

ORDINANCE NO. 2024-1467

AN ORDINANCE OF THE CITY OF FULSHEAR, TEXAS, PROVIDING FOR THE APPOINTMENT OF ALTERNATE ZONING BOARD OF ADJUSTMENT MEMBERS TO SERVE IN THE ABSENCE OF ONE OR MORE REGULAR MEMBERS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL; AND PROVIDING FOR AN EFFECTIVE DATE.

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WHEREAS, Section 211.008(c) of the Local Government Code authorizes the City Council to provide for the appointment of alternate zoning board of adjustment members to serve in the absence of one or more regular members when requested to do so by the Mayor or City Manager; and

WHEREAS, the City Council desires to provide for the appointment of such alternate board members and to prescribe the procedures for requesting such alternate board members to serve in the absence of one or more regular board members;

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

Section 1. The City Council hereby provides for the appointment of two (2) alternate board members of the Zoning Board of Adjustment, who shall be appointed in accordance with Section 3.08(a) of the City of Fulshear home-rule charter. The first appointed alternate board member shall serve a term ending on June 1 of each odd-numbered year, and the second appointed alternate board member shall serve a term ending on June 1 of each even-numbered year.

Section 2. Upon written confirmation from one or more regular board members of the Zoning Board of Adjustment that such member or members will be absent from an upcoming meeting of the Zoning Board of Adjustment, the Mayor or City Manager may request that one or more alternate board members serve in the absence of such one or more regular members, as applicable.

Section 3. Requests made for the service of an alternate board member shall alternate between the alternate board members, beginning with the initial request being made to the alternate board member whose term ends on June 1 of each odd numbered year. If a request for service is made to an alternate board member and the alternate board member is unable serve, then the request for service may be made to the other alternate board member.

Section 4. Severability. In the event any clause, phrase, provision, sentence or part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent

jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and, the City Council of the City of Fulshear, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

Section 5. Repeal. All other ordinances or parts of ordinances inconsistent or in conflict herewith are, to the extent of such inconsistency or conflict, hereby repealed.

Section 6. Effective date. This Ordinance shall be and become effective immediately upon its adoption.

PASSED, APPROVED, and ADOPTED this, the _____ day of _____, 2024.

Don McCoy, Mayor

ATTEST:

Mariela Rodriguez, City Secretary