

**CITY OF ANGLETON, TEXAS**  
**PLANNING & ZONING COMMISSION**  
Meeting @ 12 p.m., Tuesday, March 8, 2016  
Located at 120 S. Chenango in the Council Chambers,  
Angleton, Texas 77515

- 1.) Declaration of Quorum and Call to Order.
- 2.) Discussion and possible action on approving the February 3, 2016 meeting minutes.
- 3.) Public Hearing on proposed changes to the Zoning Ordinance by changing regulations for visitor and supplemental parking regulations and refuse facilities in the MH - Manufactured Home District of Section 28-54 of the Code of Ordinances.
- 4.) Discussion and possible action on proposed changes to the Zoning Ordinance by changing restrictions for visitor and supplemental parking regulations and refuse facilities in the MH - Manufactured Home District of Section 28-54 of the Code of Ordinances.
- 5.) Adjourn.

*In compliance with the Americans with Disabilities Act, the City of Angleton will provide reasonable accommodations for persons attending Planning and Zoning Meetings. To better serve you, requests should be received 24 hours prior to the meeting. Please contact Shelly Deisher, City Secretary, at 979-849-4364, extension 2115.*

**CERTIFICATION**

I certify that copies of this agenda of items to be considered by the Planning and Zoning Commission were posted in the following locations:

City Hall Bulletin Board: Date: \_\_\_\_\_ Time: \_\_\_\_\_

City of Angleton Website: Date: \_\_\_\_\_ Time: \_\_\_\_\_

\_\_\_\_\_  
Alyssa Deaton, Assistant City Secretary



## Planning and Zoning Commission

City of Angleton, Texas  
Meeting Minutes  
Wednesday, February 3, 2016

### COMMISSIONERS, STAFF & GUESTS

Bill Garwood - Chairman  
Henry Munson - Vice-Chairman  
Regina Bieri - Commissioner  
Jason Perez - Commissioner (Absent)  
Deborah Spoor - Commissioner  
Dorothy Hernandez - Commissioner (Absent)  
\*Travis Townsend - Commissioner

Michael Stoldt - City Manager  
Mary Kay Fischer - City Attorney  
Patti Worfe - Assistant City Manager, Economic Development Director  
Karen Barclay - Building Services Department Director  
Alyssa Deaton - Assistant City Secretary

Toni Kersey - Former Commissioner  
Jennifer King - Teal Construction Company  
Terry Singletary - Doyle & Wachtstetter, Inc

### AGENDA

1. Declaration of Quorum and Call to Order at **12:05pm**.
2. Discussion and Possible Action on Approving the January 6, 2016 meeting minutes.

**Motion by Vice-Chairman Munson to approve the minutes;  
Second by Commissioner Bieri.**

**Motion carries 4 for; 0 against; 2 absent (Perez, Hernandez); 1 vacant position**

3. Presentation of Appreciation Plaque for Toni Kersey's service on the Planning and Zoning Commission from July, 2013 to November, 2015.

**No action taken.**

4. Discussion and Possible Action on the Final Plat of the JW Subdivision, a Replat of 6.202 Acres of Tract 5 of the Angleton Commercial Subdivision No. 3, as Recorded in Volume 19, Pages 681-684 of the Plat Records of Brazoria County, Texas (also known as 2916 N. Velasco).

Michael Stoldt discusses staff comments on the plat.

**Motion by Vice-Chairman Munson to recommend approval of the final plat subject to the staff comments;  
Second by Commissioner Bieri.**

**Motion carries 4 for; 0 against; 2 absent (Perez, Hernandez); 1 vacant position**

5. Public Hearing on a Request to Rezone a 2.45 acre tract of land out of the Angleton Commercial Subdivision No. 3 as recorded in Volume 19, Page 681-684 of the Plat Records of Brazoria County, Texas (also known as 2916 N. Velasco) from AG - Agricultural District to C-G - Commercial-General District.

**Motion by Commissioner Spoor to open the public hearing;  
Second by Vice-Chairman Munson.**

**Motion carries 4 for; 0 against; 2 absent (Perez, Hernandez); 1 vacant position**

No one wished to speak at the public hearing

**Motion by Commissioner Spoor to close the public hearing;  
Second by Vice-Chairman Munson.**

**Motion carries 4 for; 0 against; 2 absent (Perez, Hernandez); 1 vacant position**

6. Discussion and Possible Action on a Request to Rezone a 2.45 acre tract of land out of the Angleton Commercial Subdivision No. 3 as recorded in Volume 19, Page 681-684 of the Plat Records of Brazoria County, Texas (also known as 2916 N. Velasco) from AG - Agricultural District to C-G - Commercial-General District.

