

ZONING ORDINANCE

Revised

Number 155

CITY OF STRATFORD, TEXAS

Effective December 12, 1963

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"THE FOLLOWING ORDINANCE WAS PASSED ON THE THIRD READING ON THE 12TH DAY OF DECEMBER, 1963 AND IS HERE PUBLISHED IN ITS ENTIRETY."

ORDINANCE NO. 155
ZONING ORDINANCE FOR THE CITY OF STRATFORD, TEXAS

AN ORDINANCE ESTABLISHED ZONING REGULATIONS AND CREATING ZONING OR USE DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN; REGULATING THE HEIGHT OF BUILDINGS, SIZE OF YARDS AND DENSITY OF POPULATION; ADOPTING A ZONING MAP SHOWING THE LOCATION AND BOUNDARIES OF THE VARIOUS DISTRICTS AND USE AREAS; SETTING FORTH REGULATIONS GOVERNING BUILDINGS AND US WITHIN SUCH AREA. DEFINING TERMS; PROVIDING FOR ENFORCEMENT AND PENALTIES FOR VIOLATIONS, FOR APPEALS AND EXCEPTIONS, FOR FUTURE CHANGES AND AMENDMENTS; REQUIRING BUILDING PERMITS AND CERTIFICATES OF OCCUPANCY; AUTHORIZING NON-CONFORMING USES; CREATING A BOARD OF ADJUSTMENT AND PROVIDING FOR ITS POWERS, PROCEDURE, ETC.; PROVIDING SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES; PROVIDING MINIMUM HOUSING REQUIREMENTS; DEFINING ARCHITECTURAL CONTROL, NUISANCES AND TEMPORARY STRUCTURES.

Whereas, by the provisions of Chapter 283, General Laws, passed by the regular session of the Fortieth Legislature of the State of Texas, 1927, and amendments thereto; authority is conferred upon the City of **Stratford** to establish districts or zones within the corporate limits for the purpose of better regulating the use of land and controlling the density of population to the end that congestion upon the public streets may be lessened, the public health, safety, convenience and general welfare promoted; and

WHEREAS, the City Planning Commission, acting as the Zoning Commission, created under the provisions of the General Laws of the State of Texas, and by ordinance, and pursuant to the provisions of ordinances of the City of **Stratford** duly adopted, have recommended boundaries or districts and appropriate regulations to be enforced therein, and public hearings having been held at which all owners of property affected were given ample time opportunity, after public notice in writing and by advertisement, to file their protests or criticism, if any, they had; and

WHEREAS, the passage, promulgation and enforcement of the provisions hereinafter contained are deemed to be necessary for the promotion of health, safety, morals, and general welfare of the community to carry out the governmental powers delegated to and possessed by the city of **Stratford** for securing the objects hereinbefore expressed, now therefore, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF **STRATFORD**

SECTION I – PURPOSE

The zoning regulations and districts as herein established have been prepared in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals and general welfare of the inhabitants of the City of **Stratford**, and have been made with consideration to the character of the respective districts and the peculiar suitability of each for particular uses with the view of conserving the value of buildings and encouraging the most appropriate use of land throughout the City, and best promoting the health, safety, morals and general welfare of its inhabitants.

SECTION II – DISTRICTS

The city is hereby divided into four classes of use districts termed respectively:

- A. Dwelling District
- B. Multi-Family & Professional Districts
- C. Retail & Commercial Districts
- D. Manufacturing District

SECTION III – ZONING MAP ADOPTED

Boundaries of the districts are enumerated in section 2 of this Ordinance are hereby established and adopted as shown on the map attached hereto, which map is designated "Zoning Map"; the Zoning Map and all notations, references and information shown there on are hereby made as much a part of this Ordinance as if the same were set forth herein.

- A. It shall be the duty of the City Secretary to keep on file in that office the original of said Zoning Map; duplicate copies thereof, showing all the changes, amendments or additions thereto shall be kept on file in the office of the Building Inspector.
- B. When definite distances in feet are not shown on the Zoning Map, the district boundaries are intended to be along existing street, alley, or plotted lot lines or an extension of the same, and if the exact location of such line is not clear, it shall be determined by the Building Inspector, due consideration being given to location as indicated by the scale of the Zoning Map.
- C. When, on account of any vacation proceeding or for any other cause, the streets or alleys on the ground differ from the streets or alleys as shown on the Zoning Map, the Building Inspector may apply the district designations on the map to the streets or alleys on the ground in such manner as to conform to the intent and purpose of this Ordinance.
- D. Whenever any street or alley is vacated, the particular zoning applying to the property abutting any such street or alley shall automatically be extended to the center line of such vacated street or alley.
- E. All territory which may hereafter be annexed to the City of Stratford shall automatically be classed as lying and being in "A" Dwelling District until such classification shall have been changed as provided for by this Ordinance.

SECTION IV – REQUIREMENTS MUST BE OBSERVED

- A. No buildings or structures shall be erected, constructed, reconstructed or structurally altered, except in conformity with the regulations herein prescribed for the district in which such building or structure is situated; nor shall any building, structure or land be used for any purpose other than is permitted in the district in which such building, structure, or land is situated.
- B. No building or structures shall be erected, constructed, extended, enlarged, reconstructed or structurally altered to exceed the height or area limit herein established for the district in which such building or structure is situated.
- C. No lot area shall be reduced or diminished so that the yards or other open spaces shall be smaller than prescribed, in this Ordinance, nor shall the density of population be increased in any manner except in conformity with the area regulations established herein. Side yard areas used to comply with minimum requirements of this ordinance for a building shall not be included as a part of the required areas of any other building.

D. Minimum housing requirements:

- 1. The term “dwelling unit”, as that term is used in this Ordinance, shall mean a house, building, structure, or part of a house, building, or structure, designed or intended for occupancy as a separate housekeeping unit, including space for sleeping, for eating, and for preparation of food.
- 2. Each house, building, structure, or part of a house, building or structure hereafter constructed, erected, established, or altered in the City of **Stratford**, containing or to contain one or more dwelling units, as that term is herein defined, shall conform to the following standards, which are deemed to be the minimum standards necessary for the health and general welfare of the people:
 - a. Each such dwelling unit shall contain a minimum area in each zone as follows:
 - Zone A – 900 s. f. permanently enclosed and roofed.
 - ~~Zone B – 700 s. f. permanently enclosed and roofed.~~
 - Zone C – 500 s. f. permanently enclosed and roofed.
 - Zone D thru I – 400 s. f. permanently enclosed and roofed.
 - Zone J and all others – No requirements.

- b. Each such dwelling unit shall be designed and constructed to provide a separate room or compartment with permanent floor, other than earth, and permanent roof, completely enclosed, and separated from the remainder of such dwelling unit by permanent walls from floor to ceiling or roof, directly connected with, and having its only entrance from the remainder of the permanently enclosed part of such dwelling unit in which room or compartment shall be provided and installed a water closet, lavatory, and bathtub or shower; separate rooms may be provided for each such facility provided each room conforms to the requirements hereof.
- c. The room containing the water closet, lavatory, and bath or shower shall be provided with a window or opening for light and ventilation of an area of not less than $1/10^{\text{th}}$ of the total floor area of such room, except where adequate mechanical light and ventilation are provided. Such window or opening shall be completely screened with screening of not less than 14 wires per inch each way.
- d. Each such dwelling unit shall be designed and constructed to provide for a sink installed in some part of such dwelling unit other than the room or compartment containing the water closet or bathing facilities.
- e. Each plumbing fixture, including water closets, lavatories, bathtubs, showers, and sinks installed in any such dwelling unit shall be provided with running water.
- f. Each plumbing fixture, including water closets, lavatories, bathtubs, showers, and sinks, shall be connected by adequate waste and drainage lines, of type and design prescribed by ordinances of the City of Stratford to a sanitary sewer, if available, or to an outside septic tank, the design and installation of which is approved by the City Health Officer of the City of **Stratford**. In the event a septic tank is used, the waste or drainage line from the sink must be so connected as to permit the affluent from such sink to be passed through a grease trap before entering the septic tank or drain field.

- g. Architectural Control** – No building shall be erected, placed, or altered on any lot unless the quality of workmanship and materials, similarity of external design is essentially in harmony with the general construction and appearance with buildings already existing in the same general area.
 - h. Nuisances** – No noxious or offensive activity shall be carried on upon any lot, nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood.
 - i. Temporary Structures** – No structure of a temporary character, trailer, basement, tent, shack, garage, barn, or other outbuilding shall be used on any lot at any time as a resident either temporary or permanent.
- 3. Hereafter, no building permit shall be issued involving the construction, erection, establishment, or alteration of a house, building, structure or part of a house, building, or structure, containing or to contain one or more such dwelling units, unless plans, specifications, or a written statement of the applicant accompany the application for such permit showing that the requirements of this Ordinance are to be complied with.
- 4. Hereafter, no certificate of occupancy shall be issued authorizing the occupancy of any house, building, or structure, or part of a house, building or structure, containing such a dwelling unit, unless and until each and every requirement of Section 4 of this Ordinance has been complied with.
- 5. It shall be unlawful for any person to cause to be constructed, erected, established or altered, any house, building or structure containing or to contain any such dwelling unit, or to perform or assist in the performance of any such construction, establishment, erection, or alternation unless the requirements of Section 4 of this Ordinance are being complied with.

6. It shall be unlawful for the owner, or any agent or representative of the owner, of any house, building, structure, or part of any house, building, or structure, hereafter erected, constructed, or altered, and containing any such dwelling unit, to occupy the same, or cause to permit the same to be occupied, or for any other person to occupy the same unless the requirements of Section 4 of this Ordinance have been complied with.

SECTION V – “A” DWELLING DISTRICT

A. Uses – In an “A” District no building or land shall be used, and no building shall be hereafter erected or structurally altered which is arranged or designed to be used for other than one or more of the following uses:

- 1) One –family dwellings.
- 2) Public park, play grounds, or public schools.
- 3) Gardening – Non-commercial.
- 4) Auto parking lot when operated without charge to provide off family dwelling, or 7,000 square feet street parking for use permitted in district.
- 5) Accessory buildings, including a Private Garage or Servants Quarters when located not less than 80 feet back of the front building line for the main building, not less than six feet from the main building; five feet from the side lot lines, and on the side it shall be 15 feet from center of alley to building; provided, however, that no necessary building shall be built past the front of the house or 15 feet from the curb on a side yard on a corner lot.

If such accessory building is located in a compartment which is an integral part of the main building it shall observe the Yard Requirements for the main building.

The servants’ quarters permitted under this section shall not be occupied by anyone other than members of the family occupying the main dwelling or the family of a bona fide servant employed more than 50 per cent of his or her time on the premises.

6) ACCESSORY USES INCLUDING

1. Customary uses located in the main building incidental to the above uses.
2. A nameplate not exceeding one square foot in area, pertaining to the lease or sale of the property line. Neon or lighted signs of any nature are prohibited.

3. Occupations located in the main building engaged in by the occupants of the main building which are not objectionable because of noise, odors, or the creation of congested traffic.

EXCLUDED AS ACCESSORY USES ARE:

1. Trading in merchandise.
 2. The display of any sign, symbol, or device indication that an occupation is carried on.
 3. More than one person's participation in an occupation.
 4. The storage of trucks, automobiles, automobile parts, building materials, contractor's equipment, show wagons, merchandise or materials of any sort upon property vacant or otherwise.
 5. The display or use of commercial billboard advertising sign or symbol.
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- 7) Churches (See Special Area Regulations).
 - 8) Electric Sub Station, Gas Regulator Stations, Fire Stations.

B. Front Yard – There shall be a front yard having a depth of not less than 25 feet from the property line to the front of the building, covered porch or covered terrace or attached accessory building unless a build-line has been established by ordinance, or unless 30% or more of the block frontage is improved with buildings. In the latter case, the depth of the front yard may extend to the alignment of a majority of such existing buildings. On a corner lot a yard going a side street shall not be deemed a front yard.

C. Rear Yard – There shall be a rear yard along the rear lot line of the lot. The minimum depth of such rear yard shall be 25 feet. Half the width of an alley may be included in computing the depth of the rear yard. Accessory buildings not exceeding one story in height may occupy not more than 50 per cent of the minimum required rear yard, or 35 per cent if it exceeds one

story, and shall not be nearer than five feet to the rear lot line, unless abutting on alley of 10 feet or more in width.

- D. Side Yard** – There shall be a side yard along each line of the lot other than a front and rear line. The minimum width of the side yard shall be 10 per cent of the average lot width but in no case less than 5 feet, all measured from property lines.
- E. Lot Width** – The minimum average width of each lot shall be 60 feet, except where the City Commission has expressly approved a plan fixing a lesser width.
- F. Lot Area** – The minimum area of the lot shall be 7,000 square feet, and combined area of the dwelling and accessory buildings shall not cover more than 40 per cent of the total area of the lot.
- G. Height** – The minimum height of buildings in an “A” Dwelling District shall not exceed 2 ½ stories or 35 feet above average finished grade, except the height may be increased by not more than 10 feet when each side yard is not less than 15 feet. Such dwellings, however, shall not exceed three stories in height.

SECTION VI – “B” MULTI-FAMILY & PROFESSIONAL DISTRICTS

A. Uses – In a “B” District no building or land shall be used and no building shall be hereafter erected or structurally altered which is arranged or designed to be used for other than one or more of the following uses:

- 1) Any use permitted in “A” District.
- 2) Private or denominational academic schools having a curriculum equivalent to a public elementary or high school, academies or kindergartens.
- 3) Telephone exchange providing no business office is maintained on the premises.
- 4) Two-family dwellings
- 5) Any use permitted in either of the foregoing districts:
- 6) Boarding or lodging houses.
- 7) Convalescent home.
- 8) Dancing studio (school).
- 9) Day Nursery.
- 10) Dressmaking (Seamstress).
- 11) Hotels, in which business may be conducted for the convenience of the occupants of the building: provided, however, there shall be no entrance to such place except from the inside of the building.
- 12) Health institute.
- 13) Institutions of a philanthropic or religious nature other than penal, correctional institutions, or trade schools.
- 14) Institutions for tuberculosis, feeble-minded, alcoholic or narcotic patients.
- 15) Libraries and museums.
- 16) Multiple family dwellings and apartment houses.
- 17) Medical clinic or office for Profession Person as defined under this ordinance.

