

DRAFT

ORDINANCE NO. 23-XXX

AN ORDINANCE OF THE CITY OF BUNKER HILL VILLAGE, TEXAS AMENDING APPENDIX “A” OF ITS CODE OF ORDINANCES, THE SAME BEING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY, TO ADD A NEW SECTION 7.17, SCREENING OF GROUND EQUIPMENT, OF ARTICLE VII, SUPPLEMENTARY DISTRICT REGULATIONS, TO ADD REGULATIONS REQUIRING SCREENING OF ALL GROUND EQUIPMENT; PROVIDING FOR SEVERABILITY; AND PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000.00 PER DAY WITH EACH DAY CONSTITUTING A NEW VIOLATION

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WHEREAS, the City Council of the City of Bunker Hill Village, Texas desires to require the screening of all ground equipment as set forth in this Ordinance; and

WHEREAS, the City Council of the City finds that the regulations contained herein are in the best interest of the health, safety and welfare of the public; and

WHEREAS, the Zoning Commission of the City, following notice and hearing as required by law, has recommended that the City Council adopt the amendments to the zoning regulations contained herein as shown in the final report of said Commission; and

WHEREAS, the City Council, following notice and hearing as required by law, concurs with the recommendation of the Zoning Commission that such amendments be approved; now, therefore:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BUNKER HILL VILLAGE, TEXAS, THAT:

Section 1. The facts and matters set forth in the preamble of this Ordinance are hereby found to be true and correct.

Section 2. Appendix “A” of the City’s Code of Ordinances, the same being its zoning regulations is hereby amended by adding a new Section 7.17, Screening of Ground Equipment, to Article VII, Supplementary District Regulations, to read as follows:

“Section 7.17 – Screening of Ground Equipment.

“All ground equipment including, but not limited to HVAC equipment, generators, pool equipment, and equipment related to the installation or operation of solar panels, shall be screened so as to not be visible from any private or public street.”

Section 3. Any person, corporation, or entity who or which shall intentionally, knowingly, recklessly, or with criminal negligence violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined in an amount not to exceed \$2,000.00. Each day in which any violation shall occur, or each occurrence of any violation, shall constitute a separate offense.

Section 4. In the event any clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Bunker Hill Village, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

PASSED, APPROVED AND ORDAINED, this the _____ of _____.

Robert P. Lord, Mayor

ATTEST:

Gerardo Barrera, Acting City Secretary