

ORDINANCE NO.

AN ORDINANCE AMENDING CITY CODE CHAPTER 30-2 TO ADD A NEW SECTION 30-2-287 REQUIRING PLATS IN THE EXTRATERRITORIAL JURISDICTION TO INCLUDE A NOTICE REGARDING LIMITED LAND USE CONTROLS APPLICABLE OUTSIDE THE CITY LIMITS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. City Code Chapter 30-2 (*Subdivision Requirements*) is amended to add a new Section 30-2-87 to read:

§ 30-2-87 INFORMATION AND NOTICE REQUIRED ON COVER PAGE.

(A) A subdivision within the extraterritorial jurisdiction containing lots intended for residential use must include a cover page containing:

- (1) a location map for the subdivision;
- (2) the name of the subdivision; and
- (3) the following notice:

**CONSUMER PROTECTION NOTICE
FOR HOMEBUYERS**

IF YOU ARE BUYING A LOT IN THIS SUBDIVISION, YOU SHOULD DETERMINE WHETHER THE SUBDIVISION AND THE LAND AROUND IT ARE INSIDE OR OUTSIDE THE CITY LIMITS.

THIS CAN AFFECT THE ENJOYMENT AND VALUE OF YOUR HOME. DEPENDING ON STATE LAW AND OTHER FACTORS, LAND OUTSIDE THE CITY LIMITS MAY BE SUBJECT TO FEWER LOCAL GOVERNMENT CONTROLS OVER THE DEVELOPMENT AND USE OF LAND THAN INSIDE THE CITY LIMITS.

THE SUBDIVISION'S RESTRICTIVE COVENANTS MAY CREATE PRIVATELY ENFORCEABLE RESTRICTIONS AGAINST INCOMPATIBLE LAND USES WITHIN THE SUBDIVISION, WHETHER IT IS INSIDE OR OUTSIDE THE CITY LIMITS.

1 **DEPENDING ON STATE LAW AND OTHER FACTORS, HOWEVER,**
2 **OUTSIDE THE CITY LIMITS NEITHER PRIVATE NOR**
3 **GOVERNMENTAL RESTRICTIONS MAY BE AVAILABLE TO (1)**
4 **RESTRICT EITHER THE NATURE OR EXTENT OF DEVELOPMENT**
5 **NEAR THE SUBDIVISION, OR (2) PROHIBIT LAND USES NEAR THE**
6 **SUBDIVISION THAT ARE INCOMPATIBLE WITH A RESIDENTIAL**
7 **NEIGHBORHOOD.**

8 (B) The subdivision name and the consumer protection notice required by
9 Subsection (A) of this section must be printed in bolded capital letters one-
10 half inch high.

11
12 **PART 2.** This ordinance takes effect on _____, 2011.

13
14 **PASSED AND APPROVED**

15
16 §
17 §
18 _____, 2011 § _____
19 Lee Leffingwell
20 Mayor

21
22
23 **APPROVED:** _____ **ATTEST:** _____
24 Karen M. Kennard Shirley A. Gentry
25 City Attorney City Clerk