

ORDINANCE 2006-08-01

AN ORDINANCE AMENDING ORDINANCE 2002-09-05, THE ZONING ORDINANCE OF THE CITY OF WESTON, TEXAS, AS AMENDED; PROVIDING THAT ALL REFERENCES TO THE PLANNING AND ZONING COMMISSION SHALL MEAN THE CITY COUNCIL UNTIL SUCH TIME THAT A PLANNING AND ZONING COMMISSION IS DULY APPOINTED; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Weston, Texas is a type A general-law municipality located in Collin County, created in accordance with the provisions of Chapter 6 of the Local Government Code and operating pursuant to the enabling legislation of the State of Texas; and

WHEREAS, the City Council of the City of Weston heretofore adopted Ordinance 2002-09-05, the Zoning Ordinance of the City of Weston, Texas, as amended, regulating and restricting the location and use of buildings, structures and land for trade, industry, residence and other purposes, and provides for the establishment of zoning districts of such number, shape and area as may be best suited to carry out these regulations; and

WHEREAS, SECTION 211.007 of the Local Government Code provides that the governing body of a general law municipality may appoint a zoning commission; and

WHEREAS, SECTION 212.006 of the Local Government Code provides that if the municipality has no planning commission the municipal authority for approving plats shall be the governing body; and

WHEREAS, there is no present need for a planning commission, zoning commission or joint planning and zoning commission and pursuant to the authority set forth in Sections 211.007 and 212.006 of the Local Government Code the City Council desires to clarify that all references in the Zoning Ordinance of the City to the "Planning and Zoning Commission" shall mean the "City Council" until such time that a Planning and Zoning Commission is duly appointed; and

WHEREAS, the City Council of the City of Weston, Texas held a public hearing on August 8, 2006, with respect to the amendment described herein; and

WHEREAS, the City has complied with all requirements of Chapter 211 of the Local Government Code, and all other laws dealing with notice, publication and procedural requirements for the amendment.

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

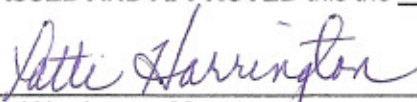
SECTION 1. SECTION 132 of the Zoning Ordinance of the City is hereby amended by adding a new subsection (5), which subsection shall read as follows: (5) Notwithstanding anything to the contrary contained herein, until such time that members are duly appointed to the Planning and Zoning Commission by the City Council, all references in this Zoning Ordinance, as it may be amended, to the "Planning and Zoning Commission" shall mean the "City Council".

SECTION 2. This Ordinance shall be cumulative of all provisions of all ordinances of the City of Weston, Texas except where the provisions of this Ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

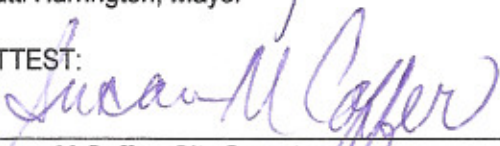
SECTION 3. It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable, and if any section, paragraph, sentence, clause, or phrase of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining sections, paragraphs, sentences, clauses, and phrases of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such unconstitutional section, paragraph, sentence, clause or phrase.

SECTION 4. This ordinance shall be in full force and effect from and after its passage and publication as required by law, and it is so ordained.

PASSED AND APPROVED this the 8th day of August 2006.



Patti Harrington, Mayor

ATTEST:


Susan M Coffey, City Secretary