- 18) Music teacher or music studio.
- 19) Private clubs, fraternities, sororities, lodges, little theatre groups or dramatic clubs, excepting those whose chief activities are services customarily carried on as a business.
- 20) Auto parking lots where no fee is charged when maintained by any use permitted in the districts.
- 21) Uses of accessory buildings in the "B" District and uses customarily incident to any of the above uses are permitted when not involving the conduct of a business other than incidental to the residential use of such lot, including private and storage garage; provided, however, that no such accessory building or use shall be located less than 50 feet from the front lot line, not less than two feet from either side line, nor less than 6 feet from the main building.

B. Front Yard – There shall be a front yard along the front line of the lot with a minimum depth of 25 feet in a "B" District from the property line to the front line of the building, covered porch, covered terrace or attached accessory building unless a building line has been established by ordinance, or unless 25 per cent or more of the block frontage is improved with buildings. In the latter case, the depth of the front yard may extend to the alignment of the majority of such existing buildings. On a corner lot a yard along a side street shall not be deemed a front yard. On a fractional lot in the rear of a corner lot, the front yard shall conform to the side yard requirements of the corner lot. If an accessory building is an integral part of or attached to the main building, it shall observe the Yard Requirements for the main building.

- C. Rear Yard** – There shall be a rear yard along the rear lot line of the lot. The minimum depth of such rear yard shall be 20 feet. Half the width of an alley may be included in computing the depth of the rear yard. Accessory buildings not exceeding one story in height may occupy not more than 60 per cent of the minimum required rear yard, or 40 per cent if it exceeds one story, and shall not be nearer than 5 feet to rear lot line unless abutting an alley 10 feet or more in width. In a “B” area on a fractional lot backing up against the side yard of another lot the depth of the rear yard may be reduced to 15 feet.
- D. Side Yard** – There shall be a side yard along each line of the lot other than a front and rear line. The minimum width of the side yard shall be 5 feet. Accessory buildings, including a private garage or servant’s quarters when located not less than 50 feet back of the front building line for the main building, not less than six feet from the main building, may be located 3 feet from the side lot line, provided, however, that no accessory building shall be less than the required side yard width for the main building from any street line; and further provided that any such accessory building constructed or intended for human occupancy at any time, shall not have any wall adjacent to side lot line with openings therein which is less than five feet from the side lot line. No part of an alley shall be allowed as part of the side yard.
- E. Lot Widths** – The minimum average width of each lot and for dwellings and apartments in the “B” District shall be 45 feet. The minimum average width of each lot for all other purposes in this district shall be 25 feet.
- F. Lot Areas** – The minimum areas of a lot in the “B” District shall be 2,500 square feet for a one-family dwelling or 4,500 square feet for a two-family dwelling on an inside lot plus 400 square feet for each family in excess of two. The minimum area of a corner lot or a fractional lot in the rear of a corner lot shall be 2,500 square feet for a one-family dwelling; 4,500 square feet for a two-family dwelling; and for apartment houses or buildings designed for more than two families the minimum area of a corner lot shall be 4,500 square feet plus 500 square feet for each family in excess of two.

G. Lot Coverage – In a “B” District the combined area of the main buildings and accessory buildings shall not cover more than 50 per cent of the total area of the lot.

H. Heights – The maximum height of dwellings in a “B” District shall not exceed 2 ½ stories or 35 feet above average finished grade, providing however, that the height may be increased by not more than 10 feet when each side yard is not less than 15 feet.

Other buildings permitted in a “B” District may be erected to a height not exceeding 75 feet when the front, side and rear yards are increased an additional foot for each foot such buildings exceed 35 feet in height.

Other buildings permitted in the “B” District shall not exceed 100 feet or 8 stories; provided, however, that buildings or portions thereof may be erected higher than this limit if such portion is set back from each building line one foot for each four feet of its height above such limit.

SECTION VII – “C” RETAIL & COMMERCIAL DISTRICTS

A. Uses – In a “C” District no building or land shall be used and no building shall be hereafter erected or structurally altered which is arranged or designed to be used for other than one or more of the following uses:

- 1) Any use permitted in any of the foregoing dwelling districts.
- 2) Advertising, sign, or symbol.
- 3) Agricultural implements, sales and service.
- 4) Antique shop.
- 5) Archery range, commercial.
- 6) Armature winding.
- 7) Art printing.
- 8) Athletic club, commercial.
- 9) Auction sales, permanent location; livestock sales not permitted.
- 10) Auto body shop.
- 11) Auto laundry.
- 12) Auto paint shop.
- 13) Auto parking lot (Commercial), no repairs or sales permitted.
- 14) Auto sales and service.
- 15) Baggage transfers.
- 16) Bakeries, delicatessens, or candy stores where entire product is to be sold at retail on the premises.
- 17) Bank.
- 18) Barber and beauty shop.
- 19) Barber and beauty shop supply dealer.
- 20) Barber school.
- 21) Baseball park, professional.
- 22) Bath house.
- 23) Beauty school.
- 24) Blacksmithing or horse shoeing.
- 25) Book bindery.

- 26) Bottling works.
- 27) Bowling alley.
- 28) Building materials.
- 29) Bus terminals, maintenance shop.
- 30) Business school.
- 31) Cabinet or carpentry shop.
- 32) Café supply dealer fixtures.
- 33) Canvass goods shop, tent and awnings.
- 34) Carpet cleaning.
- 35) Cheese manufacturing.
- 36) Cleaning, dyeing and dry cleaning shop.
- 37) Clothing manufacturing.
- 38) Coal yard.
- 39) Coffee Roasting.
- 40) Cold storage plant.
- 41) Commercial amusement park.
- 42) Commercial bill board.
- 43) Concrete transit mix plant.
- 44) Contractors' equipment, sales and service.
- 45) Contractors' plant and storage.
- 46) Creamery and dairy products manufacture.
- 47) Dairy supply dealer.
- 48) Dance Hall.
- 49) Delivery service (office).
- 50) Diesel engine repairs.
- 51) Drive-in café.
- 52) Drive-in theatre.
- 53) Driving range.
- 54) Dry ice storage.
- 55) Egg storage, breeding, candling or processing plant.
- 56) Electrical equipment repairs.
- 57) Electro plating.

- 58) Farming and commercial truck gardening; nurseries, provided no sales office is maintained on the premises.
- 59) Feed mill.
- 60) Feed store.
- 61) Freight terminal.
- 62) Frozen food lockers.
- 63) Funeral home.
- 64) Furniture packing and crating.
- 65) Furniture upholstery.
- 66) Fur storage.
- 67) Galvanizing.
- 68) Gasoline filling station.
- 69) Gift shop.
- 70) Golf courses, including club houses and uses incidental thereto but excluding courses operating for commercial purposes.
- 71) Grain elevators and storage.
- 72) Greenhouse, commercial.
- 73) Gymnasium, commercial.
- 74) Hatchery.
- 75) Heating contractor.
- 76) Hotels.
- 77) Ice cream manufacture.
- 78) Ice delivery station.
- 79) Insane institution.
- 80) Insulation applicator.
- 81) Irrigation sales and service.
- 82) Job printing.
- 83) Landscape architect working shop.
- 84) Laundry, self-service, automatic, home, washateria, etc.
- 85) Leather goods manufacture.
- 86) Linen and towel supply service.
- 87) Lumber yard.
- 88) Machine shop.

- 89) Magazines, wholesale agency.
- 90) Manufacturing plants with no power in excess of five horsepower (not noxious or offensive.)
- 91) Mattress and bedding renovator.
- 92) Mattress manufacture.
- 93) Miniature golf course.
- 94) Monument works.
- 95) Mortuary.
- 96) Motel.
- 97) Motor freight depot or garage.
- 98) Motor freight terminal.
- 99) Newspaper printing.
- 100) Night clubs.
- 101) Nursery office.
- 102) Offices and office buildings, including those of charitable, religious, social, veterans and welfare organizations.
- 103) Oil reclamation plant.
- 104) Oil well equipment services and supplies.
- 105) Oil well equipment service and supplies and storage.
- 106) Oil and gasoline storage for wholesale delivery.
- 107) Paper box manufacture or paper products.
- 108) Penal or correctional institution.
- 109) Pest control service.
- 110) Pet shop.
- 111) Pharmaceutical manufacture.
- 112) Plumbing and heating shops, unrestricted.
- 113) Produce market.
- 114) Public garage.
- 115) Radio repair shop.
- 116) Radio studio.
- 117) Radio transmitter and antenna, commercial.
- 118) Refrigeration services.

- 119) Restaurants having a dance floor in connection therewith; provided, however, that not more than 10% of the floor area, and in no event, no more than 500 square feet shall be used for dancing.
- 120) Retail stores and other shops for custom work or the making of articles to be sold at retail on the premises; and the repair thereof.
- 121) Retail pressing, dyeing and cleaning shops.
- 122) Road machinery, sales and service.
- 123) Roofing contractors shop.
- 124) Sandwich shop.
- 125) Second hand or used automobile sales yard.
- 126) Second hand good store.
- 127) Sheet metal work shop.
- 128) Sign manufacture.
- 129) Sign shop.
- 130) Skating rink.
- 131) Shooting gallery.
- 132) Storage warehouse.
- 133) Store fixture dealer.
- 134) Studio.
- 135) Swimming pool, commercial.
- 136) Taxi cab stand.
- 137) Theatres and moving picture shows providing adequate off-street parking is provided.
- 138) Tire repair or battery shop.
- 139) Tourist court.
- 140) Tractor sales or service.
- 141) Trailer camp.
- 142) Trailer sales or service.
- 143) Truck and railway freight terminal station.
- 144) Truck terminal (repair and storage or commercial contract carriers).
- 145) Water softener service.
- 146) Welding equipment and supplies (acetylene).
- 147) Welding shop.

- 148) Wholesale houses, sales, office and storage.
- 149) Any use not included in any other district, provided such use is not noxious or offensive by reason of the emission of odor, dust, smoke, gas fume, noise or vibration; provided further, that no kind of manufacture or treatment not listed above shall be permitted in a "C" District other than the manufacture or treatment of products clearly incidental to the conduct of a business on the premises.
- B. Front Yard** – In a "C" District there shall be a front yard on all dwellings of not less than 15 feet from the property line to the front line of the building, covered porch, covered terrace or attached accessory building. On a corner lot a yard along a side street shall not be deemed a front yard. On a fractional lot in the rear of a corner lot the front yard shall conform to the side yard requirements on a corner lot. No front yard shall be required for buildings other than dwellings.
- C. Rear Yard** – There shall be a rear yard along the rear line of the lot. The minimum depth of such rear yard shall be 20 feet for dwellings and 10 feet for other buildings. Half of the width of an alley may be included in a rear yard. On a fractional lot backing up against the side of another lot the depth of rear yard may be reduced to 15 feet for dwellings.
- D. Side yard** – There shall be a side yard along each line of the lot other than a front or rear line for dwellings. When property is not used for dwelling purposes no side yards are required, unless the lot abuts upon the side of a yard zoned for dwelling purposes in which case there shall be a side yard of not less than five feet. No part of an alley shall be allowed as part of a side yard. If a side yard is provided for buildings other than a residence such side yard shall be not less than 3 feet.
- E. Lot Width** – The minimum width of a lot used for dwellings shall be 25 feet.
- F. Lot Area** – In the "C" District the minimum area of the lot shall be 3,500 square feet for a one-family dwelling; and 4,500 square feet for two-family dwelling; and for apartment houses or buildings arranged or designed for more than two families the minimum area shall be 4,500 square feet plus 500 square feet for each family in excess of two.

G. Lot Coverage – For dwellings no building or buildings shall cover more than 40% of the lot area.

H. Height – The height of one-family dwellings and two-family dwellings shall not exceed 45 feet or three stories. The height of apartments shall not exceed 100 feet or 8 stories. The height of buildings other than dwellings and apartments shall not exceed 150 feet except that any such building or portion thereof may be erected higher than the limit provided such portion is set back from each building line one foot for each four feet of its height above such limit.

SECTION VIII – “D” MANUFACTURING DISTRICT

A. Uses – In a “D” District no building or land shall be used and no building shall be hereafter erected or structurally altered which is arranged or designed to be used for other than one or more of the following uses:

- 1) Any use permitted in any of the foregoing districts.
- 2) Abattoir.
- 3) Acetylene manufacture.
- 4) Acid manufacture.
- 5) Alcohol manufacture.
- 6) Aluminum manufacture.
- 7) Ammonia manufacture.
- 8) Arsenals.
- 9) Asphalt manufactures or refining
- 10) Asphalt storage.
- 11) Auto wrecking yard.
- 12) Bag cleaning.
- 13) Blast furnace.
- 14) Bleaching powder or chlorine manufacture.
- 15) Boiler making, repairing and boiler works.
- 16) Brick, tile, pottery or terra cotta manufacturing.
- 17) Broom manufacturing.
- 18) Butane and propane manufacture and storage.
- 19) Cabinet or carpentry shop with open storage and unlimited employees.
- 20) Candle manufacturing.
- 21) Canning or preserving manufacture.
- 22) Celluloid or similar cellulose material manufacture.
- 23) Cement, lime, gypsum or plaster of paris manufacture.
- 24) Central power or light plant.
- 25) Chemical plants emitting toxic fumes.
- 26) Concrete products manufacturing.

