

**CITY OF HEATH**

**ORDINANCE NO. 260526A**

**AN ORDINANCE OF THE CITY OF HEATH, TEXAS, AMENDING THE CITY OF HEATH MASTER THOROUGHFARE PLAN FOR THE PURPOSE OF REMOVING THE PROPOSED 100-FT ARTERIAL AND PROPOSED 80-FT MAJOR COLLECTOR ROADWAYS AS DEPICTED IN EXHIBIT ‘A’; DETERMINING THAT IT IS IN THE PUBLIC INTEREST, HEALTH, SAFETY, MORALS AND GENERAL WELFARE BY ADOPTING AMENDED MASTER THOROUGHFARE PLAN; PROVIDING CUMULATIVE, REPEALER AND SEVERABILITY CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City of Heath (“City”) is a home rule municipality, acting under its Charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Texas Local Government Code; and

**WHEREAS**, Section 311.001 of the Texas Transportation Code provides that a home-rule municipality has exclusive control over highways, streets, and alleys of the municipality; and

**WHEREAS**, Section 311.001 of the Texas Transportation Code provides that a home-rule municipality, such as the City, may, *inter alia*, open, change and improve a street; and

**WHEREAS**, the City of Heath may adopt an amendment to the Master Thoroughfare Plan Map for the long-range development to prepare other plans, policies, or strategies of the municipality; and

**WHEREAS**, the City Council does hereby find and conclude based upon the information presented that adoption of the amended Master Thoroughfare Plan, attached as Exhibit A, is in the best interest of the citizens of Heath and the general public, and in support of the health, safety, and general welfare of the City.

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

**Section 1. Findings Incorporated.**

The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

**Section 2. Adoption of the Amended Master Thoroughfare Plan.**

That the Master Thoroughfare Plan be amended by removing the Proposed 100-ft. Arterial and Proposed 80-ft. Major Collector Roadways as depicted and incorporated herein as Exhibit “A”, and the Master Thoroughfare Plan is hereby adopted by the City Council of the City of Heath, Texas. The Director of Community Development is hereby authorized and directed to prepare a new

Master Thoroughfare Plan map to reflect the amendments authorized by this Ordinance No. 260526A.

**Section 3. Cumulative Clause.**

This Ordinance shall be cumulative of all provisions of state or federal law and other ordinances of the City of Heath, Texas, except where the provisions of this Ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such other ordinances are hereby repealed.

**Section 4. Severability Clause.**

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation of this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

**Section 5. Repealer Clause.**

Any provisions of any prior ordinance of the City whether codified or uncodified, which are in conflict with any provision of the Ordinance, are hereby repealed to the extent of the conflict, but all other provisions of the ordinances of the City whether codified or uncodified, which are not in conflict with the provisions of this Ordinance, shall remain in full force and effect.

**Section 6. Effective Date.**

This Ordinance shall become effective immediately upon passage and approval by the City Council, and it is so ordained.

**PASSED, APPROVED AND ADOPTED** by the City Council of the City of Heath, Texas, on this the 26<sup>th</sup> day of May, 2026.

  
Jeremiah McClure, Mayor

**ATTEST:**



Norma Duncan, City Secretary

**APPROVED AS TO FORM:**



Marie Johnson, Assistant City Attorney



# EXHIBIT "A"

## Master Thoroughfare Plan Map