**\*Travis Townsend arrived at 12:11pm**

**Motion by Commissioner Spoor to recommend approval of the rezone;  
Second by Vice-Chairman Munson.**

**Motion carries 4 for; 0 against; 2 absent (Perez, Hernandez); 1 vacant position**

**\*Travis Townsend was sworn in as a Planning and Zoning Commissioner.**

7. Discussion and Possible Action on the Preliminary Plat of the Teal Industrial Angleton Business Park, said property having a legal description of 10.4731 acres of land, located in the Edwin Waller League, Abstract 134, City of Angleton, Brazoria County, Texas, being out of and a part of Lot 1 in Airport Meadows Subdivision.

Michael Stoldt discusses staff comments on the Preliminary Plat.

Vice-Chairman Munson had concerns with the size of the detention pond.

Michael Stoldt explains that we have an agreement with the Angleton Drainage District and they review and approve the detention as part of the final plat.

Jennifer King of Teal Construction explains that they sat down with the Drainage District and it was preliminarily approved. She also reminds the commissioners that it *is* an industrial park, so there is a lot of impervious cover, but they are looking at options to reduce the size of the detention.

**Motion by Vice-Chairman Munson to recommend approval of the preliminary plat subject to the staff comments;  
Second by Commissioner Bieri.**

**Motion carries 5 for; 0 against; 2 absent (Perez, Hernandez)**

8. Adjourned at 12:22pm.

**Motion by Commissioner Spoor to adjourn;  
Second by Commissioner Bieri.**

**Motion carries 5 for; 0 against; 2 absent (Perez, Hernandez)**

**CERTIFICATION**

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Bill Garwood, Chairman

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Alyssa Deaton, Asst. City Secretary



**PLANNING & ZONING AGENDA ITEM**  
**Meeting Date: March 8, 2016**

**SUBJECT:** Public Hearing on Proposed Changes to the Zoning Ordinance by changing regulations for visitor and supplemental parking regulations and refuse facilities in the MH - Manufactured Home District of Section 28-54 of the Code of Ordinances.

Consent item                       Discussion item  
 Discussion and possible action     Public Hearing

**REQUESTED BY:** Michael Stoldt, City Manager

**Budgeted amount:**                      **Funds requested:**                      **Fund:**

**Attachments:** (Attachment description)  
Public Hearing notice published in The Facts Newspaper on Sunday, February 21, 2016.

**Executive Summary:**

**Recommendation:**

**Shelly Deisher**  
\_\_\_\_\_  
**Name**

**February 17, 2016**  
\_\_\_\_\_  
**Date**

## Public Hearing Notice

The City of Angleton will be conducting two Public Hearings on a proposed Ordinance amending the Zoning Ordinance by changing regulations for visitor and supplemental parking regulations and refuse facilities in the Manufactured Home District (MH) District of Section 28-54 of the Code of Ordinances. The Planning and Zoning Commission will conduct the first Public Hearing on Tuesday, March 8, 2016 at 12:00 pm. The City Council will conduct the second Public Hearing on Tuesday, March 8, 2016 at 6:00 pm. Both Public Hearings will be held in City Council Chambers located at 120 South Chenango Street, Angleton, Texas, 77515. If you are unable to attend the public hearing, comments may be sent to: City of Angleton; 121 South Velasco; Angleton, Texas 77515; Attn: Shelly Deisher, City Secretary. For additional information concerning the proposed Ordinance please contact Shelly Deisher at (979) 849-4364 ext. 2115.

