

## ORDINANCE NUMBER 1084

### **AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE CITY OF BURKBURNETT, TEXAS, REPEALING TITLE XV: "LAND USAGE" CHAPTER 155 "SUBDIVISION REGULATIONS", SECTION 155.13 "ANNEXATION"; PROVIDING AMENDMENT; PROVIDING A CUMULATIVE REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; AND SPECIFYING THE EFFECTIVE DATE.**

**WHEREAS**, the City of Burk Burnett (the "City") is a Home Rule Municipality acting under its Charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Texas Local Government Code;

**WHEREAS**, the Board of Commissioners finds that the requirement of an election to annex real property and extend the city limits is burdensome and exceeds the requirements of Texas law and the annexation requirements set out in the Texas Local Government Code; and

**WHEREAS**, the Board of Commissioners find that all other Texas statutory requirements for annexation into the city limits of the City of Burk Burnett shall be required; and therefore the City Commission desires to amend the City of Burk Burnett Code of Ordinances by repealing Title XV, "Land Usage", Chapter 155 "Subdivision Regulations"; Section 155.13 "Annexation" of the City of Burk Burnett Code of Ordinances.

### **NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF BURKBURNETT, TEXAS, THAT:**

**SECTION 1.** The above and foregoing premises are true and correct and are incorporated herein and made a part hereof for all purposes.

**SECTION 2. Amendment.** The City of Burk Burnett Board of Commissioners hereby repeals in its entirety Title XV "Land Usage," Chapter 155 "Subdivision Regulations", Section 155.13 "Annexation". The provision to be repealed is as follows:

#### **Section 155.13 Annexation**

If the property is not within the city limits and the owner desires annexation to be qualified to receive city services, when available, and be afforded police power protection, the owner must petition the city for annexation. After receipt of that petition, the city shall call for an election--a vote by the residents--to approve the annexation.

**SECTION 3.** This Ordinance shall be cumulative of all other ordinances and shall not repeal any of the provisions of such ordinances except for those instances where there are direct conflicts with the provisions of this ordinance. Ordinances, or parts thereof, in force at the time this

ordinance shall take effect and that are inconsistent with this ordinance are hereby repealed to the extent that they are inconsistent with this ordinance.

**Section 4.** In the event any one or more of the provisions of this Ordinance should be declared to be invalid, unenforceable, or illegal, such invalidity, unenforceability, or illegality shall not affect the validity, enforcement, or legality of the remaining portions of this Ordinance.

**Section 5.** It is hereby officially found and determined that the meeting at which this Ordinance is passed is open to the public as required by law and that notice of the time, place, and purpose of said meeting was given.

**SECTION 6.** That this Ordinance shall take effect immediately upon its passage.

**PASSED AND APPROVED ON THIS 21<sup>ST</sup> DAY OF APRIL 2025.**

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Lori Kemp, Mayor

**ATTEST:**

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Nikki Tepfer, City Clerk