

TOWN OF ADDISON, TEXAS

ORDINANCE NO. 004-006

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS AMENDING ARTICLE X, "FENCES," OF CHAPTER 18, "BUILDINGS AND BUILDING REGULATIONS," OF THE CODE OF ORDINANCES BY AMENDING SECTION 18-621 TO EXEMPT MUNICIPALLY OWNED PROPERTY FROM THE SETBACK REQUIREMENT FOR FENCES; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, in certain instances, fencing in various areas of municipally owned property may be necessary or desirable for security purposes or for the general welfare and benefit of the public; and

WHEREAS, the City Council finds that it is in the public interest to exempt municipally owned property from the setback restrictions applicable to fences in certain zoning districts; Now, Therefore,

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

Section 1. Amendment. The Code of Ordinances ("Code") of the Town of Addison, Texas (the "City") is hereby amended by amending Section 18-621, "Setback Requirements - Generally," of Article X, "Fences" of Chapter 18, "Building and Building Regulations," to read as follows:

" It shall be unlawful for any person to build, erect, construct, maintain or suffer or permit the building, erecting, constructing or maintaining of any fence within the town limits in such a manner that any portion of the fence extends nearer to the street on which the main house, building, or structure faces than the required front yard setback line. Except as otherwise provided, the restrictions on building fences set forth in this section shall be applicable to property located in zoning districts classified as A (apartment dwelling district), R-1 (single-family dwelling district), MXR (mixed use residential district), LR (local retail district), C-1 (commercial -1 district), C-2 (commercial-2 district), I-3 (industrial-3 district), and PD (planned development district). Such restrictions do not apply to property owned by the Town of Addison."

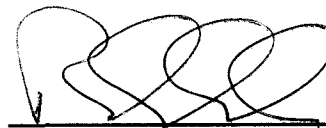
Section 2. Savings. This Ordinance shall be cumulative of all other ordinances of the City and shall not repeal any of the provisions of those ordinances except in those

instances where the provisions of those Ordinances are in direct conflict, subject to Section 18-612, with the provisions of this Ordinance.

Section 3. Severability. That the sections, paragraphs, sentences, phrases, clauses and words of this Ordinance are severable, and if any section, paragraph, sentence, phrase, clause or word in this Ordinance or application thereof to any person or circumstance is held invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this Ordinance, and the City Council hereby declares that it would have adopted such remaining portions of this Ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

Section 4. Effective Date. This Ordinance shall become effective from and after its date of passage as provided by law.

PASSED AND APPROVED by the City Council of the Town of Addison, Texas this the 13th day of January, 2004.



R. Scott Wheeler, Mayor

ATTEST:

By: 
Carmen Moran, City Secretary

APPROVED AS TO FORM:

By: 
Kenneth C. Dippel, City Attorney

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