

Village of Point Venture

ORDINANCE NO. 2022-11-16

AN ORDINANCE OF THE VILLAGE OF POINT VENTURE, TEXAS, AMENDING CHAPTER 4 OF THE VILLAGE OF POINT VENTURE CODE OF ORDINANCES; AMENDING RULES AND REGULATIONS FOR CONSTRUCTION AND IMPROVEMENT ACTIVITY; PROVIDING FINDINGS OF FACT; PROVIDING FOR REPEAL, SEVERABILITY, SAVINGS, PUBLICATION AND CODIFICATION; DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; PROVIDING A PENALTY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Village Council of the Village of Point Venture (“Village Council”) seeks to provide for the public health, safety and welfare of its citizens; and

WHEREAS, pursuant to Section 51.001 of the Texas Local Government Code, the Village of Point Venture may adopt and amend ordinances for the good government, peace and order of the Village, as necessary or proper for carrying out a power granted by law to the Village; and

WHEREAS, the Village Council has previously adopted rules and regulations for construction and improvement activity as codified in Chapter 4 of the Village of Point Venture Code of Ordinances; and

WHEREAS, the Village Council finds the amendment of the rules and regulations for construction and improvement activity is necessary for the good government, peace and order of the Village.

NOW THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL OF THE VILLAGE OF POINT VENTURE, TEXAS:

SECTION 1. Findings of Fact. All of the above recitals and premises are hereby found to be true and correct legislative and factual findings of the Village Council of the Village of Point Venture, Texas and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

SECTION 2. Amendment. The Code of Ordinances of the Village of Point Venture, Texas is hereby amended by deleting Subsections 4.03.003(h), 4.03.003(i), 4.03.003(j), and 4.03.003(k) of Chapter 4 and substituting therefor new Subsections 4.03.003(h), 4.03.003(i), 4.03.003(j), and 4.03.003(k) of Chapter 4 to provide as follows:

"VILLAGE OF POINT VENTURE, TEXAS
CODE OF ORDINANCES

...

CHAPTER 4 BUILDING REGULATIONS

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ARTICLE 4.03 CONSTRUCTION CODES AND STANDARDS

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4.03.003 General Provisions Applicable To All Construction And Improvement Activity

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- (h) Underground springs may be present in the type of subsurface formations which underlie the village. State law requires an engineering study of the site prior to construction in order to assure protection of the foundation from the deteriorating effects of this natural erosion element.
- (i) A permit is required from the village building official/assistant building official for the construction of swimming and boat docks. The permit is valid for one year. If construction is not completed within one year from the date of permit issuance, a new permit is required. No boat dock will be approved for installation at/on an unimproved property (i.e., no vacant lots). Storage areas, restrooms, and installed air conditioning are prohibited on boat docks. Use of a boat dock for sleeping or camping is prohibited. Boat docks exceeding 1,499 sq. ft. are required to have additional permits from the LCRA. All applications for boat docks must be accompanied by evidence of consent of each property owner, according to the official public records, on which the boat dock is to be located.
- (j) Abandonment of a project shall be deemed to occur if either:
 - (1) There is no construction activity within a consecutive 90-day period; or
 - (2) The project has not been completed within 365 days, and no application for an extension of time has been submitted to the village building official/assistant building official.

(k) No decks or patios may be constructed without a permit. Applicants shall submit to the village plans as to material to be used, location on property, type, and highest elevation in regard to the house being built. No deck or patio will be approved with the deck flooring higher than the highest finished floor in the house. "Proposed" or "future" decks described on original building plans will not be approved; and applications for such must be submitted at the time the owner intends to commence construction on such decks, in the manner provided in this article."

SECTION 3. Amendment. The Code of Ordinances of the Village of Point Venture, Texas is hereby amended by deleting Subsection 4.03.003(l) of Chapter 4.

SECTION 4. Amendment. The Code of Ordinances of the Village of Point Venture, Texas is hereby amended by deleting Subsection 4.03.004(b)(16) of Chapter 4 and substituting therefor a new Subsection 4.03.004(b)(16) of Chapter 4 to provide as follows:

**"VILLAGE OF POINT VENTURE, TEXAS
CODE OF ORDINANCES**

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CHAPTER 4 BUILDING REGULATIONS

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ARTICLE 4.03 CONSTRUCTION CODES AND STANDARDS

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4.03.004 Application Requirements

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(b) Regular, full permitting. For new construction and major remodeling projects, applicants shall submit one full set and a digital set of certified working drawings and specifications, with each page signed and dated by a licensed architect, designer or engineer, plus:

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(16) If any portion of the property is located in the floodplain, a floodplain development permit application must be submitted for approval before work is begun. It is valid for one year. An elevation certificate is required before, during and at the final inspection, when construction is complete."

SECTION 5. Amendment. The Code of Ordinances of the Village of Point Venture, Texas is hereby amended by deleting Subsection 4.03.004(b)(17) of Chapter 4.

SECTION 6. Repeal. All provisions of the ordinances of the Village of Point Venture in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict, and all other provisions of the ordinances of the Village of Point Venture not in conflict with the provisions of this Ordinance shall remain in full force and effect.

SECTION 7. Severability. Should any sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be adjudged or held to be illegal, invalid or unconstitutional, the same shall not affect the validity of this Ordinance as a whole, or any part or provision thereof, other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of any remaining provision of the Code of Ordinances or the Code of Ordinances as a whole.

SECTION 8. Savings. All rights and remedies of the Village of Point Venture are expressly saved as to any and all violations of the provisions of any ordinances regulating construction and improvement activity 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, shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

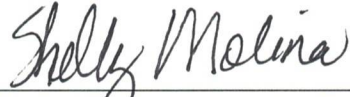
SECTION 9. Publication and Codification. The Village Secretary of the Village of Point Venture is hereby directed to publish the Caption, Penalty and Effective Date of this Ordinance as required by Section 52.011 of the Texas Local Government Code. The Village Secretary is further directed to have this Ordinance codified at the next available codification update.

SECTION 10. Open Meeting. The Village Council of the Village of Point Venture hereby finds and determines that the meeting at which this Ordinance was adopted was open to the public and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

SECTION 11. Penalty. It shall be unlawful for any person to violate any provision of this Ordinance, and any person violating or failing to comply with any provision hereof shall be fined, upon conviction, in an amount not more than Five Hundred Dollars (\$500.00), in accordance with the enforcement and penalty provisions, and a separate offense shall be deemed committed each day or part of a day during or on which a violation occurs or continues. Further, if the Village Council of the Village of Point Venture determines that a violation of this Ordinance creates a threat to the public safety, the Village may bring suit in the District Court to enjoin such violation and may exercise all available remedies as allowed by law.

SECTION 12. Effective Date. This Ordinance shall take effect immediately from and after its passage and publication as may be required by governing law.


DULY PASSED AND ADOPTED by the Village Council of the Village of Point Venture, Texas,
on the 16th day of November, 2022.



Shelly Molina, Mayor Pro Tem

ATTEST:

APPROVED AS TO FORM:



Vickie Knight, Village Secretary

Caroline Kelley, Village Attorney