ORDINANCE NO. 2006-O-67

AN ORDINANCE AMENDING ORDINANCE NO. 2004-O-32 SEC. 30.105; DEFINING HOW TO DETERMINE THE HEIGHT OF A STRUCTURE; PROVIDING SEVERABILITY, OPEN MEETINGS, AND EFFECTIVE DATE CLAUSES

WHEREAS, the Village of Volente finds that Section 30.105 Definitions in the Zoning Ordinance provides an unclear definition of Height; and

WHEREAS, the Village of Volente finds that the unclear definition of height in 30.105 creates confusion in enforcing Article 30 Zoning Regulations;

NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL OF THE VILLAGE OF VOLENTE:

1. The Village of Volente Ordinance No. 2004-O-32, Article 30.100 Zoning Regulations, Section 30.105 Definitions is amended as follows:

(A) Height means the vertical distance from the highest point on a structure to the average ground elevation where the foundation meets the ground, to be measured, six feet perpendicular to the foundation as it meets the finished grade, from the average finished grade to the highest roof ridge.

2. SEVERABILITY: In the event that any provision of this Ordinance shall be found by a court of competent jurisdiction to be void or unenforceable, such void or unenforceable provision shall be severed, and all remaining provisions shall remain in full force and effect as though such void or unenforceable provisions had never formed a part of this Ordinance.

3. EFFECTIVE DATE: This Ordinance shall take effect immediately from and after its passage and publication of its enacting ordinance in accordance with the provisions of *Chapter 52 of the Texas Local Government Code.*

4. OPEN MEETINGS: It is hereby officially found and determined that the meeting at which the enacting ordinance of this article is passed was open to the public as required 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.*

PASSED AND APPROVED on the 18th day of July, 2006.

JAN YENAWINE, MAYOR OF THE VILLAGE OF VOLENTE

ATTEST:

JENNIFER ZUFELT, CITY SECRETARY