

ORDINANCE # 91-6
ZONING

AMENDS # 50
AFFIRMED # 10-17

ORDINANCE NO. 91-6

AN ORDINANCE OF THE CITY OF DANBURY, BRAZORIA COUNTY, TEXAS, PROVIDING FOR AMENDMENT OF EXISTING ORDINANCE 50 AND FOR THE RE-ZONING OF CERTAIN ZONES OR DISTRICTS HERETOFORE ESTABLISHED UNDER ORDINANCE 50 IN SAID CITY, PROVIDING FOR THE CONTINUATION IN FULL FORCE AND EFFECT OF ALL PORTIONS OF THE PRIOR ORDINANCE NOT AMENDED BY THIS ORDINANCE TOGETHER WITH ORDINANCE 50, PROVIDING A PENALTY AND FINE FOR VIOLATION OF THE ORDINANCE, PROVIDING CIVIL REMEDIES, AND OTHER THINGS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DANBURY, BRAZORIA COUNTY, TEXAS duly assembled in a regular monthly meeting, at its regular meeting place with a quorum present, after public hearing and comment, and after all notices have been given as required by law as follows, to wit:

Section 1

All provisions of Ordinance No. 50 of the City of Danbury, heretofore passed and approved on the 29th day of June, 1970, not herein specifically amended, deleted, changed, or otherwise varied, shall remain in full force and effect and with no provision to the contrary herein contain withstanding.

Section 2

Any and all ordinances dealing with fire safety, public health and nuisance, to the extent that any may conflict with this ordinance amending prior ordinance, shall control, and shall supersede and override any provisions hereof.

Section 3

This Ordinance No. 91-6 is a change or amendment of the prior Ordinance No. 50 and all changes and amendments to said Ordinance No. 50 herein made have been made subject to Section 15 of Ordinance No. 50 and in compliance with all requirements thereof.

Section 4

This ordinance shall govern all structures constructed, and uses of land from and after the effective date hereof, and shall not be retroactively applied to any existent structure or land use now in place or in progress as of the effective of this ordinance of amendment.

Section 5

It is the intent of this Ordinance that, to the extent that Exhibit "A" to Ordinance No. 50, being a zoning map of the City of Danbury is in conflict herewith, that the same shall be amended, changed, and deleted.

Section 6

All definitions contained in prior Ordinance No. 50 are herewith retained in full force and effect to the extent that ~~the same~~ are not specifically amended, deleted, or changed hereunder.

Section 7

The area, property, and section of the city covered by this ordinance of amendment is described as a section southeast of Panther Drive, originally known as First Street, said section being the area between Hoskins Mound Road [County Road 208] and Skrabanek Road [County Road 209] from said Panther Drive, formally known as First Street, to the corporate city limits, and all property, lots, tracts, and improvements therein contained.

Section 8

All of said property, lots, tracts, and improvements are hereby amended and changed so that the same shall, from and after the effective date of this ordinance, be Section A - Residence District Property pursuant to the definition, custom and usage of Section 3 [a][b], of Ordinance 50.

Section 9

The extent that Section 11 of Ordinance No. 50 shall conflict with the provision hereof, the same is hereby amended and changed, and the provisions herein contained substituted in the place and stead for said Section 11 for all purposes.

Section 10

This section amends and changes Section 20 of Ordinance 50 having as its caption and title "Penalty for Violation of this Ordinance." The following shall be substituted in the place and stead of said Section 20 for all purposes.

Any person, corporation, or business entity of whatsoever nature, who shall erect or structurally alter any building or use or occupy any premises in the City of Danbury in violation of this Ordinance shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not less than \$1.00 nor more than \$1,000.00. Each day of

each violation shall be a separate offense.

Section 11

If any section, paragraph, sub-division, clause, phrase, or definition of this ordinance shall be adjudged invalid or shall be held unconstitutional, the same shall not affect the validity of this ordinance as a whole, or any other part of the provisions hereof, other than the specific part or provision hereof so decided to be invalid or unconstitutional by a court of competent authority and jurisdiction.

