

ORDINANCE 2011-09

AN ORDINANCE OF THE CITY OF LA FERIA AMENDING CHAPTER 10, EXHIBIT A, OF THE CODE OF ORDINANCES (SUBDIVISION ORDINANCE) TO ESTABLISH A FIVE-MILE EXTRA-TERRITORIAL JURISDICTION FOR THE CITY OF LA FERIA FOR PURPOSES OF IMPLEMENTING AND ENFORCING THE CITY'S SUBDIVISION ORDINANCE AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the City of La Feria (the City), a home-rule city, may adopt and enforce ordinances necessary to protect health, life, and property and to preserve the good government, order, and security of the municipality and its inhabitants; and

WHEREAS, the City's current subdivision ordinance defines its extra-territorial jurisdiction (ETJ) for the purpose of regulating subdivision development as extending one (1) mile from the corporate limits of the City; and

WHEREAS, Chapter 212 of the Texas Local Government Code authorizes municipalities with a population of 5,000 or more and located in a county bordering the Rio Grande River to extend its ETJ for the purpose of regulating subdivision development to an area five (5) miles from the corporate limits of the City; and

WHEREAS, the City currently has a population in excess of 5,000 and is located in Cameron County which borders the Rio Grande River; and

WHEREAS, pursuant to the NOTICE OF PUBLIC HEARING published in the *La Feria News* on May 25 and June 1, 2011, the City Commission held a public hearing on June 14, 2011, to receive public input on the proposal to extend the City's ETJ from one (1) mile to five (5) miles; and

WHEREAS, after completion of such public hearing, the City Commission has determined that it is in the best interest of the public health, safety and welfare of the citizens of the City and its surrounding area for the City to exercise its jurisdiction over the subdivision, platting and development of land to the fullest extent provided by law;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF LA FERIA, THAT:

1. Chapter 10, Appendix A, Section 2 (Definitions) of the Code of Ordinances of the City of La Feria is hereby amended to read:

Extraterritorial Jurisdiction: The unincorporated area outside of the City which is contiguous to and within five (5) miles of the corporate limits of the City and not a part of any other city and in which area the City may enjoy the violation of its subdivision ordinance.

2. This amendment shall be effective immediately.

PASSED AND APPROVED THIS 14th DAY OF JUNE 2011.

APPROVED:



Steve Brewer, Mayor

ATTEST:



Olga Oberwetter, City Secretary

APPROVED AS TO FORM:



Richard S. Talbert, City Attorney