

**TOWN OF BARTONVILLE, TEXAS**  
**ORDINANCE \_\_\_\_\_-23**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF BARTONVILLE, TEXAS, ADOPTING THE 2043 COMPREHENSIVE PLAN FOR THE TOWN OF BARTONVILLE; PROVIDING FOR THE REPEAL OF ALL OTHER ORDINANCES IN CONFLICT WITH THIS ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; PROVIDING FOR PUBLICATION; PROVIDING FOR PUNISHMENT; PROVIDING FOR NO VESTED RIGHTS; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Town of Bartonville, Texas (“Town”), is a Type A General Law Municipality located in Denton County, Texas, created in accordance with provisions of the Texas Local Government Code and operating pursuant to the enabling legislation of the State of Texas; and

**WHEREAS**, the Town, as a Type A general law municipality, is empowered under the Texas Local Government Code, Section 51.001, to adopt an ordinance or rule that is for the good government of the Town; and

**WHEREAS**, pursuant to Chapter 213 of the Texas Local Government Code, a municipality may adopt or amend a comprehensive plan for the long-range development of the community in order to promote sound development; and

**WHEREAS**, the Town Council of the Town of Bartonville, Texas (“Town Council”), directed the Planning and Zoning Commission of the Town of Bartonville to provide guidance and forward a recommendation to the Town for a revised comprehensive plan; and

**WHEREAS**, the Planning and Zoning Commission has reviewed and revised the Town’s previous Comprehensive Plan, and has created the Town’s 2043 Comprehensive Plan; and

**WHEREAS**, the Planning and Zoning Commission conducted a public hearing on July 5, 2023, and after all persons were given an opportunity to present testimony, did consider and make recommendations to the Town Council to adopt a revised comprehensive plan, entitled “2043 Comprehensive Plan”; and

**WHEREAS**, the Town Council, has carefully reviewed and considered the merits of the 2043 Comprehensive Plan after having received input and recommendations from the Planning and Zoning Commission, and after holding a public hearing on July 25, 2023; and

**WHEREAS**, the Town Council has found and determined that all meetings were duly noticed and held in accordance with law; and

**WHEREAS**, the Town Council has determined that the adoption of the 2043 Comprehensive Plan is necessary for the government, interest, welfare, or good order of the Town of Bartonville.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BARTONVILLE, TEXAS, THAT:**

**SECTION 1.  
INCORPORATION OF PREMISES**

The above and foregoing premises are true and correct legislative determinations and are incorporated herein and made a part hereof for all purposes.

**SECTION 2.  
ADOPTION OF 2043 COMPREHENSIVE PLAN**

The 2043 Comprehensive Plan, including the Future Land Use Plan, Thoroughfare Plan, and all the maps and elements, attached hereto and incorporated herein as if set forth in full as Exhibit “A,” is hereby adopted by the Town Council of the Town of Bartonville as a long-range planning guide for the Town, and it shall supersede any previously existing comprehensive plan.

**SECTION 3.  
PURPOSE OF THE COMPREHENSIVE PLAN**

The 2043 Comprehensive Plan is intended to constitute the Comprehensive, or Master Plan of the Town of Bartonville, Texas, for all matters related to long-range guidance relative to zoning decisions, land subdivision, thoroughfare construction, and growth management.

**SECTION 4.  
REVIEW BY PLANNING AND ZONING COMMISSION**

The Planning and Zoning Commission shall conduct a comprehensive review of this Comprehensive Plan every 5 years. The Planning and Zoning Commission may review the comprehensive plan sooner should a need arise and make recommendations to the Town Council concerning any proposed amendments. The Town Council shall conduct a comprehensive review of the Comprehensive Plan every 5 years.

**SECTION 5.  
MAYOR’S SIGNATURE**

The Mayor of the Town of Bartonville shall affix her signature on an appropriate page of the 2043 Comprehensive Plan, that page to be determined by her, below the words “Official Plan,” below which will be placed the seal of the Town.

**SECTION 6.**  
**REPEAL OF CONFLICTING ORDINANCES**

This Ordinance shall be cumulative of all provisions of Ordinances of the Town except where the provisions of this Ordinance are in direct conflict with the provisions of such Ordinances, in which event the conflicting provisions of such Ordinances are hereby repealed. More specifically, Town Ordinance No. 619-17, an Ordinance Adopting a Comprehensive Plan, is hereby repealed in its entirety.

**SECTION 7.**  
**SEVERABILITY**

It is hereby declared to be the intention of the Town Council of the Town of Bartonville, Texas, that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this Ordinance should be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this Ordinance, since the same would have been enacted by the Town Council without incorporation in this Ordinance of such unconstitutional phrases, clause, sentence, paragraph, or section.

**SECTION 8.**  
**SAVINGS**

An offense committed before the effective date of this Ordinance is governed by prior law and the provisions of the Town of Bartonville Code of Ordinances, as amended, in effect when the offense was committed, and the former law is continued in effect for this purpose.

**SECTION 9.**  
**ENGROSS AND ENROLL**

The Town Secretary of the Town of Bartonville is hereby directed to engross and enroll this Ordinance by copying the exact Caption and the Effective Date clause in the minutes of the Town Council of the Town of Bartonville and by filing this Ordinance in the Ordinance records of the Town.

**SECTION 10.**  
**PUBLICATION**

The Town Secretary of the Town of Bartonville is hereby directed to publish in the Official Newspaper of the Town of Bartonville the Caption and the Effective Date of this

Ordinance for two (2) days.

**SECTION 11.  
PUNISHMENT**

Any person, firm or corporation violating any of the provisions or terms of this Ordinance shall be subject to the same penalty as provided for in the Bartonville Zoning Ordinance as previously amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000) for each offense.

**SECTION 12.  
NO VESTED RIGHTS**

No person or entity shall acquire any vested rights in this Ordinance or any specific regulations contained herein. This Ordinance and any regulations may be amended or repealed by the Town Council of the Town of Bartonville, Texas, in the manner provided bylaw.

**SECTION 13.  
EFFECTIVE DATE**

This Ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law in such case provides.

**AND IT IS SO ORDAINED.**

**DULY PASSED AND APPROVED** by the Town Council of the Town of Bartonville, Texas, on the 25th day of July, 2023.

APPROVED:

\_\_\_\_\_  
Jaclyn Carrington, Mayor

ATTEST:

\_\_\_\_\_  
Shannon Montgomery, Town Secretary#

(Seal)