

ORDINANCE NO. 15-2000

AN ORDINANCE AMENDING CHAPTER 30, ARTICLE IV, OF THE ABILENE CITY CODE, BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING A PENALTY.

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

PART 1: That Chapter 30, Article IV, of the Abilene City Code be amended as set out in Exhibit "A," of the Abilene City 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.

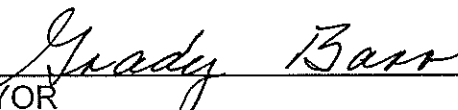
PART 3: That any person, firm, or corporation violating any of the provisions of these chapters shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than Two Hundred Dollars (\$200.00). Each day such violation shall continue, or be permitted to continue, shall be deemed a separate offense. Said ordinance, being a penal ordinance, becomes effective ten (10) days after its publication in the newspaper as provided by Section 20 of the Charter of the City of Abilene.

PASSED ON FIRST READING this 13 day of April, A.D. 2000.

PASSED ON SECOND AND FINAL READING this 27 day of April, A.D. 2000.

ATTEST:


CITY SECRETARY


MAYOR

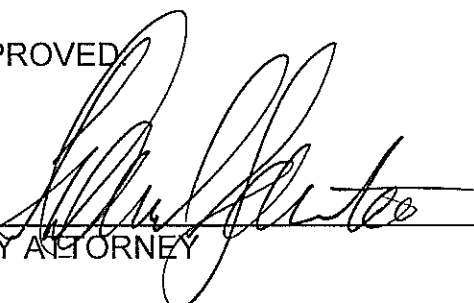
APPROVED:

CITY ATTORNEY

EXHIBIT "A"

Amend Chapter 30, ARTICLE IV. HISTORIC ZONE TAX REDUCTION

Delete: Section 30-40.(3)

ADD: Section 30-40.(3)

(3) Alteration or destruction of historic landmark,) If an historic landmark within a historic overlay zone is altered or destroyed, the following shall apply:

- a. If the Planning Director or Director of Community Development has reason to believe that a Historic Landmark within a Historic Overlay Zone has been totally or partially demolished or has had the structural, physical, or visual integrity adversely affected by the owner or his representative, the Planning Director shall immediately cause the matter to be scheduled for the earliest possible consideration by the Landmarks Commission. If, after giving notice and hearing to the owner, the Landmarks Commission determines that the Historic Landmark has been totally or partially demolished or has had the structural, physical, or visual integrity adversely affected by the owner or his representative, the Commission shall recommend to the Planning and Zoning Commission that either the Historic Overlay Zoning be removed from the property and/or the appropriate zoning violation penalties be applied, or that remedies be sought pursuant to State laws for adversely affecting historic structures or properties. In addition, the Landmarks Commission may recommend discontinuance of the Historic Zone Tax Reduction for the subject zone and other tax reduction provided in this article for the zone. Furthermore, the Landmarks Commission may recommend the owner, or his heirs, assigns, or successors, be required to pay during the forthcoming seven-year period, any taxes that may have been reduced during the previous seven (7) years under section 30-41 of this article. Upon making such findings, the Landmarks Commission or its representative shall file a written request with the Tax Assessor to discontinue the Historic Zone Tax Reduction on said zone and remove the historic plaque and/or add additional taxes if applicable.
- b. Where a historic landmark is totally or partially demolished or has had the structural, physical, or visual integrity adversely affected other than by the owner or his representative, the owner shall, within thirty (30) days, request a demolition permit when restoration is not feasible, or request a building permit to reconstruct the historic landmark in accordance with the landmarks ordinance. The determination as to whether restoration is feasible shall be made by the Landmarks Commission, as part of the Certificate of Appropriateness review procedure required to be followed in obtaining a demolition or building permit. In cases where a demolition permit is issued by the City because restoration is not feasible, the commission shall recommend to the Planning and Zoning

Commission that the Historic Overlay Zoning be removed. In addition, the Landmarks Commission shall remove all Historic Zone Tax Reductions and, any other tax reductions described in this article and applicable to the subject zone. (Ord. No. 75-1985, 10-10-85)

Amend Section 30-41. Historic Project Tax Reduction.
General provisions:

Delete: Section 30.41.(1) c. & f.

ADD: Section 30.41.(1) c. & f.

- a. Eligible projects shall amount to seven hundred fifty dollars (\$750.00) or more and may include exterior improvements and some interior improvements limited to the frame (walls, floor and ceiling) as well as plumbing, electrical wiring, and mechanical items (heating and air conditioning). Fixtures, decorative items, taxes and personal property shall not be eligible for consideration. The project tax reduction shall last a period of ten years and the credit shall run sequentially and not concurrently. (see City Council Resolution 10-1993)
- f. If a project tax reduction has been approved and where the historic property within the historic overlay zone is totally or partially demolished or has had the structural, physical, or visual integrity adversely affected by the owner or his representative, the owner shall be required to pay during the forthcoming seven-year period back taxes equal to those reduced during the previous seven (7) years (see section 30-40(3)).

-END-

CERTIFICATE FOR ORDINANCE

THE STATE OF TEXAS :
COUNTIES OF JONES AND TAYLOR :
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 APRIL, 2000, at the City Hall, and the roll was called of the duly constituted officers and members of said City Council, to-wit:

Grady Barr, Mayor
Paul R. Vasquez, Mayor Pro Tem
A. Don Drennan
Rob Beckham
Kay Alexander
Versie L. Brown, Jr.

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 16-2000
AUTHORIZING THE ISSUANCE OF CITY OF ABILENE, TEXAS
GENERAL OBLIGATION BONDS, SERIES 2000,
IN THE PRINCIPAL AMOUNT OF \$5,000,000

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:

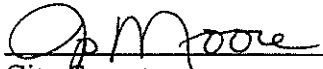
AYES: All members of said City Council shown present above voted "Aye".

NOES: None.

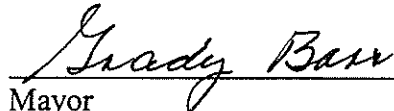
2. That a true, full and correct copy of the aforesaid Ordinance passed at the Meeting described in the above and foregoing paragraph is attached to and follows this Certificate; that said Ordinance has been duly recorded in said City Council's minutes of said Meeting; that the above and foregoing paragraph 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 Chapter 551, Texas Government Code.

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 April, 2000.



City Secretary



Mayor

SEAL