

ORDINANCE NO. 500-16

AN ORDINANCE OF THE CITY OF SANSOM PARK, TEXAS AMENDING SECTION 7.2.1 E. 2 (A) "FENCING REQUIREMENTS FOR RESIDENTIAL USES" OF CHAPTER 14 "ZONING" OF THE CODE OF ORDINANCES, CITY OF SANSOM PARK, TEXAS TO ESTABLISH SPECIFIC CRITERIA FOR FENCES CONSTRUCTED WITHIN A DESIGNATED FRONT YARD; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY FOR VIOLATIONS HEREOF; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council recognizes that new regulations governing the design, construction and materials for fences within the designated front yard are needed in the City; and

WHEREAS, the City Council desires to adopt regulations regarding the design, construction and materials for front yard fencing; and

WHEREAS, hearings were held by the City Council, with respect to the amendments described herein; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SANSOM PARK, TEXAS THAT:

SECTION 1.

Section 7.2.1 E.2 (a.) of Chapter 14 "Zoning" of the Code of Ordinances, City of Sansom Park, Texas, is hereby amended to read as follows:

Sec. 7.2.1 E 2(a.) Fencing Requirements For Residential Uses

Restrictions and requirements for a fence, wall and barrier are as follows:

Fences in front yard - No fence, wall or barrier may be built within the required front yard as established by the zoning regulations of the City of Sansom Park except as follows:

(A) Required Setbacks on Residential Lots – A fence may be erected in the front yard, as established by the zoning regulations of the City of Sansom Park, of a residential lot only if the following criteria are met:

- i. The fence shall not exceed four (4) feet in height above the adjacent grade;
- ii. The fence shall be constructed to provide that a minimum of 50% of the fence is open;
- iii. On corner lots the fence shall not be located within the designated visibility triangle; and
- iv. The fence shall be constructed of wood, wrought iron, plastic or similar fencing materials

SECTION 2.

This ordinance shall be cumulative of all provisions of ordinances and of the Code of the City of Sansom Park, Texas, as amended, except where the provisions are in direct conflict with the provisions of other ordinances, in which event the conflicting provisions of the other ordinances are hereby repealed.

SECTION 3.

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 in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

SECTION 4.

Any person, firm or corporation who violates, disobeys, omits, neglects, refuses or fails to comply with, or who resists the enforcement of any provision of this ordinance shall be fined not more than Two Thousand Dollars (\$2,000.00) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

SECTION 5.

All rights and remedies of the City of Sansom Park are expressly saved as to any and all violations of the provisions of the Code of Ordinances, City of Sansom Park, Texas, as amended, or any other ordinances affecting fences which have accrued at the time of the effective date of this ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this ordinance but may be prosecuted until final disposition by the court.

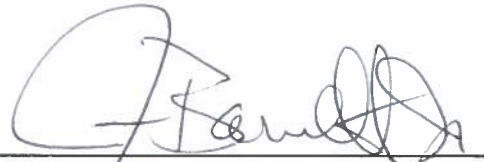
SECTION 6.

The City Secretary of the City of Sansom Park is hereby directed to publish the caption, the penalty clause and effective date clause in the official newspaper at least once within ten (10) days after the passage of this ordinance.

SECTION 7.

This ordinance shall be in full force and effect from and after its passage and publication as provided by law, and it is so ordained.

DULY PASSED AND APPROVED by the City Council of the City of Sansom Park, Texas, on this the 21st day of January, 2015.



Jim Barnett, Jr.
Mayor

ATTEST:



Wendy Blocker
City Secretary



APPROVED AS TO FORM:



Lee Thomas
City Attorney