

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

**AN ORDINANCE OF THE CITY OF UNIVERSITY PARK, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF UNIVERSITY PARK, AS HERETOFORE AMENDED, BY AMENDING SECTION 40 ‘GENERAL DEFINITIONS’ IN PART, TO PROVIDE A DEFINITION OF COMMUNITY CENTER (PUBLIC); PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Planning and Zoning Commission of the City of University Park and the City Council of the City of University Park, in compliance with the laws of the State of Texas with reference to the granting of zoning classifications and changes, have given the requisite notices by publication and otherwise, and have held due hearings and have forwarded a full and fair hearing to all property owners generally, and City Council of the City of University Park is of the opinion and finds that said zoning changes should be granted and that the Comprehensive Zoning Ordinance should be amended; Now, Therefore,

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF UNIVERSITY PARK, TEXAS:**

**SECTION 1.** That the Comprehensive Zoning Ordinance of the City of University Park, Texas, is hereby amended by amending Section 40 “General Definitions” in part to provide a definition of “Community Center (Public)” to read as follows:

**“Section 40. General Definitions**

...

**Community Center (Public)** means a building and/or grounds that may be used by the City of University Park, or any person or entity as its designee, to provide recreational or social services for the benefit of the citizens. A designee of the City of University may only use the building and/or grounds for a period not exceeding three (3) years from the date of issuance of a certificate of occupancy by the building department for such use of the building and/or grounds.

....”

**SECTION 2.** All ordinances of the City of University Park in conflict with the provisions of this ordinance are hereby repealed.

**SECTION 3.** Should any word, sentence, paragraph, subdivision, clause, phrase or section of this ordinance, or the Comprehensive Zoning Ordinance, as amended hereby, be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision thereof, other than the part so declared to be invalid, illegal or unconstitutional, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

**SECTION 4.** That any person, firm or corporation violating any of the provisions of this ordinance or the Comprehensive Zoning Ordinance, as amended hereby, shall be deemed guilty of a misdemeanor and, upon conviction in the municipal court of the City of University Park, Texas, shall be punished by a fine to exceed the sum of two thousand dollars (\$2,000.00) for each offense, and each and every day such violation shall continue shall be deemed to constitute a separate offense.

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

**DULY PASSED** by the City Council of the City of University Park, Texas, on the 3<sup>rd</sup> day of December 2013.

**[SIGNATURES ON FOLLOWING PAGE]**

**APPROVED:**

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**W. RICHARD DAVIS, MAYOR**

**ATTEST:**

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**ELIZABETH SPECTOR, CITY SECRETARY**

**APPROVED AS TO FORM:**

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**CITY ATTORNEY**  
(RLD/07/10/13)(61361)

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**Duly passed** by the City Council of the City of University Park, Texas, on the 3<sup>rd</sup> day of December 2013.

**APPROVED:**

\_\_\_\_\_  
**W. RICHARD DAVIS, MAYOR**

**ATTEST:**

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**ELIZABETH SPECTOR, CITY SECRETARY**