

TOWN OF WAYNE RESOLUTION NO 24-__9__

WAYNE PUBLIC WORKS AUTHORITY RESOLUTION NO 24-__10__

A JOINT RESOLUTION OF THE TOWN OF WAYNE, OKLAHOMA AND OF THE WAYNE PUBLIC WORKS AUTHORITY RE-ESTABLISHING AN ADMINISTRATIVE FREEZE ON ALL RESIDENTIAL AND COMMERCIAL DEVELOPMENTS AND ZONINGS; ALLOWING FOR PRELIMINARY PLATS UPON THE EXECUTION OF A DISCLAIMER; PROVIDING FOR THE DURATION OF SAID FREEZE; PROVIDING FOR CIRCUMSTANCCES TO WHICH THE FREEZE WILL NOT APPLY; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY AND EFFECTIVE DATE.

WHEREAS, the Town of Wayne is a governmental entity established under Title 11 of the Oklahoma Statutes; and

WHEREAS, the Town of Wayne has an obligation to provide necessary services to all lots platted within corporate municipal limits; and

WHEREAS, the Town of Wayne Board of Trustees and Wayne Public Works Authority have determined that Wayne does not currently have the capacity to provide necessary and lawful services, specifically water, sewer, and electrical service, to new and/or additional residential or commercial developments or inhabited structures; and

WHEREAS, the Town of Wayne Board of Trustees and Wayne Public Works Authority have further determined continuing a freeze on all new final plats, zonings, and developments, both commercial and residential, is necessary until such time as capacity has been increased or until such time as a plan of improvements has been approved for increased capacity of services;

WHEREAS, the Town of Wayne Public Works Authority has the authority to adopt this resolution pursuant to the provisions of that trust creating the Wayne Public Works Authority;

WHEREAS, the Town of Wayne Board of Trustees has the authority to adopt this resolution pursuant to the ordinances of the Town of Wayne.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF WAYNE AND BY THE WAYNE PUBLIC WORKS AUTHORITY, STATE OF OKLAHOMA:

Section 1. Based on the above stated facts, a temporary suspension is placed upon the filing and processing of all final plats and/or final approval of new or additional residential and commercial development for a period of six (6) months from the date of this Resolution. Notwithstanding the foregoing, and for clarity, any and all final plats that are approved by the effective date of this Resolution are not impacted by this Resolution; and

Section 2. Preliminary platting may proceed if at the time of filing said preliminary plat the developer executes a disclaimer acknowledging the existence of this freeze and further agreeing that approving the preliminary plat creates no legal obligation on the party of the Town of Wayne; and

Section 3. Said six (6) month period may be extended by the Board of Trustees and the Public Works Authority until such time as it is determined services can be provided to new and/or additional developments and improvements; and

Section 4. Further, that the matters contained herein do pertain to the public health, peace, safety, and welfare of the citizens of the Town of Wayne whereby an emergency is declared to exist making this Resolution effective immediately from and after its passage and publication as required by law.

Section 5. Severability. If any section, subsection, sentence, clause, phrase or portion of this Resolution is for any reason held invalid, unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of this Resolution, except, that the effective date provision shall not be severable from the operative provisions of this Resolution.

PASSED, APPROVED, AND ADOPTED THIS Nov 4, 2024.

TOWN OF WAYNE

By: [Signature] _____
Mayor Date

WAYNE PUBLIC WORKS AUTHORITY

By: [Signature] _____
Chairman Date

ATTEST: [Signature] _____
Clerk/Secretary
(SEAL)

APPROVED AS TO FORM:

[Signature] _____ 11/4/24
Municipal Attorney Date

