

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF MANSFIELD, TEXAS AS HERETOFORE AMENDED BY AMENDING SUBSECTION C OF SECTION 7500 “OPEN STORAGE AND SCREENING REGULATIONS” TO PROHIBIT OPEN STORAGE OR DISPLAY IN C-1 ZONING DISTRICT AND BY INSERTING A NEW SUBSECTION E TO SECTION 7500 REGARDING OPEN STORAGE AND DISPLAY IN C-3, I-1 AND I-2 ZONING DISTRICTS; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission and the governing body of the City of Mansfield, Texas, in compliance with the laws of the State of Texas with reference to the amendment of the Comprehensive Zoning Ordinance of the City of Mansfield, Texas (hereinafter “the Zoning Ordinance”), have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing opportunity to all property owners generally and to all interested citizens, the governing body of the City is of the opinion and finds that the Comprehensive Zoning Ordinance should be amended;

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

SECTION 1.

That Subsection C of Section 7500 of the Zoning Ordinance is hereby amended by to read as follows:

“C. No open storage or display outside a building of materials and commodities or any other objects shall be permitted in the C-1 District. In the C-2 District, the open storage or display of items intended for direct retail sales or rental shall be permitted under the following restrictions:”

SECTION 2.

That Section 7500 of the Zoning Ordinance is hereby further amended by inserting a new Subsection E to read as follows:

“E. Open storage or display in the C-3, I-1 and I-2 Districts shall be placed on a gravel, asphalt or concrete surface or other surface approved by the Director of Planning and not on natural ground unless it is located more than thirty (30) feet from any street right-of-

way or screened by an eight (8) foot opaque fence. Such surface shall be maintained in good condition and free of weeds or debris.”

SECTION 3.

Following the effective date of this Ordinance, the requirements contained in this Ordinance shall apply to all open storage or display described in Sections 1 and 2 above. The provisions in Section 7700 “Nonconforming Use Regulations” of the Zoning Ordinance shall not be applicable to any open storage or display that exists prior to the effective date of this Ordinance.

SECTION 4.

That all ordinances of the City in conflict with the provisions of this ordinance be, and the same are hereby, repealed and all other ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 5.

Should any paragraph, sentence, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision thereof, other than the part so declared to be invalid, illegal or unconstitutional, and shall not affect the validity of the Zoning Ordinance as a whole.

SECTION 6.

Any person, firm, corporation or entity that violates or assists in the violation of any of the provisions of this Ordinance or fails to comply with any of the requirements thereof, or that builds or alters any building or use in violation of any plan or permit submitted and approve hereunder, shall be guilty of a misdemeanor and upon conviction shall be punished as provided in Section 10.99 of the Code of Ordinances of Mansfield, Texas. Each day such violation exists shall constitute a separate offense.

SECTION 7.

This ordinance shall take effect immediately from and after its passage on third and final reading and the publication of the caption, as the law and charter in such cases provide.

First reading approved on the _____ day of _____, 2015.

Second reading approved on the _____ day of _____, 2015.

DULY PASSED on the third and final reading by the City Council of the City of Mansfield, Texas, this _____ day of _____, 2015.

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David L. Cook, Mayor

ATTEST:

Susana Marin, Interim City Secretary

APPROVED AS TO FORM AND LEGALITY

Allen Taylor, City Attorney