

ORDINANCE NO. 1280

AN ORDINANCE OF THE CITY OF LAKE WORTH, TEXAS, AMENDING ORDINANCE NO. 1169, THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF LAKE WORTH, BY AMENDING ARTICLE 14.06 "SUPPLEMENTAL REGULATIONS", SECTION 14.06.010 "VEHICLE PARKING AND LOADING REQUIREMENTS", "(J) SCHEDULE OF MINIMUM NUMBER OF PARKING SPACES" TO AMEND THE PARKING REQUIREMENTS FOR DAYCARE CENTERS (CHILD OR ADULT) TO 1:1 EMPLOYEE; 1:1 BUS; AND 1:8 ENROLLMENT IN THE PARKING TABLE AND; PROVIDING A PENALTY; PROVIDING A CUMULATIVE CLAUSE; PROVIDING FOR SEVERABILITY; PROVIDING SAVINGS; PROVIDING ENGROSSMENT AND ENROLLMENT; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER OF THE CITY AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Lake Worth is a Home Rule City acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, the City possesses all the rights, powers, and authorities possessed by all home rule municipalities, including the authority to regulate land uses under Chapter 211 of the Texas Local Government Code; and

WHEREAS, the City's Planning and Zoning Commission and the City Council of the City of Lake Worth, Texas in accordance with state law and the ordinances of the City, have given the required notices and have held the required public hearings regarding the adoption of this ordinance amendment.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAKE WORTH, TEXAS:

**SECTION 1.
INCORPORATION OF RECITALS**

The above and foregoing recitals are true and correct and are incorporated herein and made a part hereof for all purposes.

**SECTION 2.
AMENDMENT TO ZONING ORDINANCE
ARTICLE 14.06 SUPPLEMENTAL REGULATIONS**

Section 14.06.010 "Vehicle parking and loading requirements", (j) "Schedule of minimum number of parking spaces" of the Code of Ordinances of the City of Lake Worth, Texas, is amended by changing to read as follows:

PARKING REQUIREMENTS

PARKING REQUIREMENTS				
USE	PARKING	STACKING	BICYCLE	NOTES
COMMUNITY FACILITIES, EDUCATIONAL AND INSTITUTIONAL USES				
Day Care Center (child or adult)	1:1 EMPLOYEE 1:1 BUS 1:8 ENROLLMENT	4 MINIMUM AT DROP OFF / PICK UP	5 PERCENT OF REQUIRED PARKING AS PER APPROVED SITE PLAN	

SECTION 3. PENALTY CLAUSE

Any person, firm, or corporation violating any of the provisions of this Ordinance shall be punished by a penalty of a fine not to exceed the sum of Two Thousand Dollars (\$2,000) for each offense and each and every day such offense continues shall be deemed to constitute a separate offense.

SECTION 4. CUMULATIVE CLAUSE

This Ordinance shall be cumulative of all provisions of all other ordinances of the City of Lake Worth, Texas except where the provisions of this Ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

**SECTION 5.
SEVERABILITY CLAUSE**

It is hereby declared to be the intention of the City Council of the City of Lake Worth 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 shall be declared invalid or unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such invalid or unconstitutional phrase, clause, sentence, paragraph or section.

**SECTION 6.
SAVINGS CLAUSE**

That all rights and remedies of the City of Lake Worth are expressly saved as to any and all violations of the provisions of any Ordinances affecting the development or use of land, which have accrued at the time of the effective date of the Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such Ordinance, same shall not be affected by the Ordinance but may be prosecuted until final disposition by the courts.

**SECTION 7.
ENROSS AND ENROLL CLAUSE**

That the City Secretary of the City of Lake Worth is hereby directed to engross and enroll this Ordinance by copying the exact caption and effective date in the minutes of the City Council of the City of Lake Worth and by filing this Ordinance in the Ordinance records of the City.

**SECTION 8.
PUBLICATION**

The City Secretary of the City of Lake Worth is hereby directed to publish in the official newspaper of the City of Lake Worth, the caption, the penalty clause, publication clause, and effective date clause of this ordinance two (2) days as authorized by Section 52.013 of the Local Government Code.

**SECTION 9.
EFFECTIVE DATE**

This Ordinance shall be in full force and effect from and after its passage and publication as required by law, and it is so ordained.

PASSED AND APPROVED on the 16th day of April 2024.

CITY OF LAKE WORTH

By: _____
Walter Bowen, Mayor

ATTEST:

Holly Fimbres, City Secretary