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**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING ARTICLE II, DIVISION 2, TO ADD SECTION 107-81 (FENCES) TO PROVIDE FOR A STANDARD ALLOWABLE FENCE HEIGHT OF 8 FEET AND FOR A SPECIAL EXCEPTION FOR FENCES EXCEEDING 8 FEET IN HEIGHT; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.**

**WHEREAS**, the City of Rollingwood is a General Law Type A City under the statutes of the State of Texas; and

**WHEREAS**, the City Council of the City of Rollingwood (“City Council”) wishes to amend the City’s zoning regulations to provide for a standard allowable fence height of 8 feet, and for a special exception for fences exceeding 8 feet in height; and

**WHEREAS**, the City Council has determined that the public interest would be served by this requirement; and

**WHEREAS**, the City Council finds that the amendments provided for herein are reasonable, necessary, and proper for the good of the City.

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

**SECTION 1.** All the above premises are hereby found to be true and correct legislative and factual findings of the City Council and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

**SECTION 2.** Code Amendment.

**Section 107-81. – Fences**

- (a) The standard allowable fence height is up to 8 ft. from natural grade.
- (b) A special exception to the requirements of this section may be granted by the Zoning Board of Adjustment if it can be demonstrated that a fence taller than 8 ft. from natural grade will address privacy, safety and continuity, so long as a fence exceeding 8 ft. is engineered.

**SECTION 3.** All provisions of the ordinances of the City of Rollingwood in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict, and all other provisions of the ordinances of the City of Rollingwood not in conflict with the provisions of this ordinance shall remain in full force and effect.

**SECTION 4.** Should any sentence, paragraph, sub-article, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Code of Ordinances as a whole.

37 **SECTION 5.** This ordinance shall take effect immediately from and after its passage and  
38 the publication of the caption, as the law and charter in such cases provide.

39 **APPROVED, PASSED AND ADOPTED** by the City Council of the City of  
40 Rollingwood, Texas, on the \_\_\_\_\_ day of \_\_\_\_\_, 2024

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Gavin Massingill, Mayor

47 ATTEST:

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\_\_\_\_\_  
Makayla Rodriguez, City Secretary

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