- 27) Cooperage works.
- 28) Corrugated metal manufacture.
- 29) Cotton bailing, compressing or ginning.
- 30) Cotton warehouse or storage.
- 31) Cotton seed products manufacturing.
- 32) Creosote treatment or manufacture.
- 33) Curing, tanning or storage of hides.
- 34) Die casting manufacture.
- 35) Disinfectants and insecticide manufacture.
- 36) Distillation of bones, coal or wood.
- 37) Dye stuff manufacture.
- 38) Electric power plant.
- 39) Emery cloth and sand paper manufacture.
- 40) Explosive or fireworks manufacture or storage.
- 41) Fat rendering.
- 42) Fertilizer manufacture.
- 43) Flour mill.
- 44) Food products manufacture.
- 45) Forge plant.
- 46) Foundry.
- 47) Gas manufacture.
- 48) Glue or gelatin manufacture.
- 49) Gravel crushing, screening and washing.
- 50) Gun powder manufacture or storage.
- 51) Ice manufacturing.
- 52) Kennel.
- 53) Lamp black manufacture.
- 54) Liquefied petroleum gas sales and service.
- 55) Match manufacture.
- 56) Milling, custom.
- 57) Mixing plant for concrete, mortar, plaster, and paving materials.
- 58) Oil and rubber goods manufacture.
- 59) Oil cloth and linoleum manufacture.

- 60) Paint Manufacture.
- 61) Paper and rag processing and storage.
- 62) Paving plant.
- 63) Petroleum refining.
- 64) Pickle, sauerkraut or vinegar manufacture.
- 65) Planning mill.
- 66) Poultry killing, dressing and packing.
- 67) Power forge.
- 68) Railroad roundhouse or shops.
- 69) Railroad yards.
- 70) Refrigerator manufacture.
- 71) Riding academy.
- 72) Rock crusher.
- 73) Rolling mill.
- 74) Rubber or gutta-percha manufacture or treatment.
- 75) Salt works.
- 76) Salvage storage and yard.
- 77) Salvage yard.
- 78) Sash and door manufacture.
- 79) Scrap iron yard.
- 80) Scrap paper or rag storage.
- 81) Septic tank service.
- 82) Shoe polish manufacture.
- 83) Slaughter of animals.
- 84) Soap manufacture.
- 85) Soda and compound manufacture.
- 86) Smelter.
- 87) Stable.
- 88) Steel fabrication plant.
- 89) Stock yards.
- 90) Stone cutting.
- 91) Stone monumental works.
- 92) Storage of hides or skins.

- 93) Storage or bailing of rags, iron, paper or salvage material.
- 94) Storage of live poultry.
- 95) Storage, open bulk, except hides.
- 96) Store fixture manufacture.
- 97) Stove polish manufacture.
- 98) Structural steel plant.
- 99) Tank manufacture.
- 100) Tanning and curing of raw hides or skinning.
- 101) Tar distillation or manufacture.
- 102) Textile manufacture.
- 103) Tile roofing manufacture.
- 104) Veterinary hospital.
- 105) Wool pulling or scouring.
- 106) Yeast plant.
- 107) Manufacture or industrial operations of any kind not hereinbefore listed, and exclusive of any kind of use listed as a manufacturing use in a "D" District.
- 108) Any purpose whatsoever not in conflict with any ordinance of the City regulating nuisances. Nothing in this ordinance shall be construed as repealing any existing ordinance of the City regulating nuisances or permitting uses which are now prohibited by ordinance.

B. Front Yard – In a "D" District no front yard is required unless building is erected or structurally altered for dwelling purposes, in which event a front yard of not less than 15 feet is required.

C. Rear Yard – There shall be a rear yard along the rear of the lot. The minimum depth of such rear yard shall be 20 feet for dwellings and 10 feet for other buildings. Half of the width of an alley may be included as a rear yard. On a fractional lot backing up against the side of another lot the depth of rear yard may be reduced to 15 feet for dwellings.

- D. Side Yard** – In a “D” District no side yard is required for buildings other than dwellings and apartments; which shall have a side yard of not less than five feet; except where a lot abuts upon a side of a lot zoned for dwelling purposes in which case a five foot side yard is required. If a side yard is provided for a business or industrial building same shall be not less than three feet wide.
- E. Lot Width** – The minimum width of a lot used for dwelling shall be 25 feet.
- F. Lot Area** – The minimum area of a lot used for dwellings in a “D” District shall be 3,500 square feet for a one-family dwelling; 4,500 square feet for a two-family dwelling; and for apartment houses or buildings designed for more than two families the minimum area shall be 4,500 square feet plus 500 square feet for each family in excess of two.
- G. Lot Coverage** – For dwellings and apartments in a “D” district no building or buildings shall cover more than 40% of the lot area.
- H. Height** – The height of one-family dwellings and two-family dwellings shall not exceed 45 feet or three stories. The height of apartments shall not exceed 100 feet for 8 stories. The height of buildings other than dwellings and apartments shall not exceed 150 feet, except that any such building or portion thereof may be erected higher than the limit provided such portion is set back from each building line one foot for each four feet of its height above such limit.

SECTION IX – SPECIAL AREA REGULATIONS

- 1) Chimneys, water towers, penthouses, scenery lofts, monuments, cupolas, domes, spires, standpipes, false mansards, parapet walls, similar structures and necessary mechanical appurtenances may be erected as to their height in accordance with existing or hereafter adopted ordinances of the city.
- 2) On through lots 150 feet or less depth, the height of a building may be measured from the curb level on either street. On through lots more than 150 feet in depth, the height regulation and basis of height measurement for the street permitting the greater height shall apply to a depth of not more than 150 feet from that street.
 - a) On through lots extending from one street to another, the front yard requirements shall be observed on both streets, except where the rear of a "C" commercial building is adjacent to a residential district. In such case a minimum of 30 feet will be required from existing curb or future curb line to the back building line, to provide an off street loading and unloading area.
- 3) In the case of group houses or court apartments, when buildings rear upon the side yard, the width of the side yard shall be increased by one foot for each building or apartment abutting thereon. If any stairways open onto, or are served by such side yard, the minimum width of such side yard shall be ten feet.
 - a) The width of a place or court shall not be less than 40 feet measured between buildings or from buildings to the opposite property line, provided that open, unenclosed and uncovered porches may project into the required place or court not more than 20% of the width of such place or court.
 - b) All other requirements including front, side and rear yards shall be complied with in accordance with the district in which such group houses or court apartments are located.

- c) Every part of a required yard passed with the following changes; or court shall be open from its lowest point to the sky unobstructed except for the ordinary projections of sills, belt courses, cornices, etc., provided, however, the above projections shall not extend into a court more than 24 inches nor into a minimum side yard more than 24 inches.
- 4) The side and front yard requirements for dwellings shall be waived where dwellings are erected above stores or shops.
- 5) On corner lots the side yard regulations shall be the same as for interior except in the case of side streets or reversed frontage (where the corner lot faces an intersecting street) in which case there shall also be a side yard on the street side equal to the front yard on the lots in the rear. No accessory building on said corner lot shall project beyond the front yard line on the lots in the rear. This regulation shall not be so interpreted as to reduce the buildable width of a corner lot facing an intersecting street, and of record at the time of passage of this ordinance to less than 28 feet, not to prohibit the erection of an accessory building where the regulation cannot be reasonably complied with.
 - a) On any corner lot on which a front or side yard is required by this ordinance, no wall, fence or other structure shall be erected and no hedge, tree, shrub or any other growth or structure of any kind shall be maintained in such location within such required front or side yard so as to cause danger to traffic by obstructing the view. Any fence, wall, hedge, shrubbery, etc., higher than a base line extending from a point 2 ½ feet above walk grade to a point 4 ½ feet above walk grade at the depth of front yard required is hereby declared to be an obstruction to view, except single trees, having single trunks which are pruned to a height of seven feet above walk grade.
 - b) A fence or wall on or paralleling an interior lot line shall not exceed 4 feet in height from the front property line to the rear of the main house unless intercepted by a cross fence or wall from the main house to the property line, said cross fence or wall not to exceed 6

feet in height, on such occasions the front 4 foot fence or wall may be tapered up to the height of the cross fence or wall, said taper not to exceed 12 feet in horizontal distance. A fence or wall on or paralleling an interior lot line shall not exceed 6 feet in height from the rear of the main house to the rear property line. The height of any fence or wall shall be determined from the natural ground on which said fence or wall is being constructed.

- 6) An unenclosed and uncovered porch may extend not to exceed 10 feet into the front yard.
- 7) On any lot held under separate distinct ownership from an adjoining lot at the time of the passage of this ordinance, such separately owned property being of record at the time, a single-family dwelling may be erected even though the lot be of less area than required by the regulations relating to area in district in which it is located; provided, however, that in any event the combined area of the dwelling and accessory building shall not cover more than 40% of the total area of the lot.
- 8)
 - a. In all zones where off-street parking is ordinarily required for either public or private use, a parking lot of the number of spaces set out in Chart No. 1 will be required. Size of spaces are as set out in Chart No. 2. The type of occupancy as shown on Chart No. 1 as off-street parking area will be required.
 - b. Wherever a lot or lots of higher zoning classifications adjoins a lot or lots of lower zoning classification or a lot or lots of equivalent zoning classification used for church, school or other permitted use reasonably requiring off-street parking, the use for off-street parking of such adjoining lot or lots shall be, and the same is, permitted; provided, such permissive use for off-street parking shall never be construed to change or modify the zoning classification of such adjoining lot or lots, or to permit the use thereof for purposes, other than off-street parking alone, not authorized under the zoning

classification applicable to such adjoining lot or lots, and provided further that where lots are used for the purpose set forth herein that no charge shall be made for such parking and that no selling or service originating on the lot of lower classification shall be permitted on the parking lot of higher classification.

5 ft from Property line

- 9) In any and all classes of use districts an accessory building constructed or intended for human occupancy at any time shall not have any openings in any wall which is less than 5 feet from a side lot line.
- 10) Churches and accessory educational building may be constructed in any dwelling area provided the approval of the governing body of the City is obtained. Said approval to be based upon the provisions of adequate parking, the elimination of traffic hazards and the safety and convenience of the public.

SECTION XI – BUILDING PERMITS

1) **Application for Permit:**

No person shall erect, construct, or proceed with the erection or construction of any building or structure, or add to, enlarge, move, alter, convert, extend or demolish any building or structure or cause the same to be done, without first obtaining a building permit therefor from the Building Inspector.

Any person desiring a building permit as required by this Code shall file with the Building Inspector an application therefor in writing on a blank form to be furnished for the purpose.

Every such application for a permit shall describe the land upon which the proposed building or work is to be done, either by lot; block, and/or tract, or similar general description that will readily identify and definitely locate the proposed building or work.

Every such application shall show the use or occupancy of all parts of the building and such other reasonable information as may be required by the Building Inspector.

Every such application shall state the valuation of the proposed work. If the valuation appears to be underestimated on the application, permit shall be denied, unless the applicant can show detailed estimated cost to meet the approval of the Building Inspector.

- a. **PERMIT REQUIRED:** In any case wherein the value of labor and materials to be used shall be \$100.00 or more, before the erection, construction, moving, alteration or repair of any building, structure, or wall or any part thereof, or for any platform, staging or flooring to be used for standing or seating purposes is commenced, the owner or lessee, or the agent of either, or the architect or builder employed by such owner or

lessee in connection with the proposed construction or alteration, shall apply to the Building Inspector of the City of **Stratford** for a permit to do such work. Said application shall be in duplicate form provided by the City of **Stratford** and shall provide such information as is necessary in order to show that the proposed construction alteration or repair is in conformity with all applicable ordinances and building codes of the City of **Stratford**. Such applications may also serve as the application for a Certificate of Occupancy and Compliance when such Certificate is required by the Zoning Ordinance. Upon examination of the Application, if the Building Inspector is satisfied that such proposed construction, alteration or repair is in conformity with all-applicable Ordinances, he shall indicate his approval of such application and direct the issuance of such permit, upon payment of the required fee.

- b. **ISSUANCE OF PERMIT:** The required Building Permit shall be issued by the City Secretary, upon presentation to him of an Application therefor showing the approval of the Building Inspector. The City Secretary shall require the payment of a fee of ½c per square foot of total building area; measured on each floor in the case of a building of more than one story in height or as in the case of a one story building and basement area by the applicant for each such permit so issued, such fees to be accounted for as a part of the General Fund for the City of **Stratford**.
- c. **CONSTRUCTION UNLAWFUL:** It shall be unlawful for any person to commence or continue the construction, erection, alteration, or repair of any building, structure or wall or any part thereof, or to move any building, when the cost of such work is contemplated to be \$100.00 or more, until after the issuance of such building permit as provided herein.
- d. **PLACARD TO BE POSTED:** When a building permit is issued, the City Secretary shall also issue to the applicant a placard not

less than 8 inches by 10 inches in size containing a brief recital of the facts concerning the issuance of such permit. This placard shall be posted in some conspicuous place on the building site so as to be visible from the street, and shall remain so displayed until such work is completed. It shall be unlawful for any person to remove or deface such placard prior to completion of the work in connection with which it was issued. Upon completion of the work for which the permit is issued, such placard shall be destroyed and it shall be unlawful to display such placard in connection with any work except that in connection with which it was issued.

- e. **POWER TO REVOKE PERMIT:** Should the Building Inspector become convinced that the work, for which any permit has been granted by him under the provisions of this Code is not proceeding according to the plans and specifications submitted when the application was made for such permits, but is proceeding in violation of law, or of the provisions of this Code, it shall be his duty to notify the owner, or his agent, in writing, that the work is being done in violation of the provisions of the permit issued therefor and that the same must be immediately rectified. If the owner, or his agent, neglects to comply with the requirements of said notice or with the laws of Texas and Ordinances of the City of **Stratford**, or fails to make corrections as ordered, it shall be the further duty of said Inspector to revoke said permit, and notice thereof shall at once be given in writing to the owner or agent, superintendent or contractor in charge of the work, and notice to effect posted on work.
- f. **ALTERATIONS TO PLANS AFTER PERMIT IS ISSUED:** After a permit for any structure has once been issued no plans shall be altered without the approval of the Building Inspector. If in the opinion of the Building Inspector, the alterations made are important a new permit shall be required. If the cost of the

structure has been increased, a fee for the additional cost over and above the cost of the first structure shall be charged.

