

ORDINANCE NO. 559

AN ORDINANCE OF THE CITY OF WALLER, TEXAS AMENDING ORDINANCE NO. 413 PASSED AND APPROVED ON OR ABOUT THE 15th DAY OF FEBRUARY, 2010 BY CHANGING THE FRONT SETBACK REQUIREMENTS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A PENALTY OF NOT LESS THAN \$2,000.00 PER VIOLATION HEREOF WITH EACH DAY BEING A NEW VIOLATION; AND PROVIDING FOR SEVERABILITY.

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WHEREAS, the City Council of the City of Waller passed and adopted Ordinance No. 413 on or about the 15th day of February, 2010; and

WHEREAS, Ordinance No. 413 provides setback requirements for lots located within the City of Waller; and

WHEREAS, the City Council finds it to be in the best interest of the health, safety, and welfare of its citizens to amend Ordinance No. 413 as provided herein; now, therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WALLER, TEXAS:

Section 1. The facts and matters set forth in the preamble are hereby found to be true and correct.

Section 2. Section 3 of Ordinance No. 413 is hereby amended to read as follows:

:" The City Council of the City of Waller hereby establishes the following setback requirements for all lots located within the City of Waller, with the exception of lots located on Main Street, from Farr Street to Key Street:

- 1.. Corner Lots
 - a. Fifteen-foot (15') side setback
 - b. Twenty-five foot (25') from front

c. Ten foot (10') from rear

2. Other Lots

- a. Five-foot (5') side setback
- b. Twenty-five foot (25') from front
- c. Ten foot (10') from rear

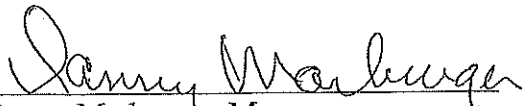
Section 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

Section 4. Penalty. Any person who shall intentionally, knowingly, recklessly or with criminal negligence violate any provision contained in this Ordinance, or who shall commit or perform any act declared herein to be unlawful, shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined in an amount of two thousand dollars (\$2,000.00). Each day of violation shall constitute a separate offense.

Section 5. In the event any clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstance 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 Waller, 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.

PASSED, APPROVED, AND ADOPTED this 17th day of February 2020.

CITY OF WALLER, TEXAS



Danny Marburger, Mayor

ATTEST:



Cynthia Ward, City Secretary