

ORDINANCE NO. 2102

AN ORDINANCE OF THE CITY OF TERRELL, TEXAS AMENDING PARAGRAPH C, CONSTRUCTION STANDARDS AND PARAGRAPH D, EXCEPTIONS AND EXEMPTIONS OF SECTION 4-24, EXTERIOR CONSTRUCTION REQUIREMENTS AND STANDARDS OF THE TERRELL CITY CODE,; PROVIDING FOR SEVERABILITY; PROVIDING A PENALTY; AND PROVIDING AN EFFECTIVE DATE.

SECTION I.

The City Council has determined that amendment of Section 4-24 of the Terrell City Code will protect the health, safety and welfare of its citizens.

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TERRELL, TEXAS:

That Paragraph C, Construction Standards and Paragraph D, Exceptions and Exemptions of Section 4-24: Exterior Construction Requirements and Standards of the Terrell City Code be deleted in their entirety and replaced as follows:

C. Construction Standards

1. Non-Residential – includes all buildings constructed on property that has frontage to a State maintained roadway within the city limits

These standards apply to new construction, add-ons, and/or any building visible from right-of-way.

- a. Retail, Commercial, and Central Business Districts – the exterior wall surfaces of all structures or buildings, constructed in the Retail, Commercial, or Central Business Districts shall consist of one hundred percent (100%) glass, brick, tiles, stone, concrete block, or pre-cast or reinforced concrete materials. This requirement shall apply to all wall sections on all floors above the finish floor level of the foundation.
- b. Light Industrial and Heavy Industrial District – the exterior walls of all structures or buildings constructed in the Light Industrial and Heavy Industrial zoning districts shall consist of one-hundred percent (100%) glass, brick, tile, stone, concrete block, or pre-cast or reinforced concrete materials.

This requirement shall apply to the front elevation of the structure and the length of the side elevations if facing a state highway, dedicated street, and/or single-family or two-family residential zoning district. Rear walls facing single family or two-family residential zoning district shall provide one-hundred 100% masonry coverage. Side elevation walls and rear walls facing or adjacent to Light or Heavy Industrial District shall provide one-hundred percent (100%) masonry coverage. Walls “facing or adjacent” shall be considered any wall having an angle of less than eighty degrees (80⁰) from the building line cord.

D. Exceptions and Exemptions

1. These restrictions and standards do not apply to churches or industrial parks.
2. Accessory buildings may be exempted if fencing, architecture, landscaping and/or berm provide screening.

SECTION II.

It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable and, if any phrase, clause, sentence, paragraph, or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph, or section.

SECTION III.

It shall be unlawful and a violation of this section for such any such person to whom an order is given under this section to fail or refuse to comply therewith. Any person who shall violate the terms and provisions of this section upon conviction thereof, be deemed guilty of a misdemeanor and each and every day this section is violated shall constitute a separate offense.

SECTION IV.

This ordinance will take effect immediately from and after its passage and the publication of the caption as the law in such cases provides.

APPROVED on first reading on the 5th day of February, 2002.

ADOPTED on second reading on the 19th day of February, 2002.

Henry C. Madgwick, Sr., Mayor

Attest:

John Rounsavall, City Secretary

Approved as to Form:

Mary Gayle Ramsey, City Attorney