SECTION XII – CERTIFICATE OF OCCUPANCY REQUIRED

- 1) Before occupying or using a new building or one that has been remodeled, or before changing the class of occupancy of any existing building or part thereof, the owner or agent thereof shall file with the Building Inspector a written statement giving the location of the building by lot, block and street number and the name of the proposed occupant or lessee together with the purpose for which the building is to be used, and it shall be unlawful to occupy or to change the use or kind of occupancy of any building or part thereof without a certificate first being issued by the Building Inspector stating that the work for which the permit was issued has been completed substantially in accordance with the plans and specifications filed and approved, or that the premises have been inspected and found in conformity with the structural requirements and means of egress required by this Code of buildings used and occupied in the manner contemplated by the application for such certificate.

- a. **Continued Occupancy:** Nothing in this section shall prevent the continuance of the present occupancy and use of any now existing buildings, except as may be specifically prescribed by this Code or as may be necessary for the safety of life or property.
- b. **Temporary Occupancy:** Upon request of the owner or authorized representative, the Building Inspector may issue a temporary certificate of occupancy for part of the building, provided that such temporary occupancy or use should not in any way jeopardize life or property.
- c. **Certificate or Occupancy Refused:** It shall be the duty of the Building Inspector to refuse to issue such certificate of occupancy if it be found that the construction, arrangement or equipment of the premises is not in conformity with the requirements of this Code for buildings used as proposed by the applicant as above mentioned.

SECTION X – BOARD OF ADJUSTMENT

- 1) There is hereby created a Board of Adjustment consisting of 5 members, each to be appointed by the Mayor, subject to approval by a majority of the City Commission, for a term of two years and removable for cause by the appointing authority. Vacancies shall be filled by the appointment by the Mayor of a suitable person to serve out the unexpired term of any member whose place on the board has become vacant for any cause.
- 2) The Board is hereby vested with power and authority, in appropriate cases and subject to appropriate conditions and safeguards to make such exemptions to the terms of this ordinance in harmony with its general purpose and intent and in accordance with general or special rules therein contained for the purpose of rendering full justice and equity to the general public.
- 3) The Board may adopt rules to govern its proceeding provided, however, that such rules are not inconsistent with this ordinance. Meetings of the Board shall be held at the call of the chairman and at such other times as the Board may determine. The chairman, or in his absence, the acting chairman, may administer oath and compel the attendance of witnesses. All meetings of the Board shall be open to the public. The Board shall keep minutes of its proceedings, showing the vote, indicate such fact, and shall keep records of its examinations and other official actions all of which shall be immediately filed in the office of the board and shall be a public record.
- 4) Appeals to the Board of Adjustment can be taken by any person aggrieved or by any officer, board or department of the municipality affected by any decision of the administrative officer. Such appeal shall be taken within 15 days time after the decision has been rendered by the administrative officer, by filing with the officer from whom the appeal is taken and with the Board of Adjustment, a notice of appeal specifying the grounds thereof. The officer from whom the appeal is taken shall forthwith transmit to the Board all the papers constituting the record the action appealed from was taken.

An appeal shall stay all proceedings of the action appealed from, unless the officer from whom the appeal is taken certifies to the Board of Adjustment, after the notice of appeal shall have been filed with him that by reason of facts stated in the certificate, a stay would, in his opinion, cause imminent peril of life or property. In such case, proceedings shall not be stayed, otherwise, than by a restraining order which may be granted by the Board of Adjustment or by a court of record on application on notice to the officer from whom the appeal is taken and on due cause shown.

The Board of Adjustment shall meet on the second Monday of each month, provided there is a request for an appeal.

The Public shall be given a 10 day notice through two advertisements a week apart in a local newspaper; the day of the appearance of the first advertisement is not to be included within the 10 day period.

The Person or Persons requesting a hearing shall, at the time of making such request, pay to the Building Inspector a fee of \$3.00 to cover the cost of advertising.

Due Notice shall be given to the parties in interest and a decision on the appeal shall be rendered within a reasonable length of time. Upon the hearing any party may appear in person or by attorney or by agent.

5) The Board of Adjustment shall have the following powers:

To hear and decide appeals where it is alleged there is error in any order, requirement, decision or determination made by an administrative official in the enforcement of this ordinance.

To hear and decide special exceptions to the terms of the ordinance upon the Board is required to pass under this ordinance.

To authorize upon appeal in special cases, such variances from the terms of the ordinance as will not be contrary to the public interest, where,

owing to special conditions, the literal enforcement of the provisions of the ordinance will result in unnecessary hardship, and so that the spirit of this ordinance shall be observed and substantial justice done.

In exercising its powers the Board may, in conformity with the provisions of Articles 1011-A and including 1011-J of the 1925 Civil Statutes of Texas, revise or reform, wholly or partly, or may modify the order, requirement, decision or determination appealed from and make such order, requirement, decision or determination as ought to be made and shall have all the powers of the officer from whom the appeal is taken.

- 6) The concurring vote of 4 members of the Board shall be necessary to revise any order, requirement, decision or determination of any such administrative official, or to decide in favor of the application on any matter upon which it is required to pass under this ordinance or to affect any variance in said ordinance.
- 7) Any person or persons, jointly or severally, aggrieved by any decision of the Board of Adjustment or any taxpayer or any officer, department, or Board of the Municipality may present to a court of record a petition, duly verified, setting forth that such decision is illegal, in whole or part, specifying that grounds of the illegality. Such petition shall be presented to the court within 10 days after the filing of the decision in the office of the Board and not thereafter.
- 8) Nothing herein contained shall require any change in the plans, construction or designated use of a building actually under construction at the time of the passage of this ordinance and which entire building shall be completed within 1 year from the date of the passage of this ordinance. Nothing herein contained shall require any change in plan, construction or designated use of a building for which a building permit has been heretofore issued and which entire building shall be complete within 6 months from the date of the passage of this ordinance. If any amendment

to this ordinance is hereafter adopted changing the boundaries of districts, the provisions of this section shall apply.

- 9) When it is judgment the public convenience and welfare will not be substantially or permanently injured, the Board of Adjustment may in a specific case, after public notice and a public hearing authorize special exceptions to this Ordinance as follows:
- a. Permit the location of a state or municipal building, aviation field, public utility plant, athletic field or philanthropic institution in any use district.
 - b. Permit the reconstruction of a building occupied as a non-conforming use, or permit the extension of a non-conforming use of a building upon a lot occupied as a non-conforming use.
 - c. Permit in any district such modification of the requirements of this Ordinance as such Board of Adjustment may deem necessary to secure an appropriate development of a lot where adjacent to such lot on two or more sides there are buildings that do not conform to these regulations.
 - d. Permit such modification of the yard, lot area or lot width regulations as may be necessary to secure an appropriate improvement of the lot where such lot was separately owned at the time of the passage of this Ordinance, and is not adjacent to another lot of the same ownership, and where such lot is of such size that it cannot be improved without such modifications.

SECTION XIII – ENFORCEMENT

The provisions of this Ordinance shall be administered and enforced by the Building Inspector.

SECTION XIV – PENALTIES FOR VIOLATIONS

- 1) Any person, firm or corporation who shall violate any of the provisions of this Ordinance or who shall fail to comply with any of the provisions of this Ordinance or who shall build, alter or occupy any building in violation of any statement or plan submitted and approved hereunder shall be guilty of a misdemeanor and upon conviction thereof shall be fined by the courts. Each day such violation shall be continued, or shall be allowed to continue to exist shall constitute a separate offense.
- 2) The owner or owners of any building or property or part thereof where anything in violation of this Ordinance shall be placed or shall exist, any architect, builder, contractor, agent, attorney, person, firm or corporation employed in connection therewith and who have assisted in the commission of such violation, shall be guilty of a separate offense, and upon conviction thereof, shall be fined by the courts.
- 3) In addition to the remedies provided for paragraphs 1 and 2 of this section, the Building Inspector may, in case any buildings or structures are erected, constructed, reconstructed, altered, repaired, converted or maintained or any building, structure or land is used in violation of this Ordinance, institute any appropriate action or proceedings to prevent such unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance, or use to restrain, correct or abate such violation, to prevent the occupancy of said building, structure, or land, or to prevent any illegal act, conduct, business, or use in or about such premises.

SECTION XV – CHANGES AND ADMENDMENTS

- 1) Any person desiring a change in the provisions of this Ordinance or in the zoning map may make an application for such change to the Zoning Commission.
 - a. The application shall be upon a form to be prescribed and furnished by the Zoning Commission.
 - b. No application for the change of the zoning map or of the classification of any land shall be considered by the Zoning Commission unless it is accompanied by a filing fee stated on the city fee schedule.
- 2) The Zoning Commission shall consider the application and, if it finds after such examination that the proposed change is not contrary to the public interest, does not conflict with the planning of the City of **Stratford**, the planning of the most appropriate use of land involved and is desirable for zoning reasons, it shall set a date for public hearing on such proposed change.
- 3) If the application is set for public hearing by the Zoning Commission, the applicant shall forthwith make a deposit in the amount stated on the fee schedule to defray publication costs and administrative expenses incurred in handling the application.
 - a. The Zoning Commission shall cause written notice of public hearing on the proposed changes in classification to be sent to owners of real property lying within 200 feet of the property on which the change in classification is proposed such notice to be given not less than 10 days before the date set for hearing to all such owners who have rendered their said property for city taxes as the ownership appears on the last approved city tax roll. Such notice may be served by depositing the same property addressed and postage paid in the City post office. Where property lying within 200 feet of the property proposed to be changed is located in territory which was annexed to the City after the final date for making the renditions, which are included on the last approved City tax roll, notice to such owners shall be given by publication in a newspaper of general circulation at least 15 days before the date of the hearing.

- b. The Zoning Commission shall submit to the City Commission a final report containing its recommendations on those proposed changes it approves.
- 4) In the event the zoning change is denied by the Zoning Commission, such proposal will not be referred to the City Commission unless the applicant, within 10 days after denial of the change by the Zoning Commission, shall file a request in writing with the City Secretary, requesting that the City Commission review the decision of the Zoning Commission. The applicant shall make a deposit in the amount stated on the fee schedule to defray publication costs and administrative expenses incurred in handling the application.
- 5) Upon receipt of a final report the Zoning Commission in which a change is recommended or upon appeal, as provided for in Paragraph 4 above, the City Secretary shall set the report for public hearing before the City Commission at the earliest practicable regularly scheduled meeting and shall cause notice of the date and place of hearing to be published in a newspaper of general circulation in the City at least 15 days before the hearing.
- 6) The City Commission shall conduct a public hearing upon the report of the Zoning Commission and may adopt, modify or reject the report.

SECTION XVI – NON-CONFORMING USES

- 1) Any use of property existing on the effective date of this Ordinance which does not conform to these regulations but did conform with the provisions of a prior ordinance shall be deemed a non-conforming use.
 - a. A non-conforming use may be continued subject to regulations as to the maintenance of the premises and conditions of operation as in the judgment of the Board of Adjustment may reasonably be required for protection of adjacent property.
 - b. A non-conforming use shall not be extended, but the extension of a use to any portion of a building arranged or designed for such non-conforming use at the time of the passage of this Ordinance shall not be deemed the extension of a non-conforming use.
 - c. The lawful use of a building at the time of the passage of this ordinance may be continued, although such does not conform to the provisions here of, and such use may be extended throughout the building provided no structural alteration, except those required by law or ordinance, is made therein. If no structural alterations are made, a non-conforming use of the building may be changed to another non-conforming use of the same or more restricted classification; provided, however, that in the event a non-conforming use of a building is once changed to a non-conforming use of a higher or more restricted classification, it shall not later revert to the former lower or less restricted classification.
 - d. Any duplex or apartment existing or being used on the effective date of this ordinance shall be thereafter deemed a conforming use. Any use existing within a building at the time of the passage of this ordinance, in any commercial or manufacturing district shall be deemed a conforming use upon the lot devoted to such use at the time of the passage of this ordinance.
 - e. A cemetery, sewage disposal, or sewage treatment plant, public utility plant, county fairgrounds, or institution existing in any use district at the time of the passage of this ordinance, or any "D" Manufacturing District, use existing in a "C" Industrial District shall be deemed a conforming use upon the lot devoted to such use at the time of the passage of this ordinance.

SECTION XVII – COMPLETION AND RESTORATION OF EXISTING BUILDINGS

- 1) Nothing herein shall require any change in the plans, construction or designated use of a building for which a building permit has been heretofore issued, and plans for which are on file with the Building Inspector on the effective date of this ordinance and the construction of which in either case shall have been diligently prosecuted within one year of such permit, and the ground story framework of which including the second tier of beams, shall have been completed within such year, and which entire building shall be completed according to such plans as filed within two years of the date of this passage of this ordinance.
- 2) Nothing herein shall prevent the restoration, reconstruction or improvement of a non-conforming building destroyed by fire, explosion, act of God , or act of a public enemy subsequent to the passage of this Ordinance, or prevent the continuance of the use of such building or part thereof as such use existed at the time of such destruction or such existing use under the limitations provided herein, provided there is no increase in the square footage of floor space over that of the original structure and that such restoration, reconstruction, or improvement is started within a period of 6 months from the date of occurrence of the damage, and further provided that the setback requirements of the area be observed.

SECTION XVIII – SAVINGS CLAUSE

- 1) In case any section, paragraph, sentence, clause, phrase or word of this Ordinance shall for any reason be adjudged by any court of competent jurisdiction to be invalid, such invalidity shall not affect, impair, or invalidate the remainder of this Ordinance.
- 2) The provisions of this Ordinance shall not apply to case pending in the courts of this state at the time this Ordinance becomes effective.

