

**CITY OF EVERMAN, TEXAS
ORDINANCE NO. 823**

AN ORDINANCE OF THE CITY OF EVERMAN, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF EVERMAN, AS PREVIOUSLY AMENDED, AT ARTICLE 3 “ADMINISTRATION”, SECTION 3.2 “BOARD OF ADJUSTMENT” BY AMENDING SECTION 3.2.2 “MEMBERS; TERMS OF OFFICE”; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Planning and Zoning Commission of the City of Everman and the governing body of the City of Everman, in compliance with the laws of the State of Texas, and the Ordinances of the City of Everman, have given requisite notice by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all persons interested, in the exercise of its legislative discretion the City Council has concluded that the Code of Ordinances of the City of Everman, as previously amended, should be further amended as set forth herein below.

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

SECTION 1. The Comprehensive Zoning Ordinance of the City of Everman, as heretofore amended, is hereby amended by amending Article 3, “Administration”, Section 3.2 “Board of Adjustment” at Section 3.2.2 “Members; Terms of Office” to read as follows:

“APPENDIX B – ZONING ORDINANCE

...

ARTICLE 3. – ADMINISTRATION

...

Sec. 3.2. – Board of adjustment

...

Section 3.2.2 Members; terms of office

...

- C. The members of the City Planning and Zoning Commission will serve as the members of the City Board of Adjustment. Each Board of Adjustment member shall serve a term which shall terminate on the two-year anniversary of such member’s appointment or the date upon which such member is removed from the City Planning and Zoning Commission, whichever is earlier. Members may be

appointed to and/or may serve multiple two-year terms. Members may be removed, with or without cause, by the City Council at any time.

D. The Chairman and Vice-Chairman of the City Planning and Zoning Commission shall serve as the Chairman and Vice-Chairman, respectively, of the City Board of Adjustment.”

SECTION 2. All provisions of the Ordinances of the City of Everman, Texas in conflict with the provisions of this ordinance shall be, and the same are hereby, repealed, and all other provisions not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 3. Should any article, paragraph, subdivision, clause or provision of this ordinance, or the Everman Municipal Code as hereby amended be adjudged or held invalid or unconstitutional for any reason, such judgment or holding shall not affect the validity of this ordinance as a whole or any part or provision hereof other than the part so declared to be invalid or unconstitutional.

SECTION 4. This Ordinance shall take effect on September 1, 2023, from and after its passage and the publication of the caption as the law and Charter in such cases provide.

DULY PASSED BY THE CITY COUNCIL OF THE CITY OF EVERMAN, TEXAS, ON THE ____ DAY OF _____ 2024.

APPROVED:

Ray Richardson, Mayor

ATTEST:

Mindi Parks, City Secretary

APPROVED AS TO FORM:

Kyle Barry, Asst. City Attorney
4860-1932-1226, v. 1