

ORDINANCE NO. 2009-1501

AN ORDINANCE OF THE CITY OF THRALL, TEXAS, ADOPTING THE EXPIRATION DATE OF ALL BUILDING PERMITS ISSUED BY THE CITY OF THRALL, BUILDING SET BACKS, AND ENFORCEMENT PROVISIONS, INCLUDING A PENALTY CLAUSE; ADOPTING A REPEALER CLAUSE; ADOPTING A SAVINGS CLAUSE.

BE IT ORDAINED BY THE CITY OF THRALL:

SECTION 1.0 DEFINITIONS

"Building permit" shall mean the document which must be obtained from the City of Thrall by an individual or entity prior to the commencement of any new construction, residential or commercial, or any modification or alteration to the square footage of any existing structure in the City of Thrall.

SECTION 2.0 ADOPTION OF EXPIRATION OF BUILDING PERMITS.

It is hereby adopted that every building permit issued by the City of Thrall shall become invalid unless the work authorized by such permit is completed within 180 days after the date of its issuance. It is further adopted that any building permit issued prior to the date of adoption of this Ordinance shall expire 180 days from the adoption of this Ordinance. The City Council or a designated building official is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each.

SECTION 3.0 BUILDING SET BACKS

No Building Permit shall be issued unless the property for construction establishes set backs having a 25 foot set back from the front of property line, 10 foot set back from the rear property line, and 5 foot set back from each side property line.

SECTION 4.0 ENFORCEMENT RESPONSIBILITY

4.1 Enforcement Responsibility

This Ordinance shall be administered and enforced by the City Council of the City of Thrall and/or its designated Enforcement Officer.

4.2 Compliance Required

No person may use, occupy or develop land, buildings or other structures, or authorize or permit the use, occupancy or development of land, buildings or other structures except in accordance with all provisions of this Ordinance.

4.3 Remedies and Enforcement Powers

4.3.1 Violations

Any person, firm or corporation violating this provision shall be deemed guilty of a misdemeanor and, upon conviction in the municipal court of the City of Thrall, Texas, shall be subject to a fine not to exceed the sum of five hundred dollars (\$500.00) for each offense, except however, where a different penalty has been established by state law for such offense the penalty shall be that fixed by state law, and for any offense which is a violation of any provision of law that governs fire safety, zoning, or public health and sanitation, including dumping of refuse, the penalty shall be a fine not to exceed the sum of two thousand dollars (\$2,000.00) for each offense; and each and every day said violation is continued shall constitute a separate offense.

4.3.2 Stop Work

Whenever any construction work is being done contrary to the provisions of this Ordinance, the City Council or its designated Enforcement Officer may order the work stopped by notice in writing served on the owner or contractor doing or causing such work to be done, and such person shall forthwith stop such work until authorized by the City Council or its designated Enforcement Officer to proceed with the work.

4.3.3 Inspections

The City Council or its designated Enforcement Officer shall have the right to enter upon any premises at any reasonable time for the purpose of making inspections of buildings or premises necessary to carry out his duties in the enforcement of this Ordinance.

4.4 Enforcement Procedures

4.4.1 Notice

The City Council or its designated Enforcement Officer shall give written notice by certified mail to the owner of land on which a violation exists. The notice shall state the nature of the violation.

SECTION 5.0 SAVINGS CLAUSE.

In the event any clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstances 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 Thrall, 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.

SECTION 6.0 REPEALER CLAUSE.

All ordinances or parts of ordinances inconsistent or in conflict herewith are, to the extent of such inconsistency or conflict, hereby repealed.

SECTION 7.0 PUBLICATION.

The Clerk is hereby authorized and directed to publish the caption of this Ordinance, together with the penalty provision contained therein, in the manner and for the length of time prescribed by law.

PASSED, APPROVED and ADOPTED on this the 15 day of January, 2009.

Troy Marx
Troy Marx, Mayor

ATTEST:
Sheila Pausewang
Sheila Pausewang, Secretary

APPROVED AS TO FORM:
Ted W. Hejl
Ted W. Hejl, City Attorney

CERTIFICATE

THE STATE OF TEXAS
COUNTY OF WILLIAMSON

I, Sheila Pausewang, being the Clerk of the City of Thrall, Texas, do hereby certify that the attached is a true and correct copy of Ordinance No. 2009-1501, passed and approved by the City Council of the City of Thrall, Texas, on the 15 day of January, 2009, and such Ordinance was duly introduced, passed, approved and adopted at meetings open to the public and notices of the meetings, giving the dates, places, and subject matter thereof, were posted as prescribed by Government Code Section 551.043.

Witness my hand and seal of office this the 15 day of January, 2009.

Sheila Pausewang
Sheila Pausewang
Secretary