SECTION XIX – REPEAL OF CONFLICTING ORDINANCES

- 1) All other ordinances or parts thereof in conflict with this Ordinance are repealed.
- 2) This Ordinance shall be cumulative of all ordinances in force on its effective date or subsequently enacted with respect to use of property and regulation of use of property except as otherwise especially provided herein.

SECTION XX – DEFINITIONS

Certain words in this Ordinance are defined for the purpose hereof as follows:

- 1) Words used in the **PRESENT TENSE** include the **FUTURE**. Words in the **SINGULAR** include the **PLURAL NUMBER**, and words in the **PLURAL NUMBER** include the **SINGULAR**; the word **BUILDING** includes the word **STRUCTURE** and the word **LOT** includes the word **PLOT**; and the word shall mandatory and not directory.
- 2) **ACCESSORY**: A Subordinate Use or building customarily incident to and located on the same lot with the main Use or Building.
- 3) **ACCESSORY BUILDING**: A small detached building such as a garage, servant's house, conservatory or store house used in connection with the main building and located upon the same lot as the main building.
- 4) **ALLEY**: A public thoroughfare not over 20 ft. in width.
- 5) **APARTMENT**: A room or suite of rooms in an apartment house arranged, designed or occupied as the residence of an individual or family.
- 6) **APARTMENT HOUSE**: A building or portion thereof containing three or more apartments.
- 7) **AUTOMOBILE TRAILER OR HOUSE CAR**: Any vehicle used as sleeping or living quarters mounted on wheels, or intended to be mounted on wheels for transportation.
- 8) **AUTOMOBILE TRAILER OR HOUSE CAR PARK OR CAMP**: Any plot of ground where accommodations is provided for one or more automobile trailers or house cars used as living or sleeping quarters.
- 9) **AUTOMOBILE WRECKING YARD**: An open area used for the dismantling or wrecking of used automobiles or the storage, sale or dumping of dismounted car or wrecked cars or their parts.
- 10) **BOARDING HOUSES**: A building other than a hotel where lodging and meals for five or more persons are served for compensation.
- 11) **BUILDING LINES**: The lines formed by the intersection of the outer face of the enclosing walls of a building with the surface of the ground and located as prescribed by this Ordinance.

- 12) **DEPTH OF REAR YARD:** The horizontal distance between the rear line of the main building and the center of an alley where an alley exists, otherwise the rear lot line.
- 13) **DEPTH OF LOT:** The mean horizontal distance between the front and rear lot lines.
- 14) **DISTRICT:** A section of the City of **Stratford** for which the Regulations governing the Areas, Heights or Uses of buildings or lots are uniform.
- 15) **FAMILY:** A family is any number of individuals living together as a single housekeeping unit.
- 16) **FRACTIONAL LOT:** A portion of a lot that has been sold off of a corner lot and having the side line of an adjacent lot as its rear line and rear line of the remainder of the corner lot as a side line.
- 17) **FRONT YARD:** An open unoccupied space on the same lot with a building, and between the building and the front line of the lot.
- 18) **FRONT LOT LINE:** On interior lots it is the line of the lot adjacent to the street. On corner lots it is the prolongation of the front line of an adjacent interior lot. In case where a corner lot may face on either of two streets, the set back shall conform to the requirements of the street faced; the set back on the other street shall be not less than 15 feet.
- 19) **FRONT STREET LINE:** It is the front lot line.
- 20) **HEIGHT OF A BUILDING:** The vertical distance between the established grade line at the street lot line and the highest point of the roof's surface, if a flat surface; to the deck line of mansard roofs; and to the mean height level between eaves and ridge for hip and gable roofs.

If there is no established grade line at the street lot line then the measurement shall be taken from the average natural ground level. In measuring the height of building the following structures shall be excluded: Chimneys, cooling tower, elevator bulkheads, pent house, tanks, water towers, radio towers, ornamental cupolas, domes, spires, signs, and parapet walls not exceeding 4 feet in height.
- 21) **HOTEL:** A building occupied as the more or less temporary abiding place of individuals who are lodged with or without meals, in which, as a rule, the rooms are occupied simply for hire and in which there are more than 12 sleeping rooms.

- 22) **INTERIOR LOT:** A bounded by lots on two or more sides.
- 23) **LODGING HOUSES:** A building other than a hotel where lodging for five or more persons is provided for compensation.
- 24) **LOT:** Land occupied or to be occupied by a building and its accessory buildings, and including such yards as are required under this Ordinance, and having its principal frontage upon a public street or officially approved place.
- 25) **LOT CORNER:** A lot situated at the junction of two or more streets.
- 26) **LOT LINES:** The lines bounding a lot as herein defined.
- 27) **Main Building:** The principal building or structure on a lot including all attachments thereto which are connected to it.
- 28) **NON-CONFORMING USE:** A building or premise occupied by or devoted to a use that does not conform to the Regulations of the Use District in which it is situated.
- 29) **ONE-FAMILY DWELLING:** A detached building having accommodations for and occupied by one family.
- 30) **PLACE:** An open unoccupied space reserved for purposes of access to abutting property.
- 31) **PRIVATE GARAGE:** A garage with a capacity for not more than four motor-driven vehicles, for storage only, for private use, and in which not more than one space shall be rented to persons not occupants of the premises. In an **APARTMENT DISTRICT**, a **PRIVATE GARAGE** may provide space for the storage of two motor-driven vehicles for each apartment for which the building is arranged or designed.
- 32) **PUBLIC GARAGE:** Any premises used for the storage of, housing or care of motor-driven vehicles, where such vehicles are equipped for operation and/or kept for remuneration, hire or sale.
- 33) **PROFESSIONAL PERSON:** For the purpose of this ordinance a "professional person" shall be construed to mean the following and no others: Accountant, Adjuster, Appraiser, Decorator, Dentist, Doctor, Lawyer, Architect, Engineer, and Photographer.
- 34) **REAR LOT LINE:** The line of the lot opposite the front lot line.
- 35) **REAR YARD:** A space unoccupied except by a building of accessory use as hereinbefore permitted, extending the full width of the lot between the main building and the rear lot line. Where there is an alley, the depth of the rear yard may be measured from the center of the alley.

- 36) **SERVANT'S QUARTERS:** An accessory building located on the same lot or grounds with the main building and used as living quarters for servants employed on the premises and not rented or otherwise used as a separate domicile.
- 37) **SIDE LINE:** Any lot line not a front line or rear line.
- 38) **SIDE YARD:** An open unoccupied space between the main building and the side line of the lot extending from the front yard to the rear yard. No part of an alley shall be used as a part of the side yard.
- 39) **STORY:** That portion of a building included between the surface of any floor and the surface of the floor next above. Or, if there is no floor above, then the space between such floor and the ceiling.
- 40) **STORY HALF:** An attic under a gabled or hipped roof having wall plates not more than two feet above the finished floor of such half story.
- 41) **STREET:** A public thoroughfare more than 20 feet wide.
- 42) **STRUCTURAL ALTERATION:** Any change in the supporting members of a building, such as bearing walls, columns, beams, or girders.
- 43) **TOURIST CAMP:** A building or group of buildings designed, arranged or used for temporary occupancy by persons traveling by automobile and having accommodations for housing or parking the automobile in close proximity to the quarters occupied by the owner of the automobile, and providing for three or more of such quarters.
- 44) **TWO FAMILY DWELLING:** A detached building having separate accommodations for and occupied as a dwelling by two families.
- 45) **USED CAR SALES AREA:** An open area used for the display and sale of used automobiles and where no repair work is done.
- 46) **WIDTH OF SIDE YARD:** The horizontal distance between the main building and the side line of the lot.

SECTION XXI – CONCLUSION ARTICLE PASSED AND APPROVED ON this 12th day of December, A.D., 1963.

O.H. OQUIN
Mayor

DAN FOREMAN
City Secretary

**CITY OF STRATFORD
ORDINANCE NUMBER 990513**

AN ORDINANCE DEFINING THE TERM "MOBILE HOME" AND PROHIBITING THE PLACEMENT OF MOBILE HOMES WITHIN THE CORPORATE CITY LIMITS OF THE CITY OF STRATFORD, TEXAS.

WHEREAS, IT IS INCUMBENT UPON THE CITY COUNCIL OF THE CITY OF STRATFORD, TEXAS, TO PROTECT THE PUBLIC HEALTH AND SAFETY WHEN POTENTIAL HAZARDS ARE KNOWN; AND,

WHEREAS, THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT HAS ACKNOWLEDGED THE LACK OF REASONABLE UNIVERSAL SAFETY STANDARDS IN MANUFACTURED HOUSING CONSTRUCTED PRIOR TO JUNE 15, 1976; AND

WHEREAS, THE TEXAS MANUFACTURED HOUSING STANDARDS ACT, ARTICLE 5221f, SECTION 4A, GIVES REGULATORY AUTHORITY, TO INCLUDE PROHIBITION, TO INCORPORATED CITIES OVER MOBILE HOMES, AS DEFINED THEREIN;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF STRATFORD, TEXAS, THAT:

I.

THE TERM "MOBILE HOME" IS DEFINED AS CERTAIN STRUCTURES CONSTRUCTED **BEFORE** JUNE 15, 1976, AND "HUD-CODE MANUFACTURED HOMES" IS DEFINED AS STRUCTURES THAT WERE CONSTRUCTED **ON OR AFTER** JUNE 15, 1976, AND MEET MINIMUM STANDARDS ESTABLISHED BY THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.

II.

UNDER AUTHORITY GRANTED BY THE TEXAS MANUFACTURED HOUSING STANDARDS ACT, ARTICLE 5221f, SECTION 4A, MOBILE HOMES, AS DEFINED IN SECTION I OF THIS ORDINANCE, ARE HEREBY PROHIBITED FROM BEING INSTALLED OR LOCATED WITHIN THE CORPORATE LIMITS OF THE CITY OF STRATFORD.

CITY OF STRATFORD
ORDINANCE NUMBER 990513

III.

THE PROHIBITION DOES NOT APPLY TO A MOBILE HOME THAT WAS **OCCUPIED** WITHIN THE CITY BEFORE THE EFFECTIVE DATE OF THIS ORDINANCE.

IV.

UNOCCUPIED MOBILE HOMES OR THOSE NOT USED AS A DWELLING MAY BE INCLUDED IN THE PROHIBITION.

V.

ANY PERSON VIOLATING THIS ORDINANCE SHALL BE FINED NOT TO EXCEED \$2000.00 UPON CONVICTION.

IN THE INTEREST OF PUBLIC SAFETY, THIS ORDINANCE IS PASSED ON THE FIRST READING, THIS, THE 13TH DAY OF MAY, 1999.

BY: _____
DAVID BROWN, MAYOR

ATTEST: _____
RIC WALTON, CITY ADMINISTRATOR

IV.

**CITY OF STRATFORD
ORDINANCE NUMBER 990514**

AN ORDINANCE AMENDING CERTAIN PROVISIONS OF CITY OF STRATFORD ORDINANCE NUMBER 155, AS AMENDED, AND ACKNOWLEDGING ESTABLISHED HOUSING DENSITY IN RESIDENTIAL AREAS OF THE CITY.

WHEREAS, THE COMPREHENSIVE PLAN OF THE CITY OF STRATFORD, TEXAS, ATTEMPTS TO MAINTAIN OR IMPROVE THE GENERAL CONDITIONS WITHIN THE RESIDENTIAL AREAS OF THE CITY; AND,

WHEREAS, INCREASING THE DENSITY OF HOUSING WITHIN A RESIDENTIAL AREA TENDS TO LOWER PROPERTY VALUES, IT IS IN THE BEST INTEREST OF THE RESIDENTS OF THE CITY TO MAINTAIN ESTABLISHED LAND USE WITHIN ALL RESIDENTIAL AREAS;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF STRATFORD, TEXAS, THAT:

I.

ONLY ONE RESIDENTIAL DWELLING SHALL BE PERMITTED TO OCCUPY AN ESTABLISHED SINGLE-FAMILY RESIDENTIAL LOT OR PARCEL WITHIN THE CITY.

II.

ANY "BREAKING-UP" OR REDUCTION IN SIZE OF A PREVIOUSLY ESTABLISHED RESIDENTIAL LOT OR PARCEL FOR THE PURPOSE OF CONSTRUCTING OR PLACING A SECOND DWELLING UNIT ON SAID LOT OR PARCEL MUST FIRST BE APPROVED BY THE CITY COUNCIL.

III.

THE CONVERSION OF AN UNATTACHED GARAGE OR STORAGE BUILDING INTO A DWELLING UNIT IS SPECIFICALLY PROHIBITED WITHOUT PRIOR APPROVAL OF THE CITY COUNCIL. THE "SIDE YARD", AS STIPULATED IN ORDINANCE 155, SECTIONS

IV.

**CITY OF STRATFORD
ORDINANCE NUMBER 990514**

V.D., W.D, AND VII. D, SHALL BE A MINIMUM OF TEN (10) FEET FROM THE PROPERTY LINE TO THE DWELLING UNIT FOR ALL NEW CONSTRUCTION OR PLACEMENT. SIDE YARD REQUIREMENTS FOR ACCESSORY BUILDINGS ARE UNCHANGED BY THIS ORDINANCE.

IV.

SECTION XVI, BUILDING PERMITS, SHALL BE AMENDED TO INCLUDE "FENCES" ALONG WITH BUILDINGS AND STRUCTURES IN PARAGRAPH 1.

V.