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Date: Feb. 17, 2016

To: The Facts – Public Hearing

From: City of Angleton

To be published once on: Sunday, February 21, 2016

Please provide publisher's affidavit

If you have any questions, please contact Shelly Deisher, 979-849-4364 ext. 2115



**PLANNING AND ZONING COMMISSION AGENDA ITEM**  
**Meeting Date: March 8, 2015**

**SUBJECT: DISCUSSION AND POSSIBLE ACTION ON ORDINANCE NO. 2016-O-3A AMENDING THE ZONING ORDINANCE BY CHANGING THE REQUIREMENTS FOR VISITOR AND SUPPLEMENTAL PARKING REGULATIONS AND REFUSE FACILITIES IN THE MH - MANUFACTURED HOME DISTRICT OF SECTION 28-54 OF THE CODE OF ORDINANCES FOR THE CITY OF ANGLETON; PROVIDING FOR A PENALTY NOT TO EXCEED \$2,000 FOR EACH AND EVERY OFFENSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.**

Consent item                       Discussion item  
 Discussion and possible action     Public Hearing

**REQUESTED BY:** Michael Stoldt

**Attachments:** (Attachment description)  
Ordinance No. 2016-O-3A  
Current Regulations

**Executive Summary:**

The attached Ordinance changes two sections of the Zoning Ordinance governing Manufactured Home Districts. The two sections concern regulations governing visitor parking spaces and refuse facilities.

The Ordinance would remove the requirement for visitor and supplemental parking spaces if individual manufactured home lots are provided with four spaces per lot instead of the minimum two required.

The Ordinance also removes the requirement for a common refuse facility if disposal services are provided to individual lots in the same manner as other single family developments.

Both of these changes mirror recent changes approved for Single Family Attached (Townhome) developments.

Michael Stoldt  
**Name**

Feb. 16, 2016  
**Date**

**Sec. 28-54. MH—Manufactured home district.**

(a) *General purpose and description:* The MH, Manufactured Home, district is a detached residential district establishing standards for the development of HUD-Code manufactured home parks and subdivisions. HUD-Code manufactured home subdivisions include individually platted lots for sale within the subdivision, for the placement of manufactured home units. A manufactured home park offers spaces for the placement of manufactured home units on a lease or rental basis. The manufactured home district establishes area and design requirements for parks and subdivisions, as well as yard requirements for individual lots. Both parks and subdivisions provide open space and recreational areas appropriate for the acreage and number of units contained. Areas zoned for the MH district shall have, or shall make provision for, City of Angleton water and sewer services. They shall be designed to adequately accommodate storm drainage; they shall have paved streets with logical and efficient vehicular circulation patterns that discourage non-local traffic; they shall be properly buffered from nonresidential uses; and they shall be protected from pollution and undesirable environmental and noise impacts.

(b) *Permitted uses:*

- (1) Those uses listed for the MH district in section 28-81 as "P" or "S" are authorized uses permitted by right, or by specific use permit which must be approved utilizing procedures set forth in section 28-63.

(c) *Area regulations:*

- (1) *Size of yards* (for each space within manufactured home park or subdivision):
  - a. *Minimum front yard:* 25 feet from a dedicated street; 15 feet from any private street or drive. See section 28-106 for additional setback requirements.
  - b. *Minimum side yard:* Ten feet; 20 feet between units; 20 feet from zoning district boundary line; 15 feet for a

corner lot on a residential or collector street, and 20 feet for a corner lot on an arterial street.

- c. *Minimum rear yard:* Ten feet; 20 feet from any zoning district boundary line.
- d. If a garage is provided, the entry (i.e., door) side of the garage shall have a 25-foot setback as measured from any property or street right-of-way line.
- (2) *Size of space* (for each space within a manufactured home park):
  - a. *Minimum lot area:* 4,000 square feet per unit.
  - b. *Minimum lot width:* 40 feet.
  - c. *Minimum lot depth:* 100 feet.
- (3) *Minimum floor area per dwelling unit:* 800 square feet.
- (4) *Maximum lot coverage:* 50 percent for main building/unit plus any accessory buildings.
- (5) *Parking regulations:* Two spaces per unit located on the same lot as the unit served (see section 28-101, off-street parking and loading) line.
- (6) *Area for manufactured home park:* Minimum project area five acres; maximum project area 25 acres.
- (7) *Maximum height limit:*
  - a. Two and one-half stories, and not to exceed 36 feet, for the main building/house.
  - b. One story for other accessory buildings, including detached garages, carports, management office, clubhouse, gazebo, mail kiosks, etc.
  - c. Other requirements (see section 28-106).
- (8) *Minimum exterior construction standards:* None (manufactured homes only - all other structures shall conform with section 28-105).

