

AN ORDINANCE AMENDING CHAPTER 23, "PLANNING AND COMMUNITY DEVELOPMENT", SUBPART E, "ZONING", OF THE ABILENE MUNICIPAL CODE, BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW: PROVIDING A SEVERABILITY CLAUSE; DECLARING A PENALTY AND CALLING A PUBLIC HEARING.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:

PART 1: That Chapter 23, Subpart E, "Zoning", of the Abilene Municipal Code be amended as set out in Exhibit "A", attached hereto and made a part of this ordinance for all purposes.

PART 2: That if any provision or any section of this ordinance shall be held to be void or unconstitutional, such holding shall in no way affect the validity of the remaining provisions or sections of this ordinance, which shall remain in full force and effect.

PART 3: That any person, firm or corporation violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than Two Thousand Dollars (\$2,000.00). Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense.

PASSED ON FIRST READING this 13 day of July, A.D. 19 89.

A notice of the time and place, where and when said ordinance would be given a public hearing and considered for final passage, was published in the Abilene Reporter-News, a daily newspaper of general circulation in the City of Abilene, said publication being on the 18 day of July, 19 89, the same being more than fifteen (15) days prior to a public hearing to be held in the Council Chamber of the City Hall in Abilene, Texas, at 9:00 a.m. on the 27 day of July, 19 89, to permit the public to be heard prior to final consideration of this ordinance. Said ordinance, being a penal ordinance, becomes effective ten (10) days after its publication in the newspaper, as provided by Section 19 of the Charter of the City of Abilene. Any disabled vehicle present in the front or side yards in a residential area must be removed within thirty (30) days from the date of adoption of this Ordinance.

PASSED ON SECOND AND FINAL READING this 27 day of July, A.D. 19 89.

ATTEST:

D. Moore
CITY SECRETARY

Dale Ferguson
MAYOR

APPROVED:

Harry Cargill
CITY ATTORNEY

EXHIBIT "A"

AMEND:

SECTION 23-306.4: PERMITTED USES: Accessory and Incidental Uses
Disabled Vehicles - Conditionally in all zoning districts.

SECTION 23-306.5: CONDITIONAL USE PROVISIONS: Accessory and
Incidental Uses

Disabled Vehicle in RS, RM and MH zoning districts.

- (1) May not be stored or parked in the front or side yard.
- (2) May be stored or parked in the rear yard, if totally screened from ordinary public view by means of a six (6) foot solid or opaque fence or located inside a completely enclosed building or structure.

Disabled Vehicle in zoning districts other than RS, RM and MH.

Disabled Vehicles may be stored or parked in all zoning districts other than RS, RM and MH zoning districts if such vehicles comply with the Junked and Abandoned Motor Vehicles Provisions V.C.S. 4477-9a Litter Abatement Act.

SECTION 23-361: DEFINITIONS

Disabled Vehicle

Every vehicle, as defined by 6701d-11, Vernon's Texas Civil Statutes, as amended, which:

- (a) Does not have an unexpired license plate or plates;
and
- (b) Does not have a valid motor vehicle safety inspection certificate; and
- (c) Remains inoperable for a continuous period of more than three (3) days.

CERTIFICATE FOR ORDINANCE

THE STATE OF TEXAS :
COUNTIES OF TAYLOR AND JONES :
CITY OF ABILENE :

We, the undersigned officers of said City, hereby certify as follows:

1. The City Council of said City convened in REGULAR MEETING ON THE 27TH DAY OF JULY, 1989, at the City Hall, and the roll was called of the duly constituted officers and members of said City Council, to-wit:

- Dale E. Ferguson, Mayor
- Gary D. McCaleb
- Betty Ray
- Walter E. Wheat
- Tom Ceniglis
- Liz Herrera
- Jimmy McNeil

Jo Moore, City Secretary

and all of said persons were present, except the following absentees: None thus constituting a quorum. Whereupon, among other business, the following was transacted at said Meeting: a written

ORDINANCE AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS

was duly introduced for the consideration of said City Council and read in full. It was then duly moved and seconded that said Ordinance be passed; and, after due discussion, said motion carrying with it the passage of said Ordinance, prevailed and carried by the following vote:

AYES: All members of said City Council shown present above voted "Aye".

NAYS: None.

2. That a true, full and correct copy of the aforesaid Ordinance passed at the Meeting described in the above and foregoing paragraph is attached to and follows this Certificate; that said Ordinance has been duly recorded in said City Council's minutes of said Meeting; that the above and foregoing paragraph is a true, full and correct excerpt from said City Council's minutes of said Meeting pertaining to


the passage of said Ordinance; that the persons named in the above and foregoing paragraph are the duly chosen, qualified and acting officers and members of said City Council as indicated therein; that each of the officers and members of said City Council was duly and sufficiently notified officially and personally, in advance, of the time, place and purpose of the aforesaid Meeting, and that said Ordinance would be introduced and considered for passage at said Meeting, and each of said officers and members consented, in advance, to the holding of said Meeting for such purpose, and that said Meeting was open to the public and public notice of the time, place and purpose of said meeting was given, all as required by Vernon's Ann. Civ. St. Article 6252-17.

3. That the Mayor of said City has approved and hereby approves the aforesaid Ordinance; that the Mayor and the City Secretary of said City have duly signed said Ordinance; and that the Mayor and the City Secretary of said City hereby declare that their signing of this Certificate shall constitute the signing of the attached and following copy of said Ordinance for all purposes.

SIGNED AND SEALED the 27th day of July, 1989.



City Secretary



Mayor

SEAL