ANY STRUCTURE, BUILDING, FENCE, WALKWAY, TREE OR SHRUB PLACED WITHIN OR UPON THE CITY'S RIGHT OF WAY SHALL BE CONSIDERED AN ENCROACHMENT AND SHALL REQUIRE A BUILDING PERMIT PRIOR TO PLACEMENT. ANY DEVIATION FROM ESTABLISHED "BUILD-LINES" OR "FENCE-LINES", IN EITHER PLACEMENT OR TYPE OF MATERIAL SHALL REQUIRE APPROVAL BY THE CITY COUNCIL.

VI.

ANY PERSON VIOLATING THIS ORDINANCE SHALL BE FINED NOT TO EXCEED \$2000.00 UPON CONVICTION.

TIME BEING OF THE ESSENCE, THIS ORDINANCE PASSED AND APPROVED ON THE FIRST READING THIS 13TH DAY OF MAY, 1999.

BY: _____
DAVID BROWN, MAYOR

ATTEST: _____
RIC WALTON, CITY ADMINISTRATOR

Chapter 13

PLANNING AND ZONING

Article 1. Planning and Zoning Ordinance

Section 13-1 Zoning Ordinance adopted.

The current zoning ordinance shall be included in this Code of Ordinance and is attached as Exhibit C and shall govern the zoning of the City of Stratford.

Section 13-2 through 13-17 are reserved for future use.

Article 2. Manufactured homes

Section 13-18 M-Manufactured/Mobile Home District.

- a) A Manufactured Home shall follow the definitions as defined under the Texas Manufactured Housing Standards Act (TMHSA) describing “manufactured home” as a structure constructed on or after June 15, 1976, according to the rules of the United States Department of Housing and Urban Development (HUD), transportable in one or more sections, which, in the traveling mode, is eight (8) body feet or more in width or 40 body or more in length, or, when erected on site, is 320 or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems. The term does not include a recreational vehicle as that term is defined by 24 C.F.R. Section 3282.8(g).
- b) A Mobile Home shall follow the definition as defined under The Texas Manufactured Housing Standards Act (TMHSA) describing a “mobile home” as a structure constructed before June 15, 1976, transportable in one or more sections which, in the traveling mode, is eight (8) body feet or more in width or 40 body feet or more in length or, when erected on site, is 320

or more square feet, and which is built on a permanent chassis designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems.

c) USE REGULATIONS: In an "M" District no building or land shall be hereafter erected or structurally altered which is arranged or designed to be used for other than one or more of the following uses:

1. Any use permitted in A District.
2. Manufactured/Mobile home parks.
3. Manufactured/Mobile home subdivisions.
4. Must be skirted within 90 days of move in date.
5. Erected only on site lots in Manufactured/Mobile Home District approved by the City Council of the City of Stratford, Texas.

d) With the passage of the original ordinance, only manufactured homes may be moved to lots zoned for manufactured/mobile housing. See attached addendum. Existing mobile homes are not affected by this code.

e) SET BACK REQUIREMENTS: Requirements shall be the same as required for the A – Residential District, with the exception of manufactured/mobile home parks and manufactured/mobile home subdivisions which shall be provided for in Section 10-D which follows.

f) DEVELOPMENT STANDARDS FOR MANUFACTURED/MANUFACTURED HOME SUBDIVISIONS:

1. Area and Design Criteria:
 - a. Basic Minimum Requirements:
 1. Stand or Lot Requirements: Each stand in a
 2. Manufactured Home Park shall provide a minimum area of thirty-five hundred (3,500) square feet. Each lot in a manufactured/mobile home subdivision shall provide a minimum area of five thousand (5,000) square feet.

3. Open Space Requirements:

- a) The minimum set back shall be fifteen (15) feet from the nearest corner of the manufactured home or recreational vehicle to the front line of the stand or lot.
- b) No manufactured home or recreation vehicle shall be neither closer than fifteen (15) feet to any adjoining public street nor closer than ten (10) feet to any stand or lot line.
- c) For other structures the minimum front set back shall be at least fifteen (15) feet.
- d) The minimum distance between manufactured homes shall be twenty (20) feet on the sides and sixteen (16) feet on the rear.

4. Height Regulations:

- a) The height limit for any manufactured or recreational vehicle in the park or subdivision shall be eighteen (18) feet.
- b) The height of the manufactured or recreational vehicle frame above the ground elevation, measured at 90 degrees to the frame shall not be greater than three (3) feet.

5. Soil and Ground Cover:

- a) Exposed ground surfaces in all parts of every park shall be paved, covered with stone screenings or other solid material, or protected with a vegetable growth that is capable of preventing soil erosion and eliminating dust.

6. Drainage:

- a) The ground surface in all parts of a park shall be graded and equipped to drain all surface water in a safe, efficient manner. Each stand shall be graded to insure the proper drainage of water from the stand.

7. Design and Location of Storage Facilities in a Manufactured Home Park:

- a) Storage facilities with a minimum capacity of 200 cubic feet per stand are required and may be provided on the stand or in compounds located within one hundred (100) feet of each stand.

8. Parking:

- a) Every manufactured home stand shall have two (2) off-street parking spaces.

2. Accesses and Traffic Circulation and Parking:

- a. Streets shall be designed for safe and convenient access to all spaces and to facilitate for common use of park residents.
- b. Internal streets shall be kept open and free of obstruction in order that police and fire vehicles may have access to all areas of the manufactured home or Recreational Vehicle Park or subdivision.
- c. Interior streets shall intersect adjoining public streets at approximately ninety (90) degrees and at locations, which will eliminate or minimize interference with traffic on those public streets.

3. Water Supply:

- a. An accessible, adequate, safe, and potable supply of water meeting State standards shall be provided in each park. Connection shall be made to the public supply of water.

4. Water Distribution System:

- a. The water supply system of the park shall be connected, by pipes, to all manufactured home or travel trailer stands, buildings, or other facilities requiring water.
- b. All water piping, fixtures, and other equipment shall be constructed and maintained in accordance with State and City regulations and requirements.
- c. Manufactured home parks shall be served by individual water meters.
- d. Water supply Facilities for Fire Department Operations: Water supply facilities for fire department operators shall be connected to the water supply in dedicated streets, alleys or easements with hydrants located within 500 feet of all manufactured home stands, and such water supply systems

shall meet the minimum standards of the American Water Works Association.

5. Individual Water Riser Pipes and Connections:

- a. Individual Water Riser Pipes shall be located beneath the manufactured home at a point where the water connection will approximate a vertical position.
- b. Water riser service pipes shall extend at least four (4) inches above ground elevation. The pipe shall be at least three-quarter (3/4) inch. The water outlet shall be capped in an approved manner when the stand is unoccupied.
- c. Adequate provisions shall be made to prevent freezing of service lines, valves, and riser pipes. Surface drainage shall be diverted from the location of the riser pipe.
- d. A shutoff valve and drain valve below the frost line shall be provided near each water riser pipe.
- e. Underground stop and waste valves shall not be installed on any water service.

6. Sewage Disposal:

- a. General Requirements: An adequate and safe sewage system shall be provided in all parts and subdivisions for conveying and disposing of all sewage. All proposed sewage disposal facilities shall be approved by the City prior to construction. Effluents from sewage treatment facilities shall not be discharged into any waters of the State except with prior approval of the appropriate regulatory agency of the State.
- b. Sewer Lines: All sewer lines should be located in trenches of sufficient depth to provide a minimum of three (3) feet of cover to the installed sewers beneath the finished grade or contour above them. Any sewer lines installed with less than three (3) feet of cover shall be concrete encased in an approved manner. All sewer lines shall be separated from the park water lines by a minimum distance of five (5) feet horizontally or five (5) feet vertically, except where sewers are constructed in cast iron pipe. Sewers should be at a grade which will insure a velocity of two feet per second when flowing full.

- c. Individual Sewer Connections: Each manufactured/mobile home stand in a manufactured home park shall be provided with at least a four (4) inch diameter sewer riser pipe. The sewer riser pipe shall be so located on each stand that the sewer connection to the mobile home drain outlet will approximate a vertical position.
- d. The sewer connection from the manufactured home to the sewer riser pipe shall have a nominal inside diameter of at least three (3) inches, and the slope of any portion thereof shall be at least one-fourth (1/4) inch per foot. The sewer connection shall consist of one pipe only without any branch fittings. All joints shall be watertight.
- e. Provision shall be made for capping the sewer riser pipe in an approved manner when the stand is unoccupied. Surface drainage shall be diverted away from the riser. The rim of the riser pipe shall extend at least four (4) inches above ground elevation.

7. Electrical Distribution System:

- a. The electrical distribution system shall be installed and maintained in accordance with the applicable codes and regulations governing such system.
- b. Each stand shall be provided with approved main disconnects. The feeder circuit from the main shall terminate on an approved receptacle, outlet, or junction box, which will provide safety and protection when the stand is not in use.
- c. Should the distance from the receptacle, outlet, or junction box to the point where the feeder circuit enters the manufactured home exceed three (3) feet, the electrical circuit shall be installed underground or protected by approved means.

Sec 13-21 Reserved for future use.

Section 13-14, Prohibiting Obstruction of View of Lot Boundaries.

- a) On any lot on which a front set back is required by this code, no wall, fence or other structure shall be erected and no hedge, tree, shrub, or other growth or structure of any kind shall be maintained in such location within such required front set back so as to obstruct view.
- b) Any fence, wall hedge, shrubbery, or other growth or structure of any kind higher than a base line extending from a point two and one half feet (2-1/2) above walk grade at the walk to a point four and one half feet (4-1/2) deep above walk grade at the depth of the front set back required in hereby declared to be an obstruction to view except single trees having a single trunk which are pruned to a height of eight feet (8) above walk grade.
- c) All trees, shrubs, hedges and other growths, not in compliance with this section, shall be removed, trimmed or pruned so as to comply to this section within a period of forty-five (45) days from the date of passage of the original ordinance.
- d) Enforcement: It shall be the duty of the City Manager or duly appointed representative to supervise the enforcement of this code and if any violation thereof shall come to the attention of such officer, it shall be his duty to file a sworn complaint alleging such violation to the City Secretary. The City Secretary shall then write a letter to the alleged violator, giving 10 days to conform the described violation to the provision of this code, except in the case of immediate danger to the violator or any surrounding residents. If it is deemed a dangerous situation, immediate correction of the violation shall be enforced. If after 10 days the violation has not been corrected, the sworn complaint will be turned over to the Municipal Court for appropriate action.

Article 3. Administrative Provisions

Sec 13-27 Enforcement and Administration.

a) ADMINISTRATIVE OFFICIAL:

1. The provisions of this Code shall be administered and enforced by the Zoning Official, appointed by the City Council.
2. The Zoning Official or his duly authorized representative shall have the right to enter upon any premises at any reasonable time for the purpose of making inspections of buildings or premises necessary to carry out his duties in the enforcement of this Code.
3. Whenever any construction work is being done contrary to the provisions of this Code, the Zoning Official shall order the work stopped by notice in writing served on the owner or contractor doing or causing such work to be done, and any such person shall forthwith stop such work until authorized by the Zoning Official to proceed with the work.

b) CERTIFICATE OF OCCUPANCY AND COMPLIANCE:

1. No building hereafter erected or structurally altered shall be used, occupied, or changed in use until a certificate of occupancy and compliance shall have been issued, stating that the building or proposed use of a building or premises complies with the building laws and the provisions of this code.
2. Certificates of occupancy and compliance shall be applied for with the application for building permit and shall be issued within ten (10) days after the erection or structural alterations of such building shall have been completed in conformity with the provisions of these regulations. A record of all certificates shall be kept on file and copies shall be furnished on request to any person having a proprietary or tenancy interest in the building affected.
3. No permit for excavation for any building shall be issued before application has been made for a certificate of occupancy and compliance.
4. Continued Occupancy: Nothing in this section shall prevent the continuance of the present occupancy and use of any now existing buildings except as may be specifically prescribed by this code or as may be necessary for the safety of life and property.

5. Certificate of Occupancy Refused: It shall be the duty of the City Manager to refuse to issue such certificate of occupancy if it be found that the construction, arrangement or equipment of the premises is not in conformity with the requirements of this code for building use as proposed by the applicant as above mentioned code.
- c) ENFORCEMENT: It shall be the duty of the City Secretary or duly appointed representative to supervise the enforcement of this code and if any violation thereof shall come to the attention of such officer, it shall be his duty to file a sworn complaint alleging such violation to the City Secretary. The City Secretary shall then write a letter to the alleged violator, giving 10 days to conform the described violation to the provision of this code, except in the case of immediate danger to the violator or any surrounding residents. If it is deemed a dangerous situation, immediate correction of the violation shall be enforced. If after 10 days the violation has not been corrected, the sworn complaint will be turned over to the Municipal Court for appropriate action.
- d) COMPLETION OF EXISTING BUILDINGS: Nothing herein contained shall require any change in the plans, construction, or designated use of a building actually under construction at the time of the passage of this Code and which entire building shall be completed within one year from the passage of this Code. Nothing herein contained shall require any change in plan, construction, or designated use of a building for which a building permit has been heretofore issued, and which entire building shall be completed within one year from the date of the passage of this Code. If any amendment to this Code is hereafter adopted changing the boundary of districts, the provisions of this Code with regard to buildings or premises existing or building under construction, or building permits issued at the time of the passage of this Code, shall apply to building or premises existing or building permits issued in the area affected by such amendment at the time of the passage of such amendment.

Section 13-28 Amendments.

