

**ORDINANCE NO. 2018-06**

**AN ORDINANCE OF THE TOWN OF BROCK, TEXAS, AMENDING THE COMPREHENSIVE PLAN, ADOPTING AN INITIAL ZONING ORDINANCE; APPROVING THE INITIAL ZONING MAP OF THE TOWN OF BROCK, TEXAS; ADOPTING A THOROUGHFARE PLAN; ENACTING SUBDIVISION REGULATIONS; CALLING A PUBLIC HEARING; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY AND AN EFFECTIVE DATE.**

**WHEREAS**, the Town of Brock, Texas, is a Type "C" General Law municipality acting under the authority vested by state law; and

**WHEREAS**, the Town Commission enacted a Comprehensive Plan pursuant to Ordinance No. 2008-5 on September 17, 2018 and

**WHEREAS**, the Town is authorized by Section 211.005, "Districts" of the Texas Local Government Code to zone property into districts; and

**WHEREAS**, the Town Commission of Brock deems it necessary in order to lessen congestion on streets, to secure safety from fire, panic, and other dangers; to promote health and the general welfare; to provide adequate light and air; to prevent overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provisions of transportation, water, sewers, schools, parks and other public requirements; to conserve the value of property and encourage the most appropriate use of land throughout the City, that the hereinafter contained provisions of this ordinance should be passed, promulgated and enforced; and

**WHEREAS**; the Town Commission deems it necessary to adopt an initial zoning map of the Town as contained herein as Exhibit A;

**WHEREAS**, the Town Commission deems it necessary to amend Ordinance No. 2018-5, enacting the Comprehensive Plan by adding the Original Zoning Map contained herein as Exhibit B; and

**WHEREAS**, the Town Commission deems it necessary to enact a Zoning Ordinance with Use Chart and Appendices as contained herein attached as Exhibit C; and

**WHEREAS**, the Town Commission deems it necessary to adopt a Thoroughfare Plan as contained herein attached as Exhibit D; and

**WHEREAS**, the Town Commission deems it necessary to enact a Subdivision Ordinance applicable in both the incorporated town limits and the Extra Territorial Jurisdiction, (ETJ) as contained herein attached as Exhibit E; and

**WHEREAS**, the Planning and Zoning Committee has conducted a series of meetings with the planning consultant to review and develop zoning regulations; and

**WHEREAS**, the Town Clerk published notice of a public hearing in the Weatherford Democrat and said public hearing was held by the Commission on October 22, 2018, as required by law.

**NOW THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF BROCK, TEXAS:**

**PART 1.** That the foregoing recitals are incorporated in to this Ordinance as findings of facts as if set forth herein.

**PART 2.** That Exhibit A, is hereby adopted as the Initial Zoning Map of the Town of Brock, which is attached hereto and incorporated into this Ordinance for all intents and purposes

**PART 3.** That Ordinance No. 2018-5, enacting the Comprehensive Plan of the Town of Brock, Texas, is hereby modified by replacing the Comprehensive Plan Map with the attached Exhibit B, attached hereto and incorporated herein.

**PART 4.** That Exhibit C, is hereby adopted as the Zoning Ordinance of the Town of Brock with Appendices and including the Initial Zoning Map of the Town of Brock (Exhibit A), which is attached hereto and incorporated into this Ordinance for all intents and purposes.

**PART 5.** That Exhibit D is hereby adopted as the Thoroughfare Plan of the Town of Brock, attached hereto and incorporated herein.

**PART 6.** That Exhibit E is hereby adopted as the Subdivision Regulations of the Town of Brock, attached hereto and incorporated herein.

**PART 7.** This Ordinance shall be cumulative of all other ordinances of the Town affecting the regulations of land and zoning and shall not repeal any of the provisions of those ordinances except in those instances where the provisions of those Ordinances are in direct conflict with the provisions of this Ordinance.

**PART 8.** Nothing in this ordinance shall be construed as a waiver of the Town's right to bring a civil action to enforce the provisions of this ordinance and to seek remedies as allowed by law, including, but not limited to the following:

- (1) Injunctive relief, including but not limited to temporary restraining order without the necessity of a prior hearing, to prevent specific conduct that violates the ordinance or to require specific conduct that is necessary for compliance with the ordinance; and
- (2) A civil penalty up to five hundred dollars (\$500.00) a day when it is shown that the defendant was actually notified of the provisions of the ordinance and after receiving notice committed acts in violation of the ordinance or failed to take action necessary for compliance with the ordinance; and
- (3) Other available relief.

**PART 9.** That any person, firm or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than Five Hundred Dollars (\$500.00). Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense.

**PART 10.** It is hereby declared the intention of the Town Commission that if any section, paragraph, sentence, clause, or phrase of this Ordinance is declared unconstitutional or otherwise illegal by the valid judgment or decree of any court of competent jurisdiction, such event shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this, since the same would have been enacted by the Town Commission without such unconstitutional or illegal phrase, clause, sentence, paragraph, or section.

**PART 11.** All ordinances in conflict are repealed, and replaced by this Ordinance.

A notice of the time and place, where and when said ordinance would be given a public hearing and considered for final passage, was published in the Weatherford Democrat, a daily newspaper of general circulation in the Town of Brock, said publication being on the 5<sup>th</sup> day of October, 2018, the same being more than fifteen (15) days prior to a public hearing held in the Brock ISD Lecture Hall at 6:00 p.m. on the 22<sup>nd</sup> day of October, 2018, to permit the public to be heard prior to final consideration of this ordinance. Said ordinance, being a penal ordinance, becomes effective immediately from and after its passage and publication in accordance with the provisions of the laws of the State of Texas.

**PASSED AND APPROVED ON THE 22<sup>nd</sup> DAY OF OCTOBER, 2018.**

  
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**Troy Snow, Mayor**

  
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**Kerrie Prentice, Clerk**