- (9) *Maximum impervious surface coverage:* 60 percent.
- (d) *Supplemental requirements for manufactured home parks:*
- (1) *Tenant parking:* Each parking space shall be an approved all-weather surface, in accordance with city standards, and shall be located to eliminate interference with access to parking areas provided for other manufactured homes and for public parking in the park (see section 28-101, off-street parking and loading requirements).
  - (2) *Visitor and supplemental parking:* In addition to parking spaces required for each manufactured home unit, there shall be paved parking provided for the manufactured home community in general (see section 28-101, off-street parking and loading requirements):
    - a. Two visitor parking spaces for every three manufactured home spaces.
    - b. One supplemental parking or vehicle storage space for the parking or storage of boats, campers and similar vehicles or equipment for every four manufactured home spaces.
    - c. Supplemental spaces may be located anywhere within the manufactured home community provided that no manufactured home space shall be situated further than 150 feet from a visitor space.
    - d. Each parking space will be not less than nine feet by 20 feet, which is not to be included in the lot size.
  - (3) *Access:* Each manufactured home community shall have direct access from an improved public street in accordance with the subdivision ordinance. Where an internal private street provides access to individual lots or dwelling units, the same shall be paved in accordance with city standards, and it shall be dedicated to the public as an emergency access or fire lane easement to allow for the rapid and safe movement of vehicles used in providing emergency health or public safety services. Each emergency access/fire lane easement shall have a clear unobstructed width of 24 feet, shall connect to a dedicated public street, and shall have a turning area and radii of a minimum of 50 feet to permit free movement of emergency vehicles. Dead end streets are not allowed. Fire lane easements shall be maintained by the manufactured home park.
- Gated/secured entrances shall be in accordance with the city's design standards for gated/secured entrances on private streets.
- (4) *Walkways:* Designated ADA concrete walkways four feet in width will be provided on both sides of roadways or streets.
  - (5) *Street names and signs:* Within each manufactured home park, all streets shall be named, and manufactured homes numbered in a logical and orderly fashion. Street signs shall be of a color and size contrasting with those on public streets and roadways so that there is no confusion regarding which are private and which are public streets. These signs and numbers shall be of standard size and placement to facilitate location by emergency vehicles. Street names shall be submitted to the city manager, along with the construction plat application, reviewed by the appropriate city staff with respect to street naming procedures set forth within the subdivision ordinance and/or the city's code of ordinances, and approved by the planning and zoning commission and the city council on the construction plat for the subdivision. The street names shall be set with construction plat approval, and shall not be changed on the final plat without city approval. All dwelling unit numbering (i.e., addressing) shall be assigned by the city manager.
  - (6) *Other signs:* Along all sections of emergency access easements, the owner or agent shall erect metal signs prohibiting parking. The sign type, size, height and location shall be in accordance with the manual of uniform traffic control devices and approved by the city.

- (7) *Intersections:* Internal streets shall intersect adjoining public streets at approximately 90 degrees and at locations which will eliminate or minimize interference with traffic on those public streets.
- (8) *Street lighting:* Street lighting within the manufactured home park shall be provided in accordance with the subdivision regulations, and shall be maintained by the owners of the manufactured home park.
- (9) *Electric and telephone service:* All electrical distribution lines and all telephone lines shall be underground except the primary service lines to the park.
- (10) *Drainage and soil protection:* The ground surface in all parts of the park shall be graded and equipped to drain all surface water in a safe, efficient manner. Each manufactured home space shall provide adequate drainage for the placement of a manufactured home. Exposed ground surfaces in all parts of every manufactured home park shall be paved and/or covered with stone, brick paving, or other similar solid material, or protected with a vegetative growth (such as grass) capable of preventing soil erosion and eliminating dust.
- (11) *Fire fighting:*
  - a. Approaches to all manufactured homes shall be kept clear for fire fighting.
  - b. The owner or agent of a manufactured home park shall be responsible for the instruction of any staff in the use of the park fire protection equipment and in their specific duties in the event of a fire. Owner shall supply standard city fire hydrants located within 300 feet of all manufactured home spaces, measured along the drive or street.
  - c. The owner or agent of a manufactured home park shall be responsible for maintaining the entire area

of the park free of dry brush, leaves and weeds in excess of six inches in height.

