

ORDINANCE NO.

AN ORDINANCE AMENDING CHAPTER 10 SUBDIVISION REGULATIONS, BY AMENDING SECTION 10.02.104 SIDEWALKS; AMENDING CHAPTER 14 ZONING, BY AMENDING SECTION 14.02.051 GENERAL REQUIREMENTS AND LIMITATIONS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PENALTIES; AND FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, the City Council ("Council") is the governing body for the City of Rockdale, Texas, and therefore, bears the responsibility for the integrity of governance; and

WHEREAS, the City desires to improve and provide a safe, multimodal transportation system for all residents; and

WHEREAS, the City desires to update its sidewalk standard for new development; and

WHEREAS, the public health, safety and welfare will be served by updating certain codes heretofore adopted by the City;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKDALE, TEXAS, THAT:

Section 1. Findings of Fact. The above and foregoing recitals are hereby found to be true and correct and are incorporated herein as findings of fact. The City Council hereby further finds and determines that the rules, regulations, terms, conditions, provisions and requirements of this ordinance are reasonable and necessary to protect the public health, safety and quality of life.

Section 2. Amendment of Section 10.02.104 SIDEWALKS. Section 10.02.104 Sidewalks is hereby amended as follows:

§ 10.02.104 Sidewalks.

(a)

Concrete sidewalks shall be provided on each side of all streets. *Local and collector streets shall have a width of not less than six feet (6'); and arterial streets shall have a width of not less than eight feet (8') and* a thickness of not less than four inches (4") and shall be constructed of three thousand (3,000) psi concrete on both sides of all streets and thoroughfares within the subdivision, except that sidewalks will not be required in industrial areas. Sidewalks shall be

constructed two feet (2') from the property line within the street or thoroughfare right-of-way and shall extend along the street frontage including the sides of corner lots and block ends. Construction of sidewalks adjacent to curbs in residential areas will be considered where driveway entrances are constructed from the rear of lots on each side of the street for the full length of the block or where mountable curbs are installed. ~~In these instances, the sidewalks shall be five feet (5') wide.~~

(b)

~~Sidewalks in commercial areas shall be a minimum width of five feet (5') or extend from the back of the curb to the building line as required by the city.~~

(c)

All concrete for sidewalks shall be placed on a two-inch (2") sand cushion and shall be reinforced with 6 x 6 No. 10 gauge welded wire fabric.

(d)

Longitudinal slope of sidewalks shall be that of the curb adjacent to the sidewalk. The transverse slope of the sidewalk shall be 1/4 inch per foot starting at the back of the curb. The maximum ground slope from the edge of the sidewalk on the property line side shall not exceed 11%. If it does exceed eleven percent (11%), a retaining wall that is acceptable to the city shall be provided on the property line.

Section 3. Amendment of Section 14.02.051 GENERAL REQUIRMENTS AND LIMITATIONS. Section 14.02.051 General Requirements and Limitations is hereby amended as follows:

§ 14.02.051 General requirements and limitations.

(r) All new development is required to install sidewalks within the right-of-way adjacent to the development in accordance with Subsection 10.02.104. For local and collector streets, the minimum sidewalk width is 6'; for arterial streets, the minimum sidewalk width is 8'.

Section 4. Repeal of Conflicting Ordinances. All ordinances or parts of ordinances, and sections of the City Code of Ordinances, in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict; provided, however, that all other provisions of said ordinances not in conflict herewith shall remain in full force and effect. In the event of a conflict or inconsistency between this ordinance and any other code or ordinance of the city, the terms and provision of this ordinance shall govern.

Section 5. Severability. If any provision of this ordinance or the application of any provision to any person or circumstance is held invalid, unlawful, unenforceable, or unconstitutional, the same shall not affect other provisions or applications hereof which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

Section 6. Savings Clause. All rights and remedies of the City of Rockdale are expressly saved as to any and all violations of the provisions of any ordinances affecting zoning and all other codes affected hereby including permit issuance, or vendor registration within the City which have accrued at the time of the effective date of this ordinance; and, as to

such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this ordinance but may be prosecuted until final disposition by the courts.

Section 7. Effective Date. This ordinance shall take effect immediately upon its adoption by the City Council and publication as required by the City Charter and the Texas Local Government Code.

Section 8. Open Meeting Act. It is officially found and determine that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Texas Open Meetings Act, Chapter 551, Texas Government Code.

PASSED AND APPROVED on first reading on this the _____, 2023.

PASSED AND APPROVED on second reading on this the _____, 2023.

ATTEST

THE CITY OF ROCKDALE

Shanna Johnson
City Secretary

Brett M. Boren, Mayor

