



Laredo Unified Development Code

Article 11 Legal Provisions

Contents

24.11.1	Relationship to Other State, Federal and Local Provisions.....	450
24.11.2	Private Restrictions	450
24.11.3	Severability.....	450
24.11.4	Repeal of Existing Ordinances	450
24.11.5	Effective Date.....	451

Article 11 Legal Provisions

24.11.1 Relationship to Other State, Federal and Local Provisions

- (a) **Generally.** See Texas Local Government Code § 211.013 (Conflict with Other Laws). Except as provided in the above-referenced statute, if any provision of this Chapter conflicts with state or federal law, state or federal law controls.
- (b) **Interpretation.** See Article 10.
- (c) **Plat Restrictions**
 - (1) Nothing in this Chapter invalidates any plat restriction authorized by the Planning and Zoning Commission, nor any provision of adopted building codes.
 - (2) Building setback lines included in a recorded subdivision plat approved by the Planning and Zoning Commission control over general setback provisions required under the zoning provisions of this Chapter.
- (d) **Building Code Requirements**
 - (1) No building setback shall be less than that specified for the type of construction proposed by adopted building codes.
 - (2) The Board of Adjustment has no authority to reduce any building setback required under adopted building codes.

24.11.2 Private Restrictions

This Chapter does not abrogate any deed restriction, covenant, easement or any other private agreement or restriction on the use of land. However, if the provisions of this Chapter are more restrictive or impose higher standards than any private restriction, the requirements of this Chapter control. Where the provisions of any private restriction are more restrictive or impose higher standards than the provisions of this Chapter, the private restrictions control if properly enforced by a person having the legal right to enforce those restrictions. The City does not enforce private restrictions.

24.11.3 Severability

If any chapter, section, paragraph, subdivision, clause, phrase or provision of this Chapter is, for any reason, adjudged invalid or held to be unconstitutional, the invalidity or non-constitutionality of that particular chapter, section, paragraph, subdivision, clause, phrase or provision so declared does not affect the validity or constitutionality of the remaining provisions of this Chapter, but the same, and each of them, remain in full force and effect.

24.11.4 Repeal of Existing Ordinances

- (a) Any ordinance inconsistent with the terms and provisions of this Chapter is repealed. That repeal, however, is only to the extent of any inconsistency. In all other respects, this ordinance is cumulative of other ordinances regulating the same subject matter.



- (b) Any inconsistency does not reduce the requirements of those regulations pertaining to fire prevention, health, sanitation or safety of persons or property enacted by the City. If any restriction, prohibition, or provision of this Chapter conflict with those provisions or any laws of the State of Texas, or with regulations of State or Federal regulatory bodies having jurisdiction:
 - (1) If the provision of this Chapter is not preempted, the more restrictive restriction, regulation, prohibition or provision applies, or
 - (2) If the state or federal law preempts a provision of this Chapter, the state or federal law applies.

24.11.5 Effective Date

This Chapter takes effect upon adoption of the ordinance from which it is derived by the City Council. The provisions of this Chapter supersede all other development regulations governing the development of land within the City. All development applications and proposals filed on or after the effective date of the ordinance from which this this Chapter is derived, whether for new developments or for add-ons or expansions of existing developments, shall be processed in accordance with the standards and requirements and pursuant to the procedures established in this Chapter.

