secured

to steel posts and woven wire supports such that there are no openings at the junctions of silt fence material. The contractor shall only use new or completely intact silt fence material. No worn, torn, or punctured silt fence material is permitted. When accumulated silt behind a silt fence exceeds 6 inches in depth, it must be removed and properly disposed of. After completion of the project and certification of complete stabilization of site vegetation, the silt fence may be removed; however, the disturbed ground must be thoroughly compacted such that there is no loose soil along the former path of the silt fence.

SECTION 11. CORRECTION OF GRAMMATICAL ERRORS IN SECTION 4.402 OF THE LAND DEVELOPMENT CODE

Paragraph 4.402(e)(1) is hereby amended to read as follows:

(1) Fiscal security shall be required for development in the City and the ETJ to ensure that the water quality controls required are functioning properly. Fiscal *security* shall be based on an estimate prepared by the developer's engineer and reviewed and approved by the City. The estimate shall include, but is not limited to, the cost to construct the temporary and permanent water quality control facilities for the particular site development.

SECTION 12. SEVERABILITY

If any portion of this Ordinance or the application of this Ordinance to any person or set of circumstances is held to be invalid or unenforceable for any reason, then that holding shall not be construed to affect the validity of any other portion of this Ordinance, and all other portions shall remain in full force and effect. All provisions of this Ordinance are declared severable for that purpose.

SECTION 13. EFFECTIVE DATE

The provisions of this Ordinance shall be effective from the date of its adoption.

PASSED AND APPROVED this 17th day of September, 1996.

Michael Francis, Mayor

ATTEST:

Jayme Foley, City Secretary
City of Sunset Valley, Texas

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