PASSED AND APPROVED this 26 day of November, 1991, by a majority of a quorum of the members of said City Council in regular meeting and session.

Ken Walters Jr.
KEN WALTERS, MAYOR

ATTEST:

Debby Warner
DEBBY WARNER
CITY SECRETARY

STATE OF TEXAS

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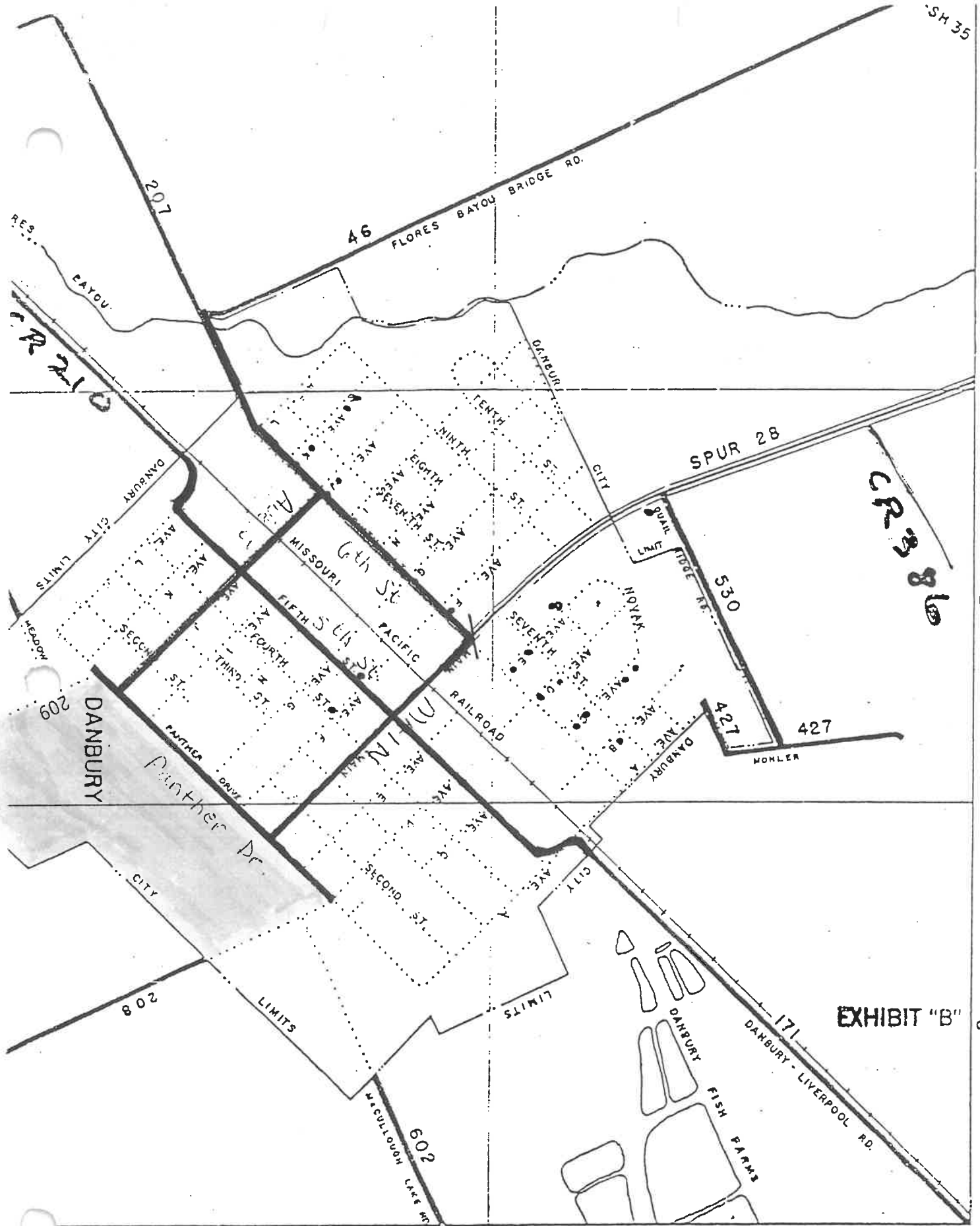
COUNTY OF BRAZORIA

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I HEREBY CERTIFY that the above and foregoing is a true and correct rendition of Ordinance No. 91-6 passed by the City Council of the City of Danbury on the 26th day of November, 1991 and signed by the Mayor and City Secretary.

