

ORDINANCE NO. 2012- \_\_\_\_\_

AN ORDINANCE OF THE CITY OF BURNET, TEXAS, AMENDING ORDINANCE NO. 2008-14 AND ALL AMENDING ORDINANCES THEREOF, IN THEIR ENTIRETY, AMENDING CHAPTER 118 OF THE BURNET CODE OF ORDINANCES, ARTICLE IV, SECTION 72, SECTION 73(C) AND SECTION 80, CONCERNING THE APPOINTMENT OF THE CITY ZONING ADMINISTRATOR; PROVIDING FOR THE REPEAL OF ALL CONFLICTING ORDINANCES; PROVIDING SEVERABILITY, OPEN MEETINGS AND EFFECTIVE DATE CLAUSES; PROVIDING PENALTIES; AND PROVIDING FOR RELATED MATTERS.

**WHEREAS**, the City's Code of Ordinances currently provide that the City Building Official shall administer the provisions of the zoning regulations; and

**WHEREAS**, the City Council of the City of Burnet hereby find and determine that the best interests of the City would be served by providing certain flexibility in the appointment of the official in charge of administering the City's Zoning regulations; and

**WHEREAS**, the City Council of the City of Burnet hereby find and determine that the City Manager should appoint an individual to administer the zoning regulations of the City.

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

**Section 1. Findings of Fact.** The findings and recitations set out hereinabove are found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

**Section 2. Repeal of Conflicting Ordinances.** All Ordinances or parts thereof in conflict herewith are amended to the extent of such conflict only.

**Section 3. Amendment of Chapter 118, Zoning, of the Code of Ordinances.**

Article IV, Administration, Section 72, General, is amended to read as follows:

The City Manager shall appoint the Zoning Administrator, to administer the provisions of this Ordinance and in furtherance of such authority, the Zoning Administrator shall:

Article IV, Administration, Section 73(c) Resolution of Conflicting Interpretations, is amended to read as follows:

Where there arises a question concerning the meaning or intent of a provision of this Ordinance, a written decision setting forth the manner in which said provision shall be interpreted and administered is encouraged. The Zoning Administrator shall write these interpretations and maintain them in a file available for public review. In the event any interested party takes exception to such a decision the matter may be appealed to the Board of Adjustment and, as appropriate, to the Council whose decision shall be final.

Article IV, Administration, Section 80(a) Administrative Action is amended to read as follows:

The Zoning Administrator, City Engineer and/or the City Administrator shall enforce this Ordinance by appropriate administrative action, including but not limited to the rejection of plans, maps, plats and specifications not found to be in compliance with this Ordinance and good engineering practices, and the issuance of stop work orders.

**Section 4. Severability.** If any provision of this ordinance or the application of any provision to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications hereof which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

**Section 5. Open Meetings.** That it is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapt. 551, Local Government Code.

**Section 6. Effective Date.** This ordinance shall take effect immediately upon its adoption by the City Council and publication as required by the Local Government Code.

**PASSED AND APPROVED** on First Reading this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

**FINALLY PASSED AND APPROVED** on this the \_\_\_\_ day of \_\_\_\_\_, 2012.

**CITY OF BURNET, TEXAS**

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Gary Wideman, Mayor

ATTEST:

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Kelly Dix, City Secretary

**ORDINANCE NO. 2012-34**

**AN ORDINANCE OF THE CITY OF BURNET, TEXAS, AMENDING ORDINANCE NO. 2008-14 AND ALL AMENDING ORDINANCES THEREOF, IN THEIR ENTIRETY, AMENDING CHAPTER 118 OF THE BURNET CODE OF ORDINANCES, ARTICLE IV, SECTION 72, SECTION 73(C) AND SECTION 80, CONCERNING THE APPOINTMENT OF THE CITY ZONING ADMINISTRATOR; PROVIDING FOR THE REPEAL OF ALL CONFLICTING ORDINANCES; PROVIDING SEVERABILITY, OPEN MEETINGS AND EFFECTIVE DATE CLAUSES; PROVIDING PENALTIES; AND PROVIDING FOR RELATED MATTERS.**

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

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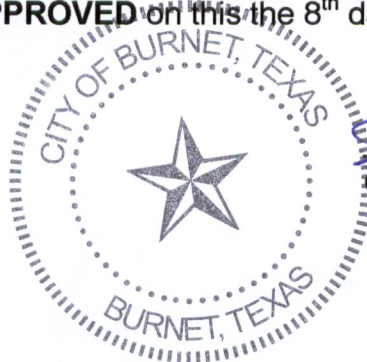
**Section 4. Severability.** If any provision of this ordinance or the application of any provision to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications hereof which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

**Section 5. Open Meetings.** That it is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapt. 551, Local Government Code.

**Section 6. Effective Date.** This ordinance shall take effect immediately upon its adoption by the City Council and publication as required by the Local Government Code.

**PASSED AND APPROVED** on First Reading this 23<sup>rd</sup> day of October, 2012.

**FINALLY PASSED AND APPROVED** on this the 8<sup>th</sup> day of November, 2012.



**CITY OF BURNET, TEXAS**

  
Gary Wideman, Mayor

ATTEST:

  
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