ORDINANCE 86-1

AN ORDINANCE OF THE CITY OF BARDWELL, TEXAS, ESTABLISHING ZONING REGULATIONS AND DISTRICTS, ESTABLISHING A PLANNING AND ZONING BOARD, DEFINING VARIOUS TERMS AS USED IN THE ORDINANCE AND PROVIDING FOR PENALTIES FOR VIOLATION OF ANY OF THE PROVISIONS OF THE ORDINANCE, CONTAINNG A SEVERABILITY CLAUSE AND PROVIDING FOR THE PUBLICATION THEREOF.

Be it ordained by the City Commission of Bardwell, Texas:

The City Commission of Bardwell, Texas in order to establish guidelines for the growth and prosperity of Bardwell, Texas and to insure the health and safety and general welfare of all citizens of Bardwell, Texas hereby passes the following Ordinance to be hereinafter referred to as the Zoning Ordinance of Bardwell, Texas.

SECTION I: Definitions. Certain words in the Ordinance are defined for the purpose hereof as follows:

(1) The word "lot" includes the words plot, tract or parcel of land and is land to be occupied by a single building and its accessory buildings.

(2) Family: A family is any number of related individuals living together as a single housekeeping unit.

(3) Non-Conforming Use: A building occupied by a use on the date of this ordinance that does not conform to the regulations of this ordinance.

(4) One-Family Dwelling: A detached building having accomodations for and occupied by only one family.

SECTION II: The City of Bardwell is hereby zoned a single class of use to be termed: One-Family Dwelling District.

SECTION III: In a One-Family Dwelling District no building shall be used which is arranged or designed to be used for other than one or more of the following uses:

(1) One-Family Dwelling;

(2) Church;

(3) Public or Private School or kindergarten;

(4) Municipal buildings, playgrounds, parks or public areas owned or operated by the City of Bardwell, Texas or the State of Texas;

(5) Farming, gardening, nursery or greenhouse provided no sales office is maintained.

SECTION IV: Multiple family dwellings shall not be permitted unless, after public hearing, the City Commission approves said use by granting a specific use permit.

SECTION V: Any use of property existing at the time of the passage of this Ordinance which does not conform with the regulations prescribed in this Ordinance shall be deemed a non-conforming use.

(1) A non-conforming use shall not be extended;

(2) A non-conforming use shall not be changed unless changed to a conforming use.

(3) A non-conforming use damaged, by fire or other means, more than 75 percent of its then fair market value shall not be reconstructed and used as before such calamity, but if such non-conforming use is damaged less than 75 percent it may be reconstructed provided it be reconstructed within six months of such calamity.

SECTION VI: The City Commission shall sit and act as the City Planning and Zoning Board and shall hear all matters regarding this Ordinance and any amendments thereto.

SECTION VII: (1) No person, firm, or corporation shall use any premises nor erect or construct any building or structure, nor add to, enlarge, move, alter, convert, extend or demolish any building, structure or cause the same to be done without first obtaining a building permit therefor from the City of Bardwell.

(2) No premises shall be used and no building hereafter erected or structurally altered shall be used, occupied or changed in use until a certificate of occupancy shall have been issued by the City of Bardwell.

SECTION VIII: Any person, firm or corporation who shall violate any of the provisions of this Ordinance or fail to comply therewith or with any of the requirements thereof or who shall build or alter any building in violation of any detailed statement or plan submitted hereunder shall be guilty of a misdemeanor and upon conviction thereof be fined not more than $100.00 and each day such violation exists shall constitute a separate offense.

SECTION IX: If any section, paragraph, subdivision, clause, phrase or provision of this Ordinance shall be adjudged invalid or held unconstitutional the same shall not affect the validity of this Ordinance as a whole or any part or provision thereof other than the part so decided to be invalid or unconsitutional.

This Ordinance shall become effective immediately subject only to the publication thereof in accordance with law.

PASSED this 9TH day of MAY, 1986.

CITY OF BARDWELL, TEXAS

By: George Grammer
GEORGE GRAMMER, Mayor

ATTEST:

Mildred Grammer
MILDRED GRAMMER, City Secretary