

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF PINEY POINT VILLAGE, TEXAS, IN ACCORDANCE WITH DIVISION 4 OF ARTICLE II OF CHAPTER 74 OF THE CITY'S CODE OF ORDINANCES, ESTABLISHING AND APPROVING ISSUANCE OF A SPECIFIC USE PERMIT FOR THE INSTALLATION OF CERTAIN IMPROVEMENTS ON THE KINKAID TRACT; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR A PENALTY OF AN AMOUNT NOT TO EXCEED \$2,000 FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF; AND PROVIDING FOR SEVERABILITY.

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WHEREAS, the City of Piney Point Village (the "City") finds it to be in the best interest of the health, safety, and welfare of its citizens to approve the following improvements on the Kinkaid Tract subject to certain conditions; now, therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PINEY POINT VILLAGE, TEXAS:

Section 1. The facts and recitations set forth in the preamble of this Ordinance are hereby found to be true and correct and are hereby adopted.

Section 2. The City hereby establishes and approves issuance of a specific use permit, as outlined by the terms of this Ordinance, to permit the installation of the following improvements on the Kinkaid Tract. Such improvements are further identified in a site plan and related specifications, as provided for in Exhibit "A," attached hereto and made a part of this Ordinance. City Council approval of the proposed improvements provided for in this Ordinance is subject to adherence to the site plan and related specifications provided for in Exhibit "A," and other stipulations as stated below:

1. Increase the previously approved six (6) foot high chain link fence surrounding the south detention pond to eight (8) feet in height.
2. Increase the previously approved netting around the west campus baseball field from twenty-four (24) feet to a height not to exceed forty-two (42) feet.
3. Install a six (6) foot wrought iron fence, separated by brick columns every sixty (60) to eighty (80) feet, along the north property line adjacent to San Felipe, between the east exit and the west property line.
4. Install bleachers at the west campus baseball field.

Section 3. Any person who intentionally, knowingly, recklessly, or with criminal negligence violates any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined in an amount not to exceed (i) \$2,000.00 for violation of any provision that governs fire safety, zoning or public health or sanitation, including dumping of refuse, or (ii) \$500.00 for all other violations. No penalty shall be greater or less than the penalty provided for the same or similar offense under the laws of the State of Texas. Each day of any violation shall constitute a separate offense.

Section 4. In the event any clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Piney Point Village, Texas, declares that it would have passed each and every part of the same

notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

Section 5. All ordinances or parts of ordinances inconsistent or in conflict herewith, are, to the extent of such inconsistency or conflict, hereby repealed.

PASSED, APPROVED, AND ADOPTED this ____ day of _____ 2018.

Mark Kobelan
Mayor

ATTEST:

Karen Farris
City Secretary

EXHIBIT "A"

Site Plan and Related Specifications for Proposed Improvements to Kinkaid Tract