

ORDINANCE NO. 13,210

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BAYTOWN, TEXAS, AMENDING APPENDIX A "UNIFIED LAND DEVELOPMENT CODE," ARTICLE II "USE DISTRICTS," DIVISION 2 "ZONING DISTRICTS," SECTION 2.09 "LAND USE TABLES," OF THE CODE OF ORDINANCES, BAYTOWN, TEXAS, TO PROHIBIT THE USE OF CONTAINERS IN ALL RESIDENTIAL DISTRICTS ; PROVIDING A REPEALING CLAUSE; CONTAINING A SAVINGS CLAUSE; PRESCRIBING A MAXIMUM PENALTY OF TWO THOUSAND AND NO/100 DOLLARS (\$2,000.00); AND PROVIDING FOR THE PUBLICATION AND EFFECTIVE DATE THEREOF.

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

Section 1: That Appendix A "Unified Land Development Code," Article II "Use Districts," Division 2 "Zoning Districts," Section 2.09 "Land use tables" of the Code of Ordinances, Baytown, Texas, is hereby amended to place the existing section under a new subsection which shall be numbered and entitled Section 2.09 "Land use tables," Subsection (a) "Uses."

Section 2: That Appendix A "Unified Land Development Code," Article II "Use Districts," Division 2 "Zoning Districts," Section 2.09 "Land use tables," Subsection (a) "Uses" of the Code of Ordinances, Baytown, Texas, is hereby amended by amending the first paragraph to read as follows:

ARTICLE II. USE DISTRICTS

DIVISION 2. ZONING DISTRICTS

Sec. 2.09. Land use tables.

(a) *Uses.* This subsection sets forth the land uses allowed in each zoning district. In the following tables "P" means permitted use and "PC" means permitted use with conditions as set forth in the conditions tables in division 3 of this article. Where neither a "P" nor a "PC" exists in the table, the use is prohibited. To the extent that there is a conflict between the use tables and the conditions, the use table controls.

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Section 3: That Appendix A "Unified Land Development Code," Article II "Use Districts," Division 2 "Zoning Districts," Section 2.09 "Land use tables" of the Code of Ordinances, Baytown, Texas, is hereby amended to add a new subsection to be numbered and entitled subsection (b) "Prohibited uses," which shall read as follows:

(b) *Prohibited uses.* In all residential zoning districts, the use of containers for any purpose is expressly prohibited.

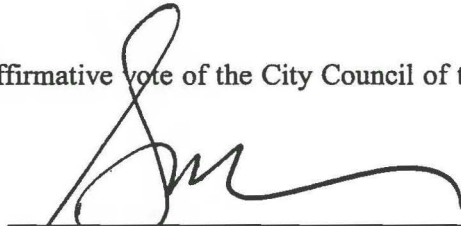
Section 4: Any person who fails to comply with any provision of this ordinance shall be guilty of a misdemeanor and, upon conviction, shall be punished by a fine not exceeding TWO THOUSAND AND NO/100 DOLLARS (\$2,000.00). Each act of violation and each day upon which any such violation shall occur shall constitute a separate offense. In addition to the penalty prescribed above, the city may pursue other remedies such as abatement of nuisances, injunctive relief, administrative adjudication and revocation of licenses or permits.

Section 5: All ordinances or parts of ordinances inconsistent with the terms of this ordinance are hereby repealed; provided, however, that such repeal shall be only to the extent of such inconsistency and in all other respects this ordinance shall be cumulative of other ordinances regulating and governing the subject matter covered by this ordinance.

Section 6: If any provisions, section, exception, subsection, paragraph, sentence, clause or phrase of this ordinance or the application of same to any person or set of circumstances, shall for any reason be held unconstitutional, void or invalid, such invalidity shall not affect the validity of the remaining provisions of this ordinance or their application to other persons or sets of circumstances and to this end all provisions of this ordinance are declared to be severable.

Section 7: This ordinance shall take effect from and after ten (10) days from its passage by the City Council. The City Clerk is hereby directed to give notice hereof by causing the caption of this ordinance to be published in the official newspaper of the City of Baytown at least twice within ten (10) days after passage of this ordinance.

INTRODUCED, READ and PASSED by the affirmative vote of the City Council of the City of Baytown, this the 9th day of June, 2016.


STEPHEN H. DONCARLOS, Mayor

ATTEST:


LETICIA BRYSCH, City Clerk

APPROVED AS TO FORM:


IGNACIO RAMIREZ, SR., City Attorney