

**Ordinance amending the Unified Development Code (“UDC”) by Amending Article 8, Section 8.1, subsection 8.1.6.A entitled “Acceptance of Improvements” of the UDC by revising the duration of the materials and workmanship warranty for all private and public infrastructure improvements from one to two years from the date of final (100%) acceptance; and providing for severance, penalties, and publication.**

**WHEREAS**, the Planning Commission has forwarded to the City Council its report and recommendation regarding this amendment of the Unified Development Code (“UDC”);

**WHEREAS**, with proper notice to the public, public hearings were held on Wednesday’s, May 17, 2017 and June 28, 2017, during meetings of the Planning Commission, and on Tuesday, July 11, 2017, during a meeting of the City Council, during which all interested persons were allowed to appear and be heard;

**WHEREAS**, the City Council has determined that this amendment to the UDC would best serve the public’s health, necessity, and convenience and the general welfare of the City and its citizens.

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CORPUS CHRISTI, TEXAS:**

**SECTION 1.** That UDC Section 8.1.6.A is amended by revising the text to read as follows:

**8.1.6. Acceptance of Improvements**

“...Once documentation for all requirements necessary for final (100%) acceptance of infrastructure improvements have been submitted and approved, the Assistant City Manager of Development Services will issue written notification to the developer’s designated representative. The notification will specify the effective dates of the required materials and workmanship warranty for the improvements. The duration of the warranty will be one two years unless otherwise specified by separate agreement. The purpose of the materials and workmanship warranty is to ensure that the developer and the developer’s contractor will be responsible for defects in materials or workmanship for all public and private infrastructure improvements required for platting and constructed as part of a development that become apparent within the effective dates specified by the Assistant City Manager of Development Services.

**SECTION 2.** If for any reason any section, paragraph, subdivision, sentence, clause, phrase, word, or provision of this Ordinance shall be held to be invalid or unconstitutional by final judgment of a court of competent jurisdiction, such judgment shall not affect any other section, paragraph, subdivision, sentence, clause, phrase, word, or provision of this Ordinance, for it is the definite intent of this City Council that every section, paragraph, subdivision, sentence, clause, phrase, word, or provision of

this Ordinance be given full force and effect for its purpose. The City Council hereby declares that it would have passed this Ordinance, and each section, paragraph, subdivision, sentence, clause, phrase, word, or provision thereof, irrespective of the fact that any one or more sections, paragraphs, subdivisions, sentences, clauses, phrases, words, or provisions be declared invalid or unconstitutional.

**SECTION 3.** A violation of this ordinance, or requirements implemented under this ordinance, constitutes an offense punishable as provided in Article 1, Section 1.10.1, and Article 10 of the UDC.

**SECTION 4.** Publication shall be made in the official publication of the City of Corpus Christi as required by the City Charter of the City of Corpus Christi.

**SECTION 5.** This ordinance is effective immediately upon passage.

That the foregoing ordinance was read for the first time and passed to its second reading on this the \_\_\_\_\_ day of \_\_\_\_\_, 2017, by the following vote:

|                     |       |                |       |
|---------------------|-------|----------------|-------|
| Mayor McComb        | _____ | Ben Molina     | _____ |
| Rudy Garza          | _____ | Lucy Rubio     | _____ |
| Paulette Guajardo   | _____ | Greg Smith     | _____ |
| Michael Hunter      | _____ | Carolyn Vaughn | _____ |
| Debbie Lindsey-Opel | _____ |                |       |

That the foregoing ordinance was read for the second time and passed finally on this the \_\_\_\_\_ day of \_\_\_\_\_, 2017, by the following vote:

|                     |       |                |       |
|---------------------|-------|----------------|-------|
| Mayor McComb        | _____ | Ben Molina     | _____ |
| Rudy Garza          | _____ | Lucy Rubio     | _____ |
| Paulette Guajardo   | _____ | Greg Smith     | _____ |
| Michael Hunter      | _____ | Carolyn Vaughn | _____ |
| Debbie Lindsey-Opel | _____ |                |       |

PASSED AND APPROVED on this the \_\_\_\_\_ day of \_\_\_\_\_, 2017.

ATTEST:

\_\_\_\_\_  
Rebecca Huerta  
City Secretary

\_\_\_\_\_  
Joe McComb  
Mayor