- (12) *Refuse facilities:* Every manufactured home dwelling unit shall be located within 150 feet of a refuse facility, measured along the designated pedestrian travel way. A refuse facility shall be a dumpster or other similar container designed for receiving garbage in bulk for more than one dwelling, and all refuse containers shall be maintained in accordance with local public health and sanitary regulations. Refuse containers shall be located no closer than 30 feet to any adjacent single-family property, shall be located so as to provide safe and convenient pickup by refuse collection agencies, and shall be screened in accordance with subsection 28-104(b)(7). (See illustrations 16 and 17 for refuse container enclosure diagrams).
- (13) *Anchorage of manufactured homes:* To insure against natural hazards such as tornados, high winds and electrical storms, anchorage for each manufactured home shall be provided according to the building code and state law.
- (14) *Skirting:*
  - a. All manufactured home units not attached to a permanent foundation shall provide skirting from the top of the unit's frame to grade. Skirting shall totally enclose and secure from view the unit's axles and all required anchors, footings, and piers.
  - b. All required skirting shall be masonry, and shall be of a color similar to the materials used in the construction of the manufactured home unit such that it blends with the overall appearance of the unit.
- (e) *Special requirements:*
  - (1) Single-family, duplex, patio home, or townhouse residential units constructed in this district shall conform to SF-6.3, 2F, SF-PH or SFA district standards, respectively.

- (2) Open/outside storage is permitted provided it does not create a nuisance and is in conformance with the adopted International Property Maintenance Code.
  - (3) *Usable open space requirements:* Except as provided below, any manufactured home development shall provide useable open space that equals or exceeds 15 percent of the total land area within the development. Usable open space areas shall be in conformance with subsections 28-48(e)(4) and 28-48(e)(5).
  - (4) One playground area containing at least five pieces of play equipment shall be provided for every 100 dwelling units, or fraction thereof. The playground equipment shall be of heavy duty construction, such as is normally used in public parks or on public school playgrounds.
  - (5) A site plan shall be required for any MH development, or for any other type of development in the MH district that will include: 1) a private amenity or facility comprised of one or more buildings (such as a private recreation/swimming facility, clubhouse, etc.); 2) a golf course; and/or 3) a gated (restricted access) entrance into the development. In these instances, site plan submission and approval will be required for these elements (a site plan showing the entirety of the proposed subdivision is not required). Site plan submission and approval shall be in accordance with subsection 28-63(d), but shall not require a public hearing as required by subsection 28-63(d)(5).
  - (6) Any nonresidential land use which may be permitted in this district shall conform to the "C-N"—Commercial-Neighborhood district standards.
  - (7) *Other regulations:* See sections 28-101 through 28-112 regarding development standards for:
    - Off-street parking and loading requirements (section 28-101).
    - Landscape requirements (section 28-102).
    - Accessory structure and use regulations (section 28-103).
    - Fencing, walls and screening requirements (section 28-104).
    - Exterior construction and design requirements (section 28-105).
    - Supplemental regulations (section 28-106).
    - Performance standards (section 28-107).
    - Lighting and glare standards (section 28-108).
    - Home occupation regulations (section 28-109).
    - Special regulations for certain types of uses (section 28-110).
    - Reserved for future use (section 28-111).
    - Definitions (section 28-112).
- (Ord. No. 2009-O-4A, §§ (III)(26)(26.1—26.5), 4-14-09; Ord. No. 2013-O7C, § 3, 7-9-13)

**Sec. 28-55. C-N—Commercial-neighborhood district.**

(a) *General purpose and description:* The C-N—Commercial-Neighborhood district is established to provide for areas of smaller-scaled and pedestrian-oriented neighborhood-serving commercial and mixed use development (typically with floor plans of less than 10,000 square feet) that includes retail, services, office, eating and drinking, housing, smaller-scaled public uses, etc. Single-family housing is not permitted in this district.

(b) *Permitted uses:*

- (1) Those uses listed for the C-N district in section 28-51 as "P" or "S" are authorized uses permitted by right, or by specific use permit which must be approved utilizing procedures set forth in section 28-63.

(c) *Height regulations:*

(1) *Maximum height:*

- a. Two stories, and not to exceed 30 feet, for the main building(s).
- b. One story for accessory buildings.