Witness my hand and seal of office this 2 day of November, 1991.

Debby Warner
DEBBY WARNER, CITY SECRETARY



SH 35

A

B

C

ORDINANCE NO. 10-17

AN ORDINANCE OF THE CITY OF DANBURY, TEXAS, APPROVING ZONING MAPS BUT NOT CHANGING ANY ZONING REGULATIONS OR BOUNDARIES; AUTHORIZING THE CITY SECRETARY TO PREPARE AMENDED ZONING MAPS FOR ANY CHANGES IN ZONING APPROVED BY THE CITY COUNCIL; AND PROVIDING A SAVINGS CLAUSE, SEVERANCE CLAUSE, AND EFFECTIVE DATE.

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

1. The original comprehensive Zoning Ordinance of the City of Danbury, Ordinance No. 50, describes the zoning districts by lots and block. In addition, Ordinance No. 50 states that the Zoning Map of the City of Danbury is attached thereto as Exhibit A. However, no such map is attached to Ordinance No. 50 at this time.
2. The map attached to this ordinance as Exhibit A is hereby approved by the City Council as a replacement for Exhibit A to the original Zoning Ordinance, No. 50. The map attached hereto as Exhibit A correctly reflects the zoning locations and boundaries described in said Ordinance No. 50.
3. Ordinance No. 91-6 later amended the original Zoning Ordinance, No. 50. Ordinance No. 91-6 includes a map as Exhibit B thereto, but portions of that map do not appear on the photocopy attached to Ordinance No. 91-6.
4. Therefore, the City Council hereby approves the map attached hereto as Exhibit B as a replacement for the map attached to Ordinance No. 91-6 as Exhibit B.
5. The maps attached to this ordinance do not change any zoning classifications or boundaries. Rather, those maps merely illustrate the zoning classifications and boundaries in effect at the times of Ordinances Nos. 50 and 91-6, respectively.
6. The City Secretary is hereby authorized to prepare amended zoning maps showing any other changes in zoning approved by the City Council at any time. Such other maps shall not require further approval by the City Council, although the Council retains the authority to determine any changes in zoning.
7. On the maps attached hereto, the following colors shall depict the following zones:

White:	Zone "A" Residence District;
Brown:	Zone "B" Restricted Commercial and Residence District; and
Red:	Zone "C" Commercial District.
8. Ordinances Nos. 50, 91-6, and all other ordinances and parts of ordinances of the City shall remain in full force and effect.

9. If any part of this ordinance, of whatever size, is ever declared invalid or unenforceable for any reason, the remainder of this ordinance shall remain in full force and effect.

10. This ordinance shall be effective immediately upon its passage and approval.

READ, PASSED and APPROVED this 28th day of October, 2010.

Bill Turnipseed
BILL TURNIPSEED, Mayor
City of Danbury, Texas

ATTEST:

Jenny Brogger
JENNY BROGGER, City Secretary
City of Danbury, Texas



"Exhibit A"

