

ORDINANCE NO. 2024.05.16 D

AN ORDINANCE OF THE CITY OF OVERTON, TEXAS AMENDING THE CITY ZONING ORDINANCE AND ZONING MAP; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A SAVINGS CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Overton, as an incorporated municipality in the State of Texas, has been given the authority by Chapter 211 of the Local Government Code to establish zoning and amend zoning in accordance with Chapter 211; and

WHEREAS, the City Council of the City of Overton has heretofore adopted zoning ordinances, which regulate and restrict the location and use of buildings, structures, and land for trade, industry, residence, and other purposes, and provide for the establishment of zoning districts of such number, shape, and area as may be best suited to carry out these regulations; and

WHEREAS, all requirements of Chapter 211 of the Local Government Code, and all other laws dealing with notice, publication, and procedural requirements for zoning of property have been complied with; and

WHEREAS, a public hearing was held by the City Council of the City of Overton on June 21st, 2024, concerning the amendment of the City's Zoning Ordinance; and

WHEREAS, the City Council of the City of Overton does hereby deem it advisable and in the public interest to amend the Zoning Ordinance and Zoning Map of the City of Overton, Texas, so that henceforth and hereafter the Zoning Ordinance is amended;

THEREFORE, BE IT ORDAINED by the City Council of the City of Overton, Texas, as follows:

**Section I
AMENDMENT**

- A. The City of Overton Zoning Ordinance is hereby amended as follows:
1. Churches and other places of worship shall not be allowed in the Local Business (LC) and General Business (GB) Zoning Districts.
- B. All churches and places of worship existing within the Local Business (LC) and General Business (GB) Districts as of the date of this Ordinance is passed shall be considered legal non-conferring properties.
- C. By the passage of this Ordinance, the City Zoning Ordinance and Zoning Map are hereby amended to reflect this amendment.

**Section II
REPEALER**

This ordinance shall be and is hereby declared to be cumulative of all other ordinances of the City of Overton, and this ordinance shall not operate to repeal or affect the Code of Ordinances of the City of Overton or any other ordinances except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this ordinance, in which event such conflicting provisions, if any, in such Code of Ordinances or any other ordinances are hereby repealed.

**Section III
SEVERABILITY**

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

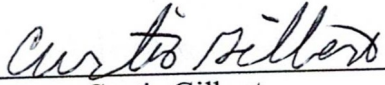
**Section IV
PENALTY**

Any person, firm, association of persons, corporation, or other organization violating the provisions of this ordinance shall be deemed to be guilty of a misdemeanor and, upon conviction, shall be fined an amount not to exceed \$2000.00 per offense. Each day that a violation occurs shall be deemed a separate offense.


**Section V
EFFECTIVE DATE**

This ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the laws of the State of Texas.

Passed and approved by the Overton City Council on the 21st day of June, 2024 and effective upon passage.



Mayor Curtis Gilbert



Katherine McCandless, City Secretary