**ORDINANCE NO. 2016-O-3A**

**AN ORDINANCE OF THE CITY OF ANGLETON, TEXAS, AMENDING THE ZONING ORDINANCE BY CHANGING THE REQUIREMENTS FOR VISITOR AND SUPPLEMENTAL PARKING REGULATIONS AND REFUSE FACILITIES IN THE MH - MANUFACTURED HOME DISTRICT OF SECTION 28-54 OF THE CODE OF ORDINANCES FOR THE CITY OF ANGLETON; PROVIDING FOR A PENALTY NOT TO EXCEED \$2,000 FOR EACH AND EVERY OFFENSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.**

**WHEREAS**, Ordinance 2009-O-4A and Chapter 28 of the Code of Ordinances authorizes the City Council to amend, supplement, or change the regulations of the Zoning Ordinance or the boundaries of zoning districts specified in the zoning map; and

**WHEREAS**, any amendment to the Zoning Ordinance text or to zoning district boundaries may be initiated by the Planning and Zoning Commission, who shall then make a recommendation to the City Council; and

**WHEREAS**, pursuant to state law, notice was published in the newspaper advising that the Planning and Zoning Commission was conducting a public hearing on Tuesday, March 8, 2016, at 12:00 p.m. and the City Council was conducting a public hearing on Tuesday, March 8, 2016, at 6:00 pm to discuss changes to the Manufactured Home Zoning District regulations; and

**WHEREAS**, after conducting the public hearings, the Planning and Zoning Commission recommended the changes and the City Council approved the changes to the Manufactured Home Zoning District regulations;

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

**SECTION 1:** That the foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part of this Ordinance for all purposes as findings of fact.

**SECTION 2:** That the following subsections in Section 28-54 MH Manufactured Home District be amended to read as follows:

(d) Supplemental requirements for manufactured home parks:

- (2) Visitor and supplemental parking: manufactured home parks that provide a paved parking area on each lot that accommodates fewer than four parking spaces (with spaces stacked no more than two parking spaces deep) shall provide visitor and supplemental parking in accordance with the following requirements:

- a. Two visitor parking spaces for every three manufactured home spaces. No manufactured home lot shall be situated further than 150 feet from a visitor space.
  - b. One supplemental parking or vehicle storage space for the parking or storage of boats, campers and similar vehicles or equipment for every four manufactured home spaces. Supplemental parking spaces may be located anywhere within the manufactured home park.
  - c. Each visitor and/or supplemental parking space will be not less than nine feet by twenty, which is not to be included in the lot size for any manufactured home lot.
- (12) Refuse facilities. Solid waste disposal services may be provided individually to each lot in the manufactured home park in the same manner as other single-family developments or through the use of a common refuse facility. A common refuse facility shall be a dumpster or other similar container designed for receiving garbage in bulk from more than one dwelling. All common refuse containers shall be maintained in accordance with local public health and sanitary regulations. Every manufactured home lot shall be located within one hundred and fifty (150) feet of a refuse facility, measured along the designated pedestrian travel way. Common refuse facilities shall be located no closer than 30 feet to any adjacent single-family property, shall be located so as to provide safe and convenient pickup by refuse collection agencies and shall be screened in accordance with subsection 28-104(b)(7) of this chapter. (See illustrations 16 and 17 for refuse container enclosure diagrams).

**SECTION 4:** That the sections shown above are hereby amended in accordance with the provisions of this Ordinance.

**SECTION 5:** That should any section or part of this Ordinance be held unconstitutional, illegal, or invalid, such unconstitutionality, illegality, or invalidity of such section, or part shall in no way affect, impair or invalidate the remaining portion thereof, but as to such remaining portion, the same shall remain in full force and effect.

**SECTION 6:** That it is hereby found and determined that the meetings at which this Ordinance is considered are open to the public and that notice of the time, place and purpose thereof was given in accordance with the provisions of the Texas Government Code – Chapter 551, as amended, and that a quorum of the City Council was present.

**SECTION 7:** That this ordinance shall be effective not less than 10 days from the date of its passage and in accordance with the time set forth in the City Charter and the City Secretary is directed to cause the descriptive caption of this Ordinance to be published in the official newspaper of the City, at least once within ten days after the passing of the Ordinance.

**SECTION 8:** That any person or corporation violating any of the provisions of this Ordinance shall upon conviction be fined any sum not exceeding \$2,000 for each and every day that the provisions of this Ordinance are violated and shall constitute a separate and distinct offense.

**SECTION 9:** That this Ordinance shall be effective from and after March 18, 2016.

PASSED AND ADOPTED THIS 8<sup>TH</sup> DAY OF MARCH, 2016.

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RANDY RHYNE, Mayor

ATTEST:

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SHELLY DEISHER, City Secretary

APPROVED AS TO FORM:

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MARY KAY FISCHER, City Attorney