

ORDINANCE NO. 09-025

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GREENVILLE, TEXAS, AMENDING CHAPTER 28, SECTION 5-7, EXTERIOR CONSTRUCTION REQUIREMENTS AND STANDARDS OF THE CITY OF GREENVILLE CODE OF ORDINANCES; PROVIDING FOR A REPEALING CLAUSE, A SEVERABILITY CLAUSE; A PENALTY CLAUSE AND PROVIDING THAT THIS ORDINANCE SHALL BE EFFECTIVE FROM AND AFTER APRIL 14, 2009.

WHEREAS, City Staff is recommending the City Council approve an amendment to Chapter 28, Section 5-7 Exterior Construction requirements and Standard of the Code of Ordinances to ensure that all of the provisions of the City's exterior maintenance requirements include US Highway 380 and State Highway 66; and

WHEREAS, the amendments to Sections 5-7.2(A)1(a) and 5-7.5(F) would read as follows:

5-7.2 Construction Standards.

(A) The standards and criteria contained within this section are deemed to be minimum standards and shall apply to all new, altered or repaired construction occurring within the City.

(1) Non-Residential Structures (excluding churches).

*(a) Major Thoroughfares and Collector Streets. Non-residential structures constructed on lots that have frontage on U.S. Highway 69 (Joe Ramsey Blvd.), Business U.S. Highway 69 from U.S. Highway 69 to Interstate 30, State Highway 34 (Wesley Street) from the south city limits to Pickett Street, Interstate Highway 30, FM 1570, **US Highway 380 and State Highway 66**; shall have at least seventy-five percent (75%) of the total exterior walls above grade level, excluding doors and windows, constructed of acceptable masonry wall construction, in accordance with the city's building code and fire prevention code. Building facades which face or side any public street or single family zoning district, shall have one hundred percent (100%) of the total exterior walls above grade level, excluding doors and windows, constructed of acceptable masonry wall construction.*

5-7.5 Exemptions. The following are exempt from the provisions of this section (Section 5-7):

(F) Industrial buildings located in Light Industrial (I-1) or Heavy Industrial (I-2) Zoning Districts, that are used for manufacturing, or other related industrial uses, except that those constructed on lots that have frontage on U.S. Highway 69 (Joe Ramsey

*Blvd.), Business U.S. Highway 69 from U.S. Highway 69 to Interstate 30, State Highway 34 (Wesley Street) from the south city limits to Pickett Street, Interstate Highway 30, FM 1570, **US Highway 380 and State Highway 66**; shall have at least thirty-five percent (35%) of the total exterior walls above grade level, excluding doors and windows, constructed of acceptable masonry wall construction.*

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

SECTION 1. That Chapter 28, Section 5-7, Exterior Construction Requirements and Standards of the City of Greenville Code of Ordinances, Sections 5-7.2(A)1(a) and 5-7.5(F), are hereby amended as follows:

5-7.2 Construction Standards.

(A) The standards and criteria contained within this section are deemed to be minimum standards and shall apply to all new, altered or repaired construction occurring within the City.

(1) Non-Residential Structures (excluding churches).

(a) Major Thoroughfares and Collector Streets. Non-residential structures constructed on lots that have frontage on U.S. Highway 69 (Joe Ramsey Blvd.), Business U.S. Highway 69 from U.S. Highway 69 to Interstate 30, State Highway 34 (Wesley Street) from the south city limits to Pickett Street, Interstate Highway 30, FM 1570, US Highway 380 and State Highway 66; shall have at least seventy-five percent (75%) of the total exterior walls above grade level, excluding doors and windows, constructed of acceptable masonry wall construction, in accordance with the city's building code and fire prevention code. Building facades which face or side any public street or single family zoning district, shall have one hundred percent (100%) of the total exterior walls above grade level, excluding doors and windows, constructed of acceptable masonry wall construction.

5-7.5 Exemptions. The following are exempt from the provisions of this section (Section 5-7):

(F) Industrial buildings located in Light Industrial (I-1) or Heavy Industrial (I-2) Zoning Districts, that are used for manufacturing, or other related industrial uses, except that those constructed on lots that have frontage on U.S. Highway 69 (Joe Ramsey Blvd.), Business U.S. Highway 69 from U.S. Highway 69 to Interstate 30, State Highway 34 (Wesley Street) from the south city limits to Pickett Street, Interstate Highway 30, FM 1570, US Highway 380 and State Highway 66; shall have at least thirty-five percent (35%) of the total exterior walls above grade level, excluding doors and windows, constructed of acceptable masonry wall construction.

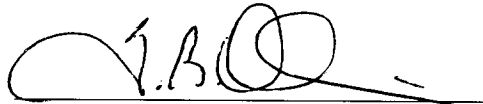
SECTION 2. All Ordinances or parts of Ordinances in conflict herewith are repealed to the extent of conflict only.

SECTION 3. That if any section, provision, subsection, paragraph, sentence, clause, phrase or word in this Ordinance or application thereof to any person or circumstance is held invalid by any court of competent jurisdiction, such holdings shall not affect the validity of the remaining portions of this Ordinance, and the City Council of the City of Greenville, Texas, hereby declares it would have enacted such remaining portions, despite such invalidity.

SECTION 4. A person who violates this Ordinance is guilty of a separate offense for each day or part of day the violation is committed, continues, or permitted. Each offense, upon conviction, is punishable by a fine not to exceed \$2,000.00

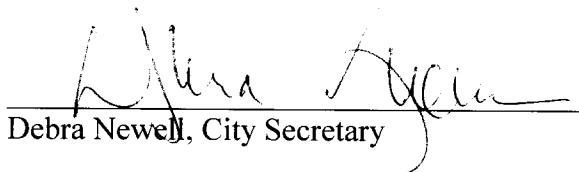
SECTION 5. This Ordinance shall take effect and be in full force immediately upon its passage and approval.

PASSED AND APPROVED, this the 14th day of April, 2009.



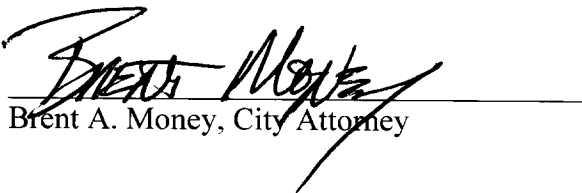
Thomas B. Oliver, Mayor

ATTEST:



Debra Newell, City Secretary

APPROVED AS TO FORM:



Brent A. Money, City Attorney