- a) The City Council may from time to time amend, supplement, or change by ordinance the boundaries of the Districts or the regulations herein established.
- b) Before taking action on any proposed amendment, supplement, or change, the City Council shall submit the same to the zoning commission for its recommendation and report.
- c) A public hearing shall be held by the City Council before adopting any proposed amendment, supplement or change. Notice of such hearing shall be given by publishing the same two (2) times in the newspaper of general circulation published in the City of Stratford, stating the time and place of such hearing which time shall be not earlier than fifteen (15) days from the first date of such publication.
- d) Unless such proposed amendment, supplement, or change has been approved by the zoning commission or if a protest against such proposed amendment, supplement or change has been filed with the city clerk duly signed and acknowledged by the owners of twenty percent (20%) or more, either of the area of the lots included in such proposed change or those immediately adjacent on the rear thereof extending two hundred feet (200') there from or of those directly opposite thereto extending two hundred feet (200') from the street frontage of such opposite lots, such amendment shall not become effective except by a favorable vote of three-fourths (3/4) of all members of the City Council. (Ord. No. 1182 7-15-55,24)
- e) Any person requesting an amendment or change to the zoning code shall be required to pay a filing fee as listed on the official fee schedule. No action by the Commission shall be valid until the filing fee has been paid. This fee shall not be refunded should the person making the request fail to make formal presentation nor should the requested amendment or change be denied.

Section 13-29 Violation.

- a) Any person who shall violate any of the provisions of this code or fail to comply therewith shall for each and every such violation be guilty of a Class C Misdemeanor and upon conviction be fined not more than the maximum amount as provided for by State law. The impositions of one penalty for a violation of this code shall not excuse the violation nor permit it to continue and all such persons shall be required to correct or remedy such violation

within ten (10) days and each day that such violation continues and each day that such person fails to comply with such code shall constitute a separate offense. The owner or owners of any building or premises or part thereof where anything in violation of this code shall be placed or shall exist any architect, builder, contractor, agent, person or corporation employs in connection therewith and who shall have assisted in the commission of any such violation shall be guilty of a separate offense, and upon conviction thereof shall be fined as herein provided.

Section 13-30 Subdivisions.

- a) SUBMISSION OF PLATS. From and after the date of adoption, these regulations shall govern all subdivisions of land within the corporate limits of the City of Stratford and within a distance of one-half (1/2) mile from the city limits. Any owner of land within the limits of said subdivision jurisdiction wishing to subdivide land shall submit to the Planning-Zoning Commission a plat of the subdivision which shall conform to the minimum requirements set forth in these regulations. No plat of a subdivision lying within such territory or part thereof shall be filed or recorded in the office of the County Clerk, and no sub dividers may proceed with improvements in said subdivision until such subdivision plat shall have been approved by the City Council and such approval entered in writing on the final plat by the Mayor.
- b) DEFINITIONS – The following words and phrases as used in this code shall have the meanings respectively ascribed to them in this section:
1. Alley: The word “alley” shall mean any minor way, which is used primarily for vehicular service access to the backside of properties otherwise abutting on a street.
 2. Arterial Street and Highways: Arterial streets and highways are those, which are used primarily for fast and/or heavy traffic.
 3. City Representative: The city representative is that person, persons or department so designed by the City Council to represent the City.
 4. Collector Street: Collector streets are those which carry traffic from minor streets to the major system or arterial streets and highways, including the principal entrance streets of a residential development and streets for circulation within such a development.
 5. Lot: Lot means and undivided tract or parcel of land under one ownership having access to a street, either occupied or to be

occupied by a building or building group, together with accessory buildings, which parcel of land is designated as a separate and distinct tract, and is identified by a tract or lot number or symbol in a duly approved subdivision plat filed of record.

6. Local Streets: Local streets are those streets provided for local traffic and direct access to abutting property.
7. Planning Commission: Planning Commission or commission shall be deemed to refer to the Planning Zoning Commission of the City of Stratford.
8. Shall, May: The word "shall" be deemed as mandatory; the word "may" shall be deemed as permissive.
9. Street: The term "street" means a way for vehicular traffic, whether designated a street, highway, thoroughfare, parkway, throughway, road, avenue, boulevard, lane, place or however other designated.
10. Subdivider: "Subdivider" means a person who causes land to be divided into a subdivision for him or others or seeks authorization therefore.
11. Subdivision: "Subdivision" means the division or proposed division of a parcel of land into two or more lots or parcels for the purpose of transfer of ownership or building development; provided that a division of land for agricultural purposes into lots or parcels of five acres or more not involving a new street or alley shall not be deemed a subdivision. The term includes resubdivision and, when appropriate to the context, shall relate to the process of subdividing or to the land subdivided.

c) PROCEDURE FOR PLAT APPROVAL

1. In order to prevent hardship on the subdivider through possible required plat revision, a preliminary plat of the proposed subdivision at a scale not smaller than two hundred (200) feet to the inch shall be submitted to the City Planning and Zoning Commission for approval before the preparation of the final plat. Six (6) copies of such plat, each copy bearing the designation "Preliminary Plat", must be filed in the office of the City Representative at least ten (10) days prior to the meeting at which the plat is to be considered and will contain the following information:

- a. The subdivision name (which must not duplicate in any manner an existing Subdivision name), the name and addresses of the owners, and of the designer of the plat who shall be registered engineer or registered surveyor.
- b. Date, approximate north point, and scale.
- c. The location of existing and platted property lines, streets, buildings, water courses, railroads, sewers, bridges, culverts, drainpipes, water mains, any public utility easements and any other easement both on the adjoining land and immediate adjacent subdivisions and property lines.
- d. The names, locations, widths, and other dimensions of proposed streets, alleys, easements, parks, reservations, blocks, lot lines, and building lines. The names of streets shall conform whenever possible to existing street names and lots shall be numbered in systematic arrangements
- e. Topography of the entire plat showing one (1) foot contour intervals. If a natural watercourse traverses the property, the centerline of the watercourse shall be shown as well as the estimated high water flood line. If the proposed subdivision does not lie within the force and effect of an existing, zoning code, the preliminary plat shall be accompanied by a plan indicating the proposed used of the lots.

d) PRELIMINARY PLAT REVIEW

1. Prior to the Planning and Zoning Commission's consideration of a preliminary plat the City Representative shall transmit a copy of the proposed plat to the electric company, gas company, water department, school administration and any other interested municipal or county department for review and recommendation in relation to specific service problems. The Planning and Zoning Commission shall recommend approval or disapproval and, if disapproved, state conditions of approval to the City Council within sixty (60) days of the time the preliminary plat is submitted. However, recommended approval of the preliminary plat shall not be deemed final acceptance but rather an expression of approval of the layout as submitted on the preliminary plat and shall serve as a

recommendation to the City Council for their final approval, subject to the stated conditions. (Ord. No. 357, 9-9-63,5.2)

e) FINAL PLAT APPROVAL

1. Two (2) copies of the final plat, together with reproducible tracing, the cost of the reproducible tracing to be refunded to the subdivider upon presentation to the City of Stratford of a paid receipt from the reproducing company, shall be submitted to the City Council within six (6) months of date of approval of the preliminary plat or such approval shall become null and void unless extension of time is applied for and granted by the Planning and Zoning Commission. A set of proposed construction plans and specifications for streets, water, gas and sewer improvements shall be prepared and submitted to the City Council for review at least ten (10) days prior to the meeting of the City Council at which the plat is to be considered. The final plat shall be drawn at a scale of one (1) inch equals two hundred feet (200') on sheets 18" x 18" and where an index sheet showing the entire subdivision may on several sheets accompany necessary. The final plat shall show or be accompanied by the following information:
2. The final plat shall conform substantially to the preliminary plat, as approved, and if desired by the subdivider, it may constitute only that portion of the approved preliminary plat which he proposes to record and develop at the time; provided, however, that such portion shall conform to all requirements of these regulations. In cases where a final plat is submitted for approval and where no change from the approved preliminary plat has been made, it may be submitted directly to the City Council for approval. When it is not necessary for the Planning and Zoning Commission to consider the approval of a final plat because no change has been made from the preliminary plat. Such final plat shall be recommended for final approval to the City Council of the City of Stratford. The City Council shall not consider final approval of said plat unless said plat has been delivered to the City Representative on or before the ten (10) days immediately preceding the regular meeting of the City Council.
3. An accurate boundary survey of the property, certified by a licensed surveyor or registered professional engineer, with bearings and distances, referenced to survey lines and established subdivisions,

and showing pertinent data concerning property immediately adjacent thereto in dashed lines.

4. Right-of-way lines of streets and alleys; property lines of residential lots, parks, and other sites, with accurate dimensions, bearings or deflection angles, and radii, arcs and central angles of all curves.
5. Name and right-of-way width of each street or other right-of-way.
6. Location, dimensions and purpose of any easement.
7. Purpose for which sites other than residential lots are dedicated for reserved.
8. The location of minimum building set-back lines from all streets on lots and other sites.
9. A certificate of dedication of all streets, alleys, parks, easements and other land intended for public use, signed by the owner or owners and by all other persons, firms or corporations owning an interest in the property subdivided and platted, and shall be acknowledged in the manner prescribed by the laws of the State of Texas for conveyances or real property. A certified copy of all deed restrictions filed for record in Sherman County shall be furnished to the City of Stratford at the time of recording same.
10. Receipts indicating that current taxes have been paid on the property to be subdivided and a certificate that no delinquent taxes exist against the property.
11. All lots in subdivision shall be numbered in numerical order, including block numbers.
12. A waiver of claim for damages against the City of Stratford occasioned by the establishment of grades or the alteration of the surface of any portion of existing streets and alleys to conform to the grades established in the subdivision.
13. Certificate of Improvement.
14. A registered engineer shall furnish the City Council with a written certification stating that all improvements which have been completed prior to final approval have been satisfactorily completed in accordance with all City Plans and Specifications for such improvements and, if all necessary improvements have not been completed, shall further certify that a sufficient amount of security has been deposited with or a surety bond furnished to the City of Stratford to secure the completion of all those improvements so

required which are incomplete. When a surety bond has been furnished, the City in lieu of in all of the required improvements, it shall be delivered to the City Attorney for approval. The surety bond shall have attached thereto a copy of the contract for such improvements and such other information and data necessary to determine the validity and enforceability of such bond. When the bond has been examined and approved, the City Attorney shall certify to the City Council in writing that the surety bond is valid and enforceable as regards all improvements required by this code still incomplete and for which cash deposit has not been made.

15. Upon approval of the final plat, the reproducible tracing and one copy shall be retained in the files of the City Council and one copy shall be filed with the County Clerk by the developer.

f) GENERAL REQUIREMENTS FOR SUBDIVISION DESIGN STREETS

1. The City Planning and Zoning Commission shall determine the width of main thoroughfares and traffic streets.
2. No street dedication shall be less than 57 feet wide, and paving shall not be less than thirty-seven feet (37') from back to back of curbs when paved. All new streets shall be continuations of existing streets where possible, at the same or greater width and having the same names. Where continuation of street is no possible, there shall be minimum offset of one hundred twenty-five feet (125').
3. Dead end streets maybe platted where the land adjoins property not subdivided, in which case the streets shall be carried to the boundaries thereof. In the instances where dead end streets are otherwise necessary, a cul-de-sac with minimum radius of forty feet (40') shall be provided.

g) STREET INTERSECTIONS.

1. Insofar as practical, acute angles at street intersections shall be avoided. Where an acute angle of less than seventy-five (75) degrees occurs between streets at their intersection, the Planning and Zoning Commission may require the property lines to be rounded or otherwise set back to permit curb construction of desirable radius without curtailing the sidewalk at the street corner to less than normal width.

h) CURVES IN STREETS.

1. Where a deflection angle of more than ten degrees (10) in alignment of a street occurs, a curve of reasonable long radius shall be introduced. On all streets the center line radius of curves shall not be less than three hundred feet (300'), except in special cases which shall be approved by the Planning and Zoning Commission.
2. Streets shall be platted to allow two (2) tiers of lots with an alley between. Intersecting cross streets may not be more than twelve hundred (1200) feet apart, nor less than three hundred feet (300') in blocks over one thousand feet (1000') in length, the Planning Commission may require a public cross walk of not less than a ten foot (10') right-of-way, and having not less than a six foot (6) concrete walk. Streets shall be platted with appropriate regard to the County Roads, lake areas and other topographical features lending themselves to attractive treatment. Where plats are presented for approval, which adjoin unplatted property, the owner of the proposed subdivision shall provide his pro rata part of boundary streets.

i) ALLEYS, RESERVE STRIPS

1. Alleys shall be laid in the rear of lots fronting on adjoining streets. The minimum width of an alley shall not be less than twenty feet (20') and shall be graded and leveled. No subdivision showing a reserve strip of land controlling the access to public ways or adjoining properties will be approved.

j) LOTS AND BLOCK.

1. In general, lots shall conform in width, depth and area to the pattern already established in the adjacent areas, having due regard to the character of the neighborhood, its particular suitability for development for residential purposes and also taking into consideration the natural topography of the ground, drainage, sanitary, sewerage facilities and the proposed layout of the streets.
2. It shall be unlawful for the City Secretary to issue a permit for any residence, in a zoned residential area, utilizing a building site the rear portion of any corner lot, or the rear portion of any corner lot merged with a portion of any adjoining lot, to produce a platted of

sufficient size to meet the minimum requirements for a permissible residential use. Lots shall have minimum widths and measurements as required by the Zoning Code for one-family dwelling. The area of the lot shall be computed by taking the average width of the lot times the average depth of the lot measured from the street line to the rear lot line. All sidelines of lots shall be at right angles to straight street lines or radial to curved street lines, unless a variation from this rule would, in the opinion of the City Planning Commission, give a better lot plan. For private housing projects and shopping villages, it will not be necessary to subdivide tracts of land. Site plans, however must be filed showing the arrangement of the project in detail, together with essential requirements such as parking facilities, locations of buildings and the other uses to be permitted.

3. All proposed subdivisions shall conform to the Comprehensive Plan of the City of Stratford. Whenever a tract to be subdivided embraces any part of a highway, major street, secondary street or parkway, so designated by the City of Stratford, such part of such proposed public way shall be platted by the subdivider in the same manner as said adjoining highway, major street, secondary street or parkway.

k) IMPROVEMENT REQUIREMENTS

l) FINAL PLAT APPROVAL REQUIREMENTS.

