

**ORDINANCE NO. 2024-\_\_\_\_\_**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS AMENDING SECTION 1-12-OFFICIAL CITY MAPS; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SAVINGS CLAUSE; AND DECLARING AN EFFECTIVE DATE.**

WHEREAS, the City of New Braunfels has an official map that has been amended over several years; and

WHEREAS, the current ordinance is outdated and lists past maps that are of historical importance but do not reflect the city's current boundaries as required by state law, Local Government Code, Chapter 41; and

WHEREAS, state law requires the copies be provided to the public free of charge and that a copy of the adopted map be kept, at a minimum, in the following places: City Secretary's Office, the Office of the City Engineer, if one is designated, as well as on the city's website; and

WHEREAS, the current maps are also currently maintained by the City's GIS Division of the IT Department and the Planning and Community Development Department; and

WHEREAS, this ordinance needs to be updated to reflect the current official city map and boundaries that is being maintained in accordance with Texas Local Government Code, Chapter 41.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS:**

**SECTION 1. Amendment.**

That City of New Braunfels Code of Ordinances, Section 1-12 is hereby amended as follows with underlined font indicating added language and strikethrough font indicating deleted language:

**Sec. 1-12. Official city maps.**

- (a) *Present Official City map.* The City Secretary's Office, Office of the City Engineer, and other city offices as authorized by the city manager shall maintain the official map of its boundaries in accordance with Chapter 41 of the Texas Local Government Code as now or hereafter amended. ~~The 1993 edition, and any subsequent update or revision resulting from annexation or disannexation, of the Map of the City of New Braunfels is hereby adopted as the official map of the city and is incorporated by reference as a part of the Code of Ordinances of the City of New Braunfels as fully as though set out in this Code. One copy of the most recent edition of the official city map is filed in the office of the city secretary, one copy of the official city map, with zoning displayed, is filed in the planning office, and additional copies or revisions of such maps shall be available in the office of the city engineer.~~
- (b) *Former maps.* ~~The original plan and survey designated as the Map of New Braunfels, Comal County, Texas, resurveyed by J.J. Groos in 1860; the map or plat prepared by Albert Marbach, city engineer, dated June 6, 1915, dividing the city into blocks; the 1958 revised map compiled and drawn by R.S. Jahn, city engineer; the 1973 edition of the map of the city, and all other official maps or plats heretofore recognized by the city shall remain in full force and effect except where changed by the official map adopted and incorporated by reference in subsection (a) of this section.~~

(Code 1961, § 2-2; Ord. No. 94-1, 1-10-94)

**SECTION 2: Repealer.**

All provisions of the New Braunfels Code of Ordinances, or other ordinances, whether codified or uncodified, in conflict with the provisions of this ordinance are hereby repealed, and all other provisions of the Code of Ordinances or other ordinances, codified or uncodified, not in conflict with the provisions of the ordinance shall remain in full force and effect.

**SECTION 3: Severability**

It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences clauses and phrases of this ordinance are severable, and if any phrase, clause, sentence or section of this ordinance shall be declared unconstitutional or invalid by any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any other remaining phrase, clause, sentence paragraph or section of this ordinance.

**SECTION 4: Savings Clause.**

The repeal of any ordinance or part of ordinances effectuated by the enactment of this ordinance shall not be construed as abandoning any action now pending under or by virtue of such ordinance or as discontinuing, abating, modifying or altering any penalty accruing or to accrue, or as affecting any rights of the municipality under any section or provisions at the time of passage of this ordinance.

**SECTION 5: Effective Date.**

This ordinance will take effect upon the second and final reading in accordance with the provisions of the Charter of the City of New Braunfels.

**PASSED AND APPROVED:** First reading this 22<sup>nd</sup> day of July, 2024.

**PASSED AND APPROVED:** Second reading this \_\_\_\_\_ day of August, 2024.

**CITY OF NEW BRAUNFELS**

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**NEAL LINNARTZ**, Mayor

**ATTEST:**

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**GAYLE WILKINSON**, City Secretary

**APPROVED AS TO FORM:**

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**VALERIA M. ACEVEDO**, City Attorney