

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS, AMENDING CHAPTER 130 OF THE MANSFIELD CODE OF ORDINANCES, “GENERAL OFFENSES,” BY ADDING A NEW SUBCHAPTER “RESIDENTIAL OUTDOOR LIGHTING,” SECTIONS 130.60 THROUGH 130.67, TO ESTABLISH REGULATIONS RELATED TO OUTDOOR LIGHTING ON RESIDENTIAL PROPERTIES; PROVIDING THAT THIS ORDINANCE BE CUMULATIVE OF ALL OTHER ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY FOR VIOLATIONS HEREOF; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Mansfield, Texas (“City”) is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, the City Council finds that outdoor lighting in residential areas can cause a nuisance to neighboring property owners, thereby affecting the public health, safety, and general welfare.

WHEREAS, the City Council finds that the regulation of outdoor lighting on residential properties in the City is necessary to minimize nuisances to adjacent residential properties; and

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

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

SECTION 1.

That Chapter 130 of the Code of Ordinances, City of Mansfield, Texas is hereby amended by adding a new Subchapter, “Residential Outdoor Lighting, Sections 130.60 through 130.67, as shown in Exhibit “A” attached hereto and made a part hereof for all purposes.

SECTION 2.

That following effective date of this ordinance, residential outdoor lighting in violation of the regulations established in Sections 130.60 through 130.67 of the Code of Ordinances, City of Mansfield, Texas, shall no longer be permitted.

SECTION 3.

That all ordinances of the City in conflict with the provisions of this ordinance be, and the same are hereby, repealed and all other ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.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 4.

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 ordinance as a whole.

SECTION 5.

Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this ordinance shall be subject to the penalties and provisions in Section 130.99 of the Code of Ordinances, City of Mansfield, Texas.

SECTION 6.

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 _____, 2018.

Second reading approved on the _____ day of _____, 2018.

DULY PASSED on the third and final reading by the City Council of the City of Mansfield, Texas, this _____ day of _____, 2018.

David L. Cook, Mayor

ATTEST:

Tracy Norr, City Secretary

APPROVED AS TO FORM AND LEGALITY

Allen Taylor, City Attorney