

ORDINANCE NO. 2007-006

AN ORDINANCE OF THE TOWN OF TALTY, TEXAS, AMENDING SUBSECTIONS (A) AND (B) OF SECTION 1-104 OF ARTICLE I (“TITLE, PURPOSE AND GENERAL PROVISIONS”) OF ORDINANCE NO. 99-08, THE ZONING ORDINANCE OF THE TOWN OF TALTY, TEXAS, AND ADOPTING A NEW OFFICIAL ZONING MAP FOR THE TOWN OF TALTY, TEXAS; PROVIDING A REPEALING CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission of the Town of Talty and the governing body of the Town, in compliance with state laws with reference to amending the Comprehensive Zoning Ordinance, have given the requisite notice by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally, the governing body of the Town of Talty is of the opinion that said zoning ordinance should be amended as provided herein; Now, Therefore,

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE TOWN OF TALTY, TEXAS:

SECTION 1. That subsections (A) and (B) of Section 1-104 of Article I (“Title, Purpose and General Provisions”) of Ordinance No. 99-08, the Zoning Ordinance of the Town of Talty, be and is hereby amended, without amendment, repeal or change to any other subsection , part or provision of Section 1-104 or Article I, such that subsections (A) and (B) of Section 1-104 of Article I of the Zoning Ordinance shall read in their entirety as follows:

“ZONING ORDINANCE

ARTICLE I

TITLE, PURPOSE AND GENERAL PROVISIONS

...

Section 1-104 Zoning Map

- (A) The location and boundaries of the zoning districts designated in Article 2 are established as shown on the Town's Official Zoning Map as such may be amended or revised by the Town's Board of Aldermen from time to time.
- (B) The Zoning Map and all notations thereon are made a part of the Town's Zoning Ordinance. A signed copy of the Zoning Map shall be maintained and filed in the Office of the Town Secretary. Changes made in district boundaries or other matter portrayed on the Zoning Map shall be made in accordance with the provisions of this Zoning Ordinance and state law, as amended. Changes shall be entered on the Zoning Map promptly after the amendment has been approved by the Board of Aldermen.

...”

SECTION 2. That the map attached hereto and designated as the Town's Official Zoning Map, be and is hereby adopted as the Official Zoning Map of the Town of Talty, Texas, and is for all purposes incorporated herein.

SECTION 3. That any provisions of the ordinances of the Town of Talty in conflict with the provisions of this ordinance be and the same are hereby repealed and any provisions not so in conflict shall remain in force and effect.

SECTION 4. That an offense committed before the effective date of this ordinance is governed by the prior law and the provisions of the Code of Ordinances, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

SECTION 5. That should any sentence, paragraph, 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 provision hereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Zoning Ordinance or other ordinances of the Town as a whole.

SECTION 6. That any person, firm or corporation violating any of the provisions or terms of this ordinance shall, upon conviction, be punished by a fine not to exceed the sum of

two thousand dollars (\$2,000.00) for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

SECTION 7. That this ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law in such cases provides.

DULY PASSED by the Board of Aldermen of the Town of Talty, Texas, on the 24th day of July, 2007.

APPROVED:

MAYOR

ATTEST:

TOWN SECRETARY

APPROVED AS TO FORM:

TOWN ATTORNEY

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