

ORDINANCE NO. 083-085

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE TOWN OF ADDISON, TEXAS, BY AMENDING SECTION 4. OF ARTICLE XX, CHANGES AND AMENDMENTS, TO ADD THE PROVISION THAT IT WOULD REQUIRE A 3/4'S VOTE OF THE CITY COUNCIL TO OVERRULE A PLANNING AND ZONING DECISION OF DENIAL; PROVIDING FOR A REPEAL CLAUSE; PROVIDING FOR A PENALTY CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; AND DECLARING AN EMERGENCY.

WHEREAS, application was made to amend the Comprehensive Zoning Ordinance of the Town of Addison, Texas, by making application for the same with the Planning and Zoning Commission of the Town of Addison, Texas, as required by State Statutes and the zoning ordinance of the Town of Addison, Texas, and all the legal requirements, conditions and prerequisites having been complied with, the case having come before the City Council of Addison, Texas, after all legal notices, requirements, conditions and prerequisites having been complied with; and

WHEREAS, the City Council of the Town of Addison, Texas, does find that there is a public necessity for the zoning change, that the public demands it, that the public interest clearly requires the amendment, and it is in the best interest of the public at large, the citizens of the Town of Addison, and helps promote the general welfare and safety of this community, now, therefore;

BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF ADDISON,
TEXAS:

SECTION 1. That the Comprehensive Zoning Ordinance No. 66 of the Town of Addison, Texas, is hereby amended by amending Section 4. of Article XX, Changes and Amendments, to read as follows:

Article XX
Changes and Amendments

Section 4.

- a. If a written protest against such proposed amendment, supplement or change has been filed with the City Secretary, duly signed by the owners of twenty (20%) percent or more either of the area of the lots or land included in such proposed change, or of the lots or land immediately adjoining the same extending two hundred feet (200) therefrom, such amendment shall not become effective except by the favorable vote of three fourths (3/4) of all the Governing Body.
- b. Where there is not a written protest against such a proposed amendment, supplement or change; and the decision of the Planning and Zoning Commission is for denial, a three fourths (3/4) vote of all of the governing body shall be required to overrule the decision of Planning and Zoning Commission.

SECTION 2. That all ordinances of the City in conflict with the provisions of this ordinance be, and the same are hereby repealed and all other ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 3. That any person, firm, or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City as heretofore amended, and upon

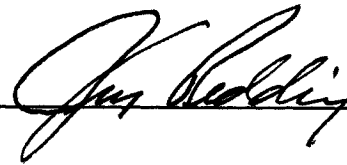
conviction shall be punished by a fine not to exceed the sum of Two Hundred Dollars (\$200.00) for each offense and that each day such violation shall continue to exist shall constitute a separate offense.

SECTION 4. That should any paragraph, sentence, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provisions thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of this ordinance as a whole.

SECTION 5. The importance of this ordinance creates an emergency and an imperative public necessity, and the ordinance shall take effect and be in force from and after its adoption.

DULY PASSED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS, on this the 13TH day of December, 1983.

MAYOR



ATTEST:



CITY SECRETARY

CASE #

TAX #