1. Before the final plat has been approved and before any utilities are installed, a Registered Engineer shall complete the preliminary survey to determine the requirements for the utility, curb, gutter and paving installations to be installed in the proposed subdivisions, or that part of the subdivision to which final plat approval is desired.
2. The engineering survey shall include an estimate of the proposed cost, except when the subdivider desires to complete work prior to final plat approval. These costs will be based upon estimated quantities, as determined by the engineer from their preliminary survey and study using the lowest unit price received for each phase of construction as established by formal or informal proposals from at least two (2) outside contractors at the time the work is to be done.

m) SURVEY MONUMENTS.

1. Permanent concrete monuments, not less than six inches (6") in diameter, and not less than eighteen inches (18") long, having a copper or brass bolt set in the concrete with the survey point being clearly marked by punch mark or cross, shall be set at the outside perimeter corners of angle points of subdivision.
2. If the terrain is such that the corner or angle monuments on the same azimuth are not visible from each other, an intermediate monument, or monuments, shall be set so that two (2) or more monuments on the same azimuth are visible from each other.
3. Monuments shall be set at angle points and at the beginning and end of all curves on boundary streets, alleys, and interior streets. The monuments shall be set approximately six inches (6") below the finished grade of the ground after any necessary area or other grading work is completed.
4. A three-quarter-inch (3/4") iron pipe not less than eighteen inches (18") long shall be set at all block and alley corners, the pipe shall be driven flush with the ground, and a one inch by two inch (1" x 2") guard stake driven by the pipe.
5. All monuments and pipe must be indicated on the final plat along with the azimuth and distance between the monuments or pipes.

n) BOND OR CASH ESCROW IN LIEU.

1. In lieu of the completion or installation of any or all of the improvements requirements, and before issuance of a building permit, the City may accept a cash deposit or surety bond to secure the City the actual cost plus ten percent (10%) of such improvements as estimated by the engineer. All bonds must be made payable to the City of Stratford by a company legally authorized to do business in the State of Texas, and approved by the City Attorney of said City.

o) AFFIDAVIT OR RELEASE.

1. The Subdivider shall furnish the City of Stratford with an affidavit or complete release from the contractor, stating that all cost incurred against the required improvements have been paid by same, and also

that said cost of improvements shall never constitute a liability against the City of Stratford or individual property owner.

p) GENERAL REQUIREMENTS.

1. In addition to the water and sewer main extensions, a tap charge will be required for water and sewer in the amounts set by the City Council. This amount to be paid by the developer at the time the application is made for the tap. In addition to these amounts the meter deposit shall be required. The Developer shall furnish a necessary engineering and furnish inspection of construction. No building permits shall be issued, and the City shall withhold all City improvements of whatsoever nature including sewerage and water service from any subdivision or re-subdivision covered by this code until:
2. Such time as the developer and/or owner has fully completed and paid for the improvements required to be made by the terms of this code, including the installation of streets with proper paving, curb and gutter, drainage structures, storm sewers, alleys, fire hydrants, water and sanitary sewer mains, all according to the specifications of the City of Stratford; or until such times as:
3. An escrow deposit or bond sufficient to pay for the cost plus ten percent (10%) of such improvements as determined by a City Representative computed on a private commercial rate basis has been made with the City Secretary of the City of Stratford, accompanied by an agreement signed by the developer and/or owner authorizing the City to make such improvements at prevailing private commercial rates or have the same made by a private contractor and pay for the same out of escrow deposit.
4. The City will:
 - a. Make all water and sewer service taps at their regular charge for such service. The water and sewer lines as completed will become the property of the City of Stratford and the developer or builder shall have no right or title in same; the City of Stratford will maintain said lines at its own expense. Extensions of said lines may be made at any time the City may desire.

- b. The City of Stratford shall never be liable for payment of interest on any deposits, payments or refunds provided for herein. The builder or developer shall never have the right to demand payment hereunder out of any fund raised by the City through taxation.
- c. The City will reimburse any part of the money being held in escrow in excess of the actual cost of constructing paving, curb and gutter, drainage structures, storm sewers, fire hydrants, water and sanitary sewer mains, or return said cash bond.
- d. The City will, upon approval by the City Council, pay the developer of a subdivision within the City of Stratford in difference in cost in extending a water main in excess of six inches (6") in diameter and a sewer main in excess of six inches (6") in diameter, provided the City Council finds that a water main in excess of six inches (6") in diameter, or a sewer main in excess of six inches (6") in diameter, is necessary to take care of future development and is beneficial and necessary to maintain adequate flow of water and sewer. The City Council's approval of all water and sewer lines shall be required and no line smaller than that required for adequate fire protection shall be approved.

Final accounting of each project will be the basis of final settlement with the Developer for actual costs of water and sewer main, and will, in all cases be one hundred percent (100%) of the actual cost of the project, based on the unit prices set out in the code. In the event that it is impossible to award a contract for such work upon unit price basis, it will then become the obligation of the developer to provide complete engineering, including plans and specifications, on which contractors may bid, to determine a lump sum price for such work. The ratio of payment between the developer and the City would in such case remain the same with one hundred percent (100%) of such costs to be borne by the developer for the installation of six inch (6") lines or less.

q) FLOOD AREA.

1. FLOOD AREA. Areas within the jurisdiction of the Planning Commission subject to flood conditions, as established by the City Representative, will not be considered for subdivision purposes, until adequate drainage has been provided; provided, however, that drainage facilities may be provided in compliance with the then current regulations as established by the City Council.
2. DRAINAGE REPORT. A drainage report prepared by a licensed registered engineer shall accompany the preliminary plat. This study shall show the acreage draining into the subdivision, points of run off concentration, areas subject to flooding, the method for draining the run off through and away from the subdivision and other pertinent information as required by the City Representative. Methods and data used for calculations of run off shall be as required by the City Representative.

r) CHANGES AND VARIATIONS.

1. These rules and regulations are the standard requirements of the City of Stratford.

s) OTHER DATA.

1. The Planning and Zoning Commission may require such other certificates; affidavits, endorsements or dedications as for the enforcement of these regulations may be required.

t) LEGAL SCALE DEVELOPMENT.

1. The standards and requirements of these regulations may be modified by the Planning and Zoning Commission in the case of a plan and program for a complete community or neighborhood unit which, in the judgment of the Planning and Zoning Commission, provided adequate public spaces and improvements for the circulation, recreation, light, air and service needs of the tract when fully developed and which also provided such covenants or such other legal provisions as will assure conformity to the achievement of the plan.

u) CONDITIONS.

1. In granting variances and modifications, the Planning and Zoning Commission may require such conditions as will, in its judgment, secure substantially the objectives of the standards or requirements so varied or modified.

Article 4. Mobile homes prohibited

Section 13-31 Definitions.

- a) Mobile home: as a certain structure constructed before June 15, 1976
- b) Hud-Code Manufactured Home: a structure constructed on or after June 15, 1975 and meets the minimum standards established by the U.S. Department of Housing and Urban Development.

Section 13-31 Mobile Homes prohibited.

Mobile homes are prohibited from being installed or located within the corporate limits of the City of Stratford.

Section 13-32 Non-conforming use.

Any mobile home installed or located within the corporate limits of the City of Stratford prior to May 13, 1999 shall be considered a non-conforming use and will be allowed to remain in the city under the conditions established in Section 13-26 of this Chapter.

Section 13-13 Penalty.

Any person convicted of violating this article shall be fined not more than the maximum allowed by the laws of the State of Texas. (Ordinance 990513, May 13, 1999)

Section 13-34 through 13-55 are reserved for future use.

Article 53 Liquefied Petroleum Gas

Section 13-56 Definition.

Liquefied Petroleum Gas means any material that is composed predominately of any of the following hydrocarbons or mixtures of hydrocarbons; propane, propylene, normal butane, isobutene and butylenes.

Section 13-57 Regulations of equipment for liquefied petroleum gas.

Any equipment sold, distributed, installed or used in connection with liquefied petroleum gas within the corporate limits of the City of Stratford, shall comply with all laws and regulations of the City, the regulations of the Railroad Commission of the State of Texas, the regulations of the National Board of Fire Underwriters and the regulations recommended in the National Fire Protection Association.

Section 13-58 Equipment inspections required.

When any equipment is installed for business or residential use, it shall not be placed in operation or used unless and until such installation has been approved by the City Fire Marshall. The City fire Marshall shall require the person installing such equipment to pay an inspection fee in an amount set by the City council to cover the cost of the inspection.

Section 13-59 Penalty.

- a) A person who violates or fails to comply with this article or rules adopted under this article shall be guilty of a misdemeanor and shall be punished by a fine of not more than the maximum allowed by the laws of the State of Texas. This fine shall be in addition to any fine levied by any other state authority.
- b) Each day of violation or failure to comply constitutes a separate violation. (Ordinance 217, March 5, 1981)

Article 6. Building Inspector

Section 13-60 Building Inspector.

The duties, responsibilities and title of the Building Inspector for the City of Stratford, Texas, are assigned to the City Manager, and any reference to the

Building Inspector in current City ordinances or codes shall refer to the City Manager.

Section 13-61 Authority to appoint a qualified building inspector.

The City Manager may, if approved in the budget of the city of Stratford:

- a) Appoint a Building Inspector on a full or part-time basis as the city manager's official designee to perform the duties of the Building Inspector,
- b) Appoint a current employee as the city manager's designee to perform the duties of the Building Inspector, or
- c) Execute a contract with a qualified Building Inspector professional or firm to fulfill duties of the Building Inspector.

Section 13-61 through 13-75 are reserved for future use.

Article 7. Automobile Trailer Camps

Section 13-76 Definitions.

- a) Automobile trailer or house car – any vehicle used as sleeping or living quarters mounted on wheels and propelled either by its own power or other power driven vehicle to which it may be attached.
- b) Automobile tourist park or park – any plot of ground where accommodations is provided for two or more automobile trailer or house cars used by transients as living or sleeping quarters.

Section 13-77 Regulations of automobile trailer camps.

- a) It shall be unlawful for any person, persons, firm or corporation to establish, maintain, or operate within the limits of the City of Stratford, Texas, any automobile tourist camp or park or any location or plot of ground for use of transients by the day, week, month or season, whether charge is or is not made, who does not possess a permit from the City of Stratford.
- b) There shall be a space of at least twelve (12) feet between any two automobile trailer or house cars, between any trailer or house car and any building or structure or between any two buildings or structures.

- c) Each automobile trailer camp or park shall provide at locations hereinafter defined, toilets, urinals, wash basins, showers or baths and water faucets in accordance with the following:
1. One toilet for each sex for every 10 units or fraction thereof;
 2. Each toilet room provided for men shall have in addition of one urinal;
 3. Each toilet room shall be provided with one or more wash basins;
 4. One shower or bath tub shall be provided for each sex for each ten units or fractions thereof.
 5. All toilets, basins and showers shall be placed in properly constructed buildings, and located not more than 150 feet from each trailer or house car unit.
 6. Buildings shall be well lighted at all times, day and night, well ventilated with screened opening, and constructed of such material as shall permit rapid and satisfactory cleaning, scouring and washing.
 7. The floors shall be of concrete or similar material, elevated not less than four (4) inches above grade.
 8. All floors in shower and toilet rooms shall be disinfected daily by the use of chloride compounds or other similar disinfectant as great in strength. Wooden or cloth mats, grids, boards are prohibited.
 9. A laundry room or building constructed as specified in this article shall be provided with laundry trays, impervious to water, and provided with hot and cold running water.
 10. Each automobile trailer camp or park shall be under the direct management of the owner or licensee or his agent or representative, for whose acts he or they shall be wholly responsible. The name of the person entrusted with the direct management of the camp or park shall be filed for reference with the City of Stratford.
 11. An adequate supply of safe, potable water under pressure shall be available for every unit in the entire trailer camp, in all parts of every trailer camp. At least one water supply outlet shall be provided for every ten house trailer units and such water supply outlet shall be within 150 feet of the house trailer. Hoses used for filling of water tanks on house trailers or house cars shall not be used for any other purpose and such hose must be stored off the ground. Care must be taken to prevent contamination of either the trailer tank or the water supply system.

12. All sewage and other water carried wastes shall be disposed of into the municipal sewer system if within 150 feet. In camps where a municipal sewer system is not available, disposal shall be into a private system which shall include a sanitary means of disposal, the operation of which creates neither a nuisance nor a menace to health. This system shall receive the approval of the City health officer previous to use.
- d) It shall be the duty of the owner, his agent, or manager to keep a register of all person accommodated on the camp or park, said register to include the names of all person, their home addresses, the number and description of their automobiles or other vehicles; and to prescribe rules and regulations for the management of the camp or park, and to have such records available for inspection by all public officers. Further it shall be the duty of the owner, his agent or manager to:
 1. Permit regular inspection of the water supply and sanitary conveniences;
 2. Provide for the collection and removal of garbage and other waste material;
 3. Shall cause each dog, cat or other pet animal to be kept under control at all times, either by being tied up or confined in a proper enclosure.
 4. Provide for the regular cleaning and disinfecting of all buildings;
 5. Provide proper sign designating men and women toilets.
 - e) Any house trailer or house car, from which the wheels have been removed, except for the purpose of making temporary repairs or placing the same dead storage, shall be prohibited.
 - f) Each application for a permit to conduct an automobile trailer camp or park shall be filed in writing upon a form provided by the City of Stratford.
 - g) Upon filing of such application, it shall be the responsibility of the City to investigate the premises and determine whether the site selected would or could conform with the requirements of this Chapter and Article and other laws and ordinance applicable thereto, and said City may at its discretion approve or reject any proposed site.
 - h) The City of Stratford may revoke or suspend any permit, after a hearing, on charges of failure to comply with this article.

Section 13-78 Penalty for violation

Any person, firm, corporation violating any of the provisions of this article shall be guilty of a misdemeanor punishable by a fine in any sum not to exceed the maximum amount as prescribed by the laws of the State of Texas. (Ordinance 162, December 9, 1965)