

CITY OF HASLET

ORDINANCE NO. 039-2019

AN ORDINANCE AMENDING SECTION 2.2.3B OF THE CODE OF ORDINANCES OF THE CITY OF HASLET, TEXAS, TO REVISE THE ORGANIZATION AND MEMBERSHIP OF THE ZONING BOARD OF ADJUSTMENT; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Haslet, Texas is a Type A general-law municipality located in Tarrant and Denton Counties, created in accordance with the provisions of Chapter 6 of the Local Government Code and operating pursuant to the enabling legislation of the State of Texas; and

WHEREAS, the City of Haslet, Texas, previously adopted its comprehensive zoning ordinance, as codified as Exhibit A to Chapter 14 of the Code of Ordinances of the City of Haslet; and

WHEREAS, the City Council desires to amend Section 2.2.3.B of the zoning ordinance to appoint the governing body of the City to serve as the Zoning Board of Adjustment, as expressly permitted by Section 211.008(g) of the Local Government Code; and

WHEREAS, a public hearing was held by the Planning and Zoning Commission of the City on the 18th day of November, 2019, and a public hearing was held by the City Council on the 9th day of December, 2019, with respect to the proposed amendment to the Zoning Ordinance; and

WHEREAS, all requirements of law for publication and all procedural requirements have been complied with in accordance with Chapter 211 of the Local Government Code.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HASLET, TEXAS.

SECTION 1.

That Section 2.2.3.B of Chapter 14, Zoning, Exhibit A, of the Code of Ordinances of the City of Haslet, Texas, the Zoning Ordinance, be and is hereby amended to read as follows:

2.2.3 Zoning Board of Adjustment

...

“B. ORGANIZATION AND MEMBERSHIP.

1. Pursuant to Section 211.008(g), Local Government Code, the five (5) members of the City Council of the City of Haslet, Texas shall serve as the Zoning Board of Adjustment.

2. All cases heard by the Zoning Board of Adjustment must be heard by a minimum of four (4) members, not including the Mayor.
3. The Mayor of the City of Haslet shall serve as the chairman/presiding officer of the ZBA, and shall not vote except to break a tie; however, in the absence of one or more regular members, the Mayor shall serve as an alternate member of the ZBA, and in that instance shall vote on matters pending before the ZBA.
4. The Mayor, or in the Mayor's absence, the acting chairman, may administer oaths or compel the attendance of witnesses."

...

SECTION 2.

This ordinance shall be cumulative of all provisions of the zoning ordinance and of the Code of Ordinances of the City of Haslet, Texas, as amended, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances and such Code, in which event the conflicting provisions of such ordinances and such Code are hereby repealed.

SECTION 3.

It is hereby declared to be the intention of the city council that the phrases, clauses, sentences, paragraphs, and sections 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 4.

This ordinance shall be in full force and effect from and after its passage, and it is so ordained.

PASSED AND APPROVED ON THIS 9TH DAY OF DECEMBER, 2019.



Bob Golden
Bob Golden
Mayor

Dianna Buchanan
Dianna Buchanan, TRMC
City Secretary