

ORDINANCE NO. 2014-18

AN ORDINANCE OF THE CITY OF BALCONES HEIGHTS, TEXAS AMENDING CODE OF ORDINANCES CHAPTER 153 ZONING CODE; DECLARING A PUBLIC PURPOSE; PROVIDING A REPEALER; INCORPORATING RECITALS; PROVIDING FOR SEVERABILITY AND SETTING AN EFFECTIVE DATE

WHEREAS, the City of Balcones Heights, Texas has adopted Chapter 153 Zoning Code to its Code of Municipal Ordinances regulating zoning requirements; and

WHEREAS, after public hearing before the planning & zoning commission and the City Council in the manner prescribed by law, the City has amended its Code of Ordinances which shall hereinafter read as follows; **NOW**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BALCONES HEIGHTS:

SECTION 1 AMENDMENT That the Code of Ordinances City of Balcones Heights Chapter 153 shall, as referenced below, remove as follows to wit:

§ 4.6.4. All legal nonconforming signs, which are 15% or more in excess of allowed maximum dimensions, shall be either removed or replaced with a conforming sign within five years of the date it became a legal nonconforming sign. Upon failure to comply with the time specified, the city may require the sign to be removed as provided by law and any expense shall be paid by the owner, agent or lessee of the sign or property on which the sign is located.

SECTION 2. PUBLIC PURPOSE The City Council declares that the amendment to the zoning code are in the public interest and are necessary for the good government, peace, and order of the municipality.

SECTION 3. REPEALER All ordinances, code sections, or parts thereof in conflict herewith are repealed to the extent of such conflict.

SECTION 4. INCORPORATION OF RECITALS. The City Council finds the recitals contained in the preamble to this ordinance are true and correct and incorporates them as findings of fact.

SECTION 5. SEVERABILITY. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional or illegal, such decision shall not affect the validity of the remaining sections of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared void; and that in lieu of each clause or provision of this ordinance that is invalid, illegal, or unenforceable there be added by the Mayor as necessary with the approval of the City Attorney as to form, and the City Council as to substance, and as a part of the ordinance a clause or provision as similar in terms to such invalid, illegal or unenforceable clause or provision as may be possible, legal, valid and enforceable.

SECTION 6. EFFECTIVE DATE. The ordinance shall be effective after approval by the City Council.

ORDERED AND APPROVED this 13th day January, 2014.



Suzanne de Leon
Mayor

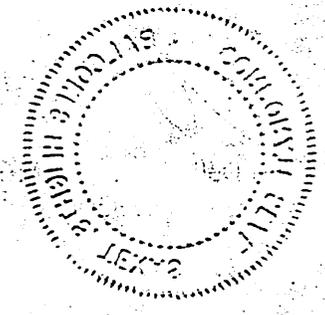
ATTEST:



Delia Flores, TRMC
City Secretary

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~~§ 4.6.4. EXCESSIVE SIZE OF A SIGN.~~

~~All legal nonconforming signs, which are 15% or more in excess of allowed maximum dimensions, shall be either removed or replaced with a conforming sign within five years of the date it became a legal nonconforming sign. Upon failure to comply with the time specified, the city may require the sign to be removed as provided by law and any expense shall be paid by the owner, agent or lessee of the sign or property on which the sign is located.~~

~~(Ord. 2011-06, passed 4-11-11; Am. Ord. 2011-22, passed 11-14-11)~~