

ORDINANCE NO. 50-2003

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 25 day of November A.D. 2003.

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 19 day of October, 2003, 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 8:30 a.m., on the 4 day of December, 2003, 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.

PASSED ON SECOND AND FINAL READING THIS 4 day of December, A.D. 2003.

ATTEST:

  
CITY SECRETARY

  
MAYOR  
APPROVED:

  
CITY ATTORNEY

ORDINANCE NO. 50-2003

EXHIBIT "A"

**Amend:** Section 23-356.3(J) SITE PLAN COMMITTEE  
COMPLIANCE

**ADD:** Add as a third paragraph:

“Following issuance of the Certificate of Occupancy, it shall be the continuing duty of the owner and occupant of the site or their successors in interest to maintain compliance with the approved site plan and amendments thereto. Failure to maintain compliance shall constitute a violation of this code.”

-END-

**CERTIFICATE FOR ORDINANCE**

**THE STATE OF TEXAS** :  
**COUNTIES OF JONES & 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 4TH DAY OF DECEMBER, 2003**, 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  
Norm Archibald  
Kris Southward  
Anthony Williams  
John Hill  
Jimmy W. McNeil  
Kay Alexander

Jo Moore, City Secretary

and all of said persons were present, except the following absentees: Kris Southward, thus constituting a quorum. Whereupon, among other business, the following was transacted at said Meeting: a written

**ORDINANCE NO. 2003- 51 AUTHORIZING THE ISSUANCE OF CITY OF ABILENE, TEXAS GENERAL OBLIGATION REFUNDING BONDS, SERIES 2003C; APPROVING AN OFFICIAL STATEMENT; AUTHORIZING THE EXECUTION OF A PURCHASE AGREEMENT AND AN ESCROW AGREEMENT; MAKING PROVISIONS FOR THE SECURITY THEREOF; AND ORDAINING OTHER MATTERS RELATING TO THE SUBJECT**

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 4TH day of DECEMBER, 2003.

  
\_\_\_\_\_  
City Secretary

  
\_\_\_\_\_  
Mayor

(CITY SEAL)