ORD. 50
Zoning

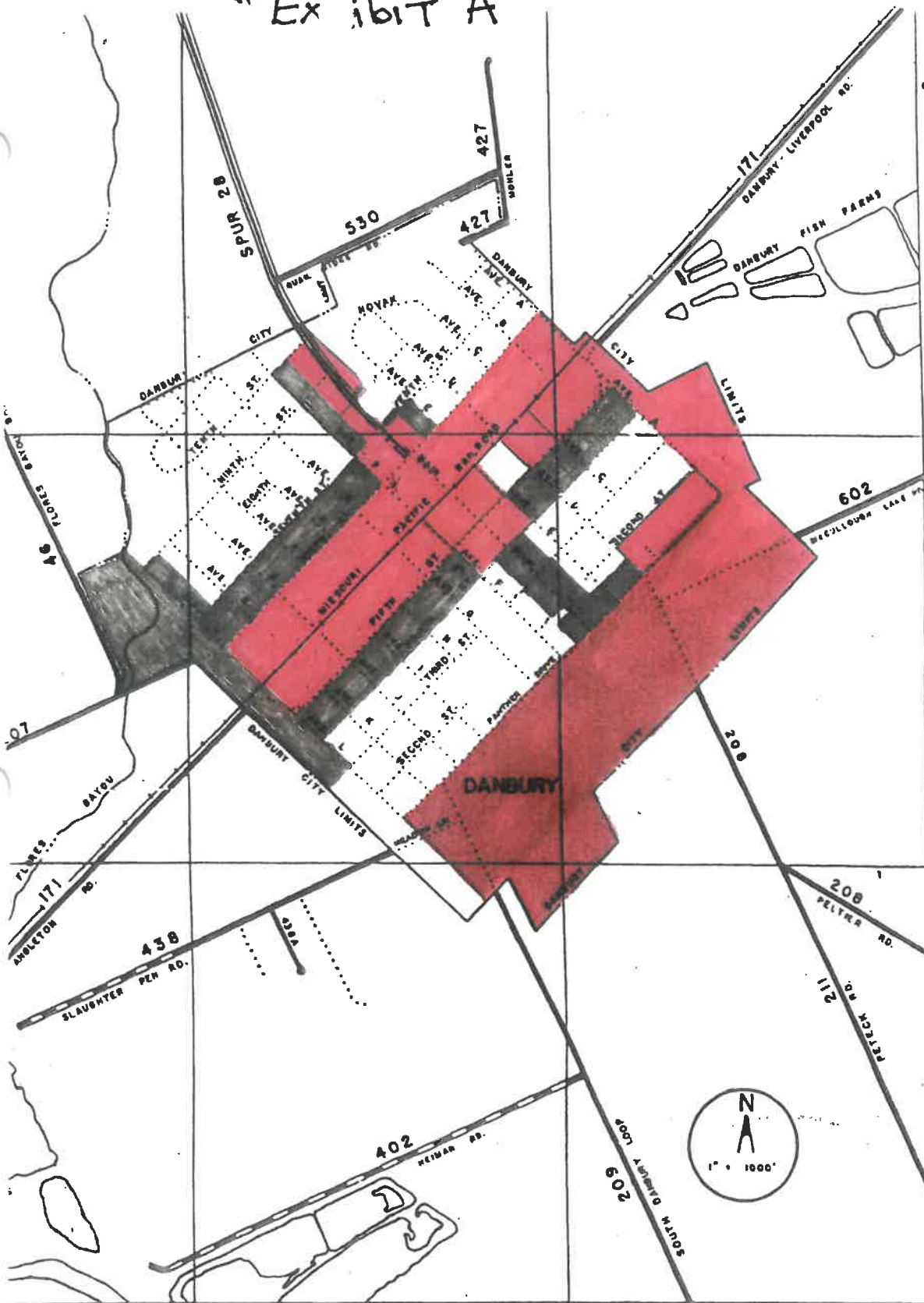
"A" Residence
Districts

"B" Restricted
Commercial
& Residence
Districts

"C" Commercial
Districts

"D" Industrial
None In City

"E" Heavy
Industrial
None In City



"A" = white

"B" = Brown

"C" = Red

B FROM PAGE 11

C

NOT TO SCALE

(c) Commercial
(b) Restricted Commercial-Residential

This map colored according to
the zoning districts as listed in
Ord. 50. by: Theresa C. Farley
10-21-10

"Exhibit B"

