

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DORCHESTER, TEXAS, ESTABLISHING ZONING REGULATIONS WITHIN THE CITY OF DORCHESTER, TEXAS; REGULATING AND RESTRICTING THE HEIGHT, NUMBER OF STORIES AND SIZE OF BUILDINGS AND OTHER STRUCTURES, THE PERCENTAGE OF LOT THAT MAY BE OCCUPIED, THE SIZE OF THE YARDS, COURTS AND OTHER OPEN SPACES, THE DENSITY OF POPULATION, AND THE LOCATION AND USE OF BUILDINGS, STRUCTURES AND LAND FOR TRADE, INDUSTRY, RESIDENCE OR OTHER PURPOSE; AND, IN THE CASE OF DESIGNATED PLACES AND AREAS OF HISTORIC AND CULTURAL IMPORTANCE, TO REGULATE AND RESTRICT THE CONSTRUCTION, ALTERATION, RECONSTRUCTION OR RAZING OF BUILDINGS AND OTHER STRUCTURES; DEFINING TERMS; PROVIDING FOR VARIANCES AND APPEALS; PROVIDING A PENALTY CLAUSE SETTING A MAXIMUM FINE OF \$2,000, SAVINGS/REPEALING CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE; AND PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.

WHEREAS, the City Council of the City of Dorchester, Texas (“City Council”) finds that it is necessary to establish zoning regulations to promote health, safety, morals of the City of Dorchester, Texas (“City”) and for the protection and preservation of places and areas of historical and cultural importance and significance, or the general welfare of the community; and

WHEREAS, the zoning regulations and districts as established in this Ordinance have been made in accordance with the adopted comprehensive plan of the City, which is known as the “Community Development Plan;” and

WHEREAS, the City Council finds that it is in the best interest of the citizens of the City to adopt this Ordinance.

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

SECTION 1: Findings Incorporated. The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

SECTION 2: Zoning Regulations Adopted. The City Council adopts the zoning regulations attached hereto as Exhibit A and incorporated herein by reference for all purposes. The zoning regulations shall be referred to as the “Comprehensive Zoning Ordinance” of the City.

SECTION 3: Penalty. Any person who violates any provision of this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction, shall be fined in an amount not exceeding Two Thousand Dollars (\$2,000.00). A violation of any provision of this Ordinance shall

constitute a separate violation for each calendar day in which it occurs. The penal provisions imposed under this Ordinance shall not preclude the City from filing suit to enjoin the violation. The City retains all legal rights and remedies available to it pursuant to local, state and federal law.

SECTION 4: Savings/Repealing. All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict; but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portions of said ordinances shall remain in full force and effect.

SECTION 5: Severability. Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional and/or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. The City Council hereby declares that it would have passed this Ordinance, and each section, subsection, sentence, clause and phrase thereof regardless of whether any one or more sections, subsections, sentences, clauses and/or phrases may be declared unconstitutional and/or invalid.

SECTION 6: Effective Date. This Ordinance shall become effective from and after the date of its adoption and publication as provided by Texas law.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DORCHESTER, TEXAS on this ___ day of _____, 2022

David Smith, Mayor

ATTESTED TO BY:

Becky Vincent, City Secretary

Exhibit A
Comprehensive Zoning Ordinance

[__ *pages attached hereto*]