

ORDINANCE NO. 085-040

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING THE CODE OF ORDINANCE OF THE TOWN OF ADDISON, TEXAS, BY AMENDING CHAPTER 5 TO REQUIRE SIGNS TO BE POSTED AT ENTRANCES TO CONSTRUCTION SITES; PROVIDING FOR A PENALTY CLAUSE; PROVIDING FOR A REPEAL CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE,; AND DECLARING AN EMERGENCY.

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

SECTION 1. That the Code of Ordinances of the Town of Addison, Texas, is hereby amended by amending Section 5-37.5 (5) (b) to read:

- (b) Unlawful activity. It shall be unlawful for a person, firm or corporation to excavate, erect, build, construct, alter, repair or demolish any building or structure which has been issued or which is required to be issued a building permit by the Town of Addison between the hours of 7:00 p.m. and 7:00 a.m. Monday through Friday, and between the hours of 7:00 p.m. and 8:00 a.m. on Saturday and Sunday, if such activity is performed within a residential, apartment or townhouse zoned area, or within 300 feet of an occupied residence, except in cases of urgent necessity or in the interest of public safety and convenience, and then only by permit of the City Manager.

SECTION 2. That the Code of Ordinances of the Town of Addison, Texas, is hereby amended by amending Section 5-37.5 (5) to add (d) to read:

- (d) The owner of the property upon which activity is carried on or the general contractor shall be responsible for the posting of a sign in a clearly visible area at all entrances to construction sites that will state the hours during which construction is allowed.

SECTION 3. That any person, firm, or corporation violating any of the provisions or terms of this ordinance shall be subject to a fine not to exceed the sum of Two Hundred Dollars (\$200.00) for each day such violation shall continue to exist shall constitute a separate offense.

SECTION 4. That all ordinances of the City in conflict with the provisions of this ordinance be, and the same are hereby repealed and all other ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.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 5. 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 6. 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, this the 25th day of June, 1985.

MAYOR

ATTEST:

Jacque Kuse
CITY SECRETARY

Publ.
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