

ORDINANCE NO. 2003-62

AN ORDINANCE OF THE TOWN OF TALTY, TEXAS, AMENDING ARTICLE FOUR OF THE COMPREHENSIVE ZONING ORDINANCE AS HERETOFORE AMENDED, TO PROVIDE REQUIREMENTS FOR INGRESS AND EGRESS TO COMMERCIAL AND RESIDENTIAL DEVELOPMENT ALONG MAJOR THOROUGHFARES WITHIN THE TOWN OF TALTY. PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND (\$2,000.00) DOLLARS FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Planning, Zoning and Ordinance Commission of the Town of Talty and the governing body of the Town of Talty, 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 the Comprehensive Zoning Ordinance No. 99-08 of the Town of Talty, Texas as heretofore amended, adds Section 4-121 to Article Four - Supplementary Provisions, without change or amendment to any other provision or subsection of Article Four, said amendment to read as follows:

Section 4-121 Requirements for Ingress/Egress to commercial and residential development along major thoroughfares

In order to ensure the safety of the citizens of the town and to provide for adequate traffic control, all development situated on a major thoroughfare is required to provide for appropriate ingress and egress, constructed according to TX DOT standards, to that development. Within the Town of Talty, major thoroughfares are Interstate 20, FM 1641, and FM 148. The developer is responsible for all expenses associated with providing the appropriate ingress and egress to the development.

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of the ordinances of the Town of Talty in conflict with the provisions of this ordinance be and the same are hereby repealed, and all other provisions of the ordinances of the Town of Talty not in conflict with the provisions of this ordinance shall remain in full force and effect.

Section 3. 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 thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

Section 4. 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 Town of Talty, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand (\$2,000.00) Dollars for each offense, and each and every day such violation shall continue shall be deemed to constitute a separate offense.

Section 5. This ordinance shall take effect immediately from and after its passage and the publication of the caption as the law and charter in such cases provide.

DULY APPROVED AND PASSED by the Board of Aldermen of the Town of Talty, Texas on the 30th day September, 2003.

APPROVED:

Allison Weaver, Mayor

ATTEST:

Carla Milligan, Town Secretary

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