

ORDINANCE NO. 2024-_____

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 AN AMENDMENT TO THAT SPECIFIC USE PERMIT GRANTED PER ORDINANCE NO. 2022.11.28 FOR THE PURPOSE OF CONSTRUCTING A NEW REPLACEMENT SCHOOL BUILDING AND RELATED IMPROVEMENTS ON THE MEMORIAL DRIVE ELEMENTARY SCHOOL TRACT; AMENDING THE MEMORIAL DRIVE ELEMENTARY SCHOOL SPECIFIC USE PERMIT TO PROVIDE FOR THE ALLOWANCE OF ADDITIONAL CONSTRUCTION WORK HOURS INSIDE THE BUILDING AND CONDITIONS FOR SUCH EXTENDED WORK HOURS; PROVIDING FOR THE CONTINUED FULL FORCE AND EFFECT OF ORDINANCE NO. 2022.11.28, EXCEPT AS ADMENDED HEREIN; PROVIDING FOR A PENALTY OF AN AMOUNT NOT TO EXCEED \$2,000 FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Piney Point Village (the "City"), pursuant to Division 4 of Article II of Chapter 74 of the City's Code of Ordinances, did hereby approve a Specific Use Permit on November 28, 2022 for Memorial Drive Elementary School for a new replacement school building and other improvements, subject to certain conditions (the "Project"), and

WHEREAS, the City finds it to be in the best interest of the health, safety, and welfare of its citizens to approve the following amendment to the Memorial Drive Elementary School Specific Use Permit to allow for additional construction work hours inside the Project's school building, subject to certain conditions; now, therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PINEY POINT

SECTION 1.

In addition to the stated construction work hours permitted under Chapter 10, Article 1, Section 10-1 of the City's Code of Ordinances, construction activities for interior finishing work on the Project will be permitted beginning as of the Effective Date of this Ordinance through September 30, 2024 during the following additional times (the "Extended Hours"):

Monday through Friday	7:00pm until 10:00pm
Saturday	6:00pm until 8:00pm
Sunday	8:00am until 8:00pm

No work shall be conducted on the City-observed Holidays of Memorial Day, Independence Day, and Labor Day.

SECTION 2.

Construction activities during the Extended Hours shall strictly adhere to the following requirements:

1. Work shall only be conducted inside the Project's school building;
2. School building doors shall remained closed, to the extent possible;
3. No noise from the work conducted inside the building shall reach beyond the Project's property boundaries;
4. No construction activities shall occur outside the school building, regardless of the noise level generated;
5. No deliveries will be permitted;
6. All vehicles shall be parked on Project property;
7. Other than that required for emergency or security purposes, all lights shall be turned off by the end of the Extended Hours period;
8. Onsite security staff will be present at all times to ensure work hours are enforced, lights are turned off, and the building is properly secured; and

SECTION 3.

Except as expressly amended by the provisions hereof, the terms and provisions in Ordinance No. 2022.11.28 shall continue to govern the Project and all provisions in Ordinance No. 2022.11.28 shall remain in full force and effect as stated therein.

SECTION 4.

Any person, firm or corporation 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 \$2,000.00 per offense. 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 5.

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 6.

This ordinance shall be in full force and effect after its passage, with an Effective Date of the date adopted by the City Council of the City of Piney Point Village, Texas; and it is so ordained.

PASSED, APPROVED, AND ADOPTED THIS _____ DAY OF _____, 2024.

MAYOR

ATTEST:

CITY SECRETARY