

**AN ORDINANCE AMENDING CHAPTER 14 – BUILDING AND BUILDING REGULATIONS, ARTICLE VI. FENCES, SECTION 14-530 (C) TO INCLUDE DISTRICT C - GARDEN HOME RESIDENTIAL DISTRICT TO THAT SECTION REGULATING FENCES**

**WHEREAS**, the Town of Hollywood Park, a Type A General Law municipality, and its Town Council have the intent to protect the public health, safety, and welfare of its residents; and

**WHEREAS**, municipalities may, under their police powers, enact reasonable regulations to promote the health, safety and welfare of their residents; and

**WHEREAS**, the current section dimensions had not been updated since the creation of district C and the final development of all garden home areas that are affected by this section; and

**WHEREAS**, the Town Council finds it in the best interest of the health, safety and welfare of its residents to update the code to include District C - Garden Home Residential District, in said section.

**I.**

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF HOLLYWOOD PARK, TEXAS** that District C - Garden Home Residential District be added to section 14-530 (c) of Article VI, of Chapter 14 of the Code of Ordinances and is hereby amended, with underlined text being additions and strikethrough text being deletions, as follows:

**Chapter 14-Building And Building Regulations**

**Article VI. – Fences**

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**Sec. 14-530. - Dimensions.**

- (a) *Height restrictions.* No fence or wall in excess of two feet in height shall be erected forward of the building line of the dwelling. Except as may be otherwise specified in this section, all other fences shall not exceed eight feet in height. These restrictions are applicable whether or not the barrier or screening device is a perimeter or interior fence.
- (b) *Fences.* Fences in the front yard shall not be higher than two feet above lot grade. Side or rear yard perimeter or interior fences are permitted providing they, as well as front yard fences, are constructed of wood, concrete, brick, galvanized chainlink, or other materials approved by the building inspector, and providing the side or rear yard perimeter or interior fences do not exceed eight feet in height. On a corner lot, no fence, vegetation or other obstruction whose height is greater than 24 inches, or which blocks a motorist's view of oncoming traffic, shall be permitted within the triangular area formed by the intersecting right-of-way lines extended along the nearest boundaries of the street right-of-way and a straight line connecting each such right-of-way line, at a point 15 feet from the point of intersection, measured along such lines, as further illustrated and incorporated herein by the attached sketch, which is on file with the city clerk. Existing trees may remain, but must have their lower branches removed from ground level up to a height of at least six feet, so as not to obstruct the view of motorists.

- (c) *Fences between residential and commercial zones.* A privacy fence, as a buffer between commercial and residential districts, shall be erected where a district B general business district has a common side or rear yard with a district A residential district and district C garden home residential district. The privacy fence shall be erected before any construction on the project commences. The privacy fence shall be a masonry (excluding stucco), sound barrier type wall. It shall be a minimum height of six feet and a minimum thickness of 1 1/2 inches. The developer of the project, or any successor, shall continually maintain and repair the required privacy fence as a buffer between the commercial and residential districts.
  - (d) *Exception.* The provisions of subsection (c) of this section shall not apply to Lot 11, Block 8, Hollywood Park Unit 2.
  - (e) *Fence height in district C.* In the district C garden home residential district, a perimeter fence shall not exceed the maximum height of eight feet.
- (Code 1985, § 30.103; Code 1989, § 5-398; Ord. No. 485, 6-19-1990; Ord. No. 491, § 2, 6-19-1990; Ord. No. 584, 5-11-1994; Ord. No. 607, 5-16-1995; Ord. No. 609, 6-20-1995; Ord. No. 646, § IV, 7-15-1997; Ord. No. 763, 9-16-2003)

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## II. CUMULATIVE CLAUSE

This Ordinance shall be cumulative of all provisions of the Town of Hollywood Park except where the provisions of this Ordinance are in direct conflict with the provisions of such Ordinance, in which event the conflicting provisions of such Ordinance are hereby repealed.

## III. SEVERABILITY

It is hereby declared to be the intent of the Town Council of the Town of Hollywood Park 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 judgement or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of the Ordinances, since the same would have been enacted by the Town Council without incorporation in this ordinance of any such unconstitutional phrases, sentences, paragraphs, or sections.

## IV. PROPER NOTICE AND MEETING

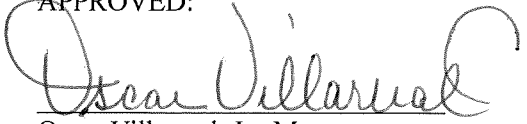
It is hereby officially found and determined that the meeting at which this Ordinance was adopted was open to the public and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

## V. EFFECTIVE DATE


This ordinance shall be effective upon passage and publication as required by state and local law.

Passed by the Town Council of the Town of Hollywood Park this the 19 day of October 2021.

APPROVED:

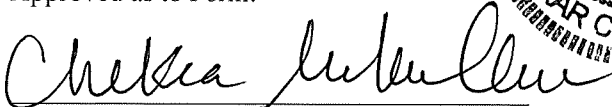
  
Oscar Villarreal, Jr., Mayor

Attest:

  
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Patrick Aten, Town Secretary



Approved as to Form:

  
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Ryan Henry, Town Attorney

OBD