ORD. 91-6
Zoning
Map

"A" Residential
Zone

"B" Restricted
Commercial
& Residential
Zone

"C" Commercial
Zone

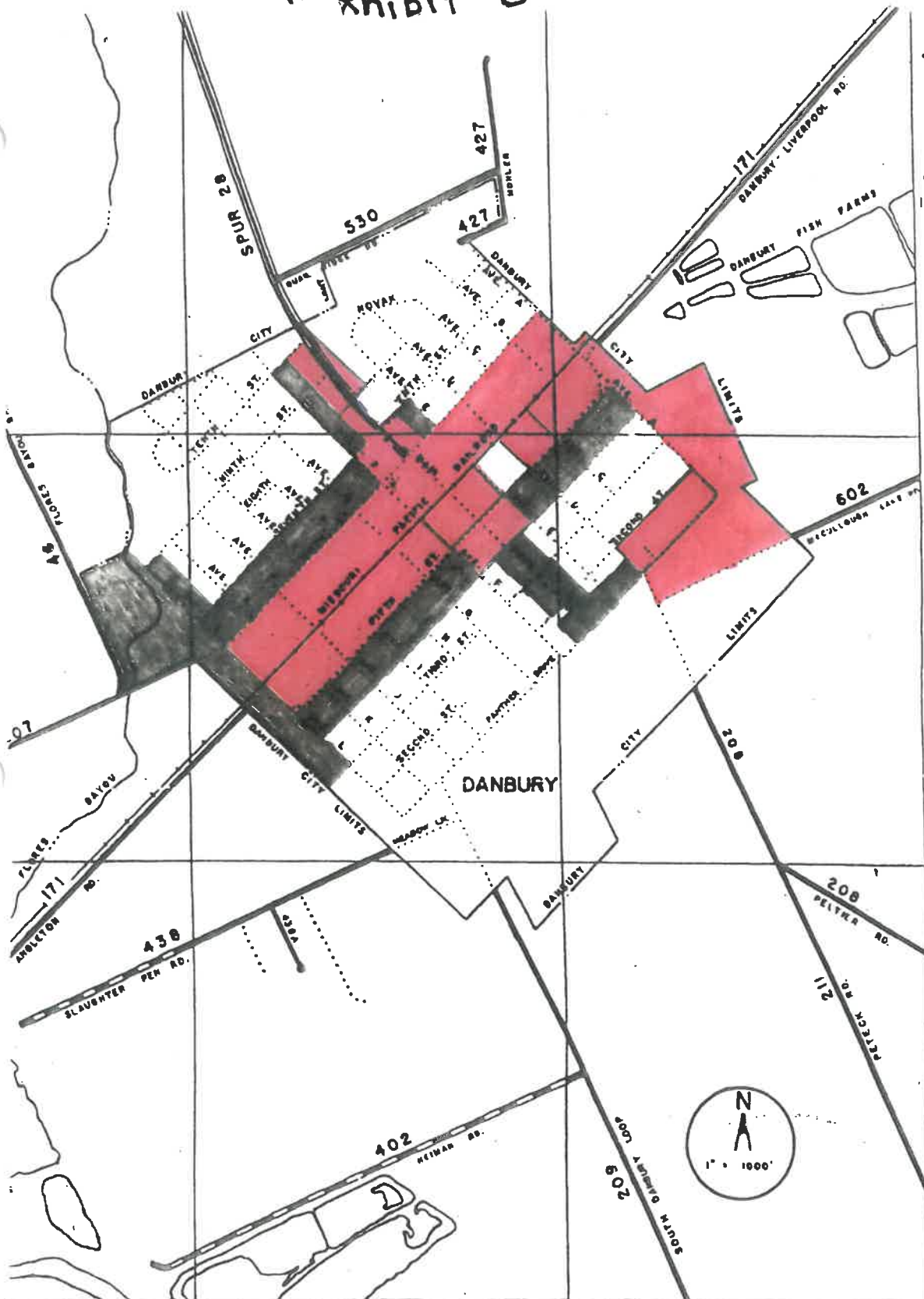
"D" Industrial
None In City

"E" Heavy
Industrial
None In City

"A" = white

"B" = brown

"C" = red



B FROM PAGE 11

C

NOT TO SCALE

(c)

Commercial

(b)

Restricted Commercial-Residential

This map colored according
the zoning districts as listed
in Ord. 50 and ORD 91-6.

By: Theresa C. Farley