

**ORDINANCE NO. 2020-0220A**

**AN ORDINANCE OF THE CITY OF WILMER, TEXAS, AMENDING ORDINANCE NO. 12.6.88, THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF WILMER, AS HERETOFORE AMENDED, BY AMENDING PORTIONS OF SECTION 14 ("GENERAL COMMERCIAL C2 ZONING DISTRICT"), PORTIONS OF SECTION 15 ("LIGHT INDUSTRIAL I1 ZONING DISTRICT"), AND PORTIONS OF SECTION 16 ("HEAVY INDUSTRIAL I2 ZONING DISTRICT"), TO ADD OR DELETE THE USE OF "TRAVEL CENTER" AS A USE THAT MAY BE ALLOWED BY CONDITIONAL USE PERMIT (CUP) WITHIN EACH ZONING DISTRICT; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF A 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 Wilmer and the governing body of the City of Wilmer, in compliance with state laws with reference to amending the Comprehensive Zoning Ordinance, have given the requisite notices by publication and otherwise, and after holding due hearings, and in compliance with the Texas Zoning Enabling Act, Chapter 211 in the Texas Local Government Code, and affording a full and fair hearing to all persons interested in the exercise of its legislative discretion, the governing body of the City of Wilmer has concluded that the Comprehensive Zoning Ordinance, as heretofore amended, should be further amended as provided herein as such amendment is in the best interest of the City, and promotes the public health, safety and general welfare of the City.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WILMER, TEXAS:**

**SECTION 1.** That Sections 14, 15 and 16 of the Comprehensive Zoning Ordinance of the City of Wilmer, Texas, duly passed by the governing body of the City of Wilmer on the 6<sup>th</sup> day of December, 1988, as heretofore amended, be further amended to read as follows:

“ . . . . .

**SECTION 14: C2 – GENERAL COMMERCIAL DISTRICT** shall be amended to add the use of “Travel Center” as a use that may be allowed by Conditional Use Permit (CUP) in this zoning district after following the procedures for a change in zoning as set forth in Section 26 (“Amendments”) of the Comprehensive Zoning Ordinance.

. . . . .

**SECTION 15: I1 – LIGHT INDUSTRIAL DISTRICT** shall be amended to add the use of “Travel Center” as a use that may be allowed by Conditional Use Permit (CUP) in this zoning district after following the procedures for a change in zoning

as set forth in Section 26 ("Amendments") of the Comprehensive Zoning Ordinance.

.....

**SECTION 16: I2 – HEAVY INDUSTRIAL DISTRICT** shall be amended to add the use of "Travel Center" as a use that may be allowed by Conditional Use Permit (CUP) in this zoning district after following the procedures for a change in zoning as set forth in Section 26 ("Amendments") of the Comprehensive Zoning Ordinance.

....."

**SECTION 2.** That the recitals are true and correct and are incorporated herein by this reference.

**SECTION 3.** That all provisions of the ordinances of the City of Wilmer in conflict with the provisions of this ordinance are hereby repealed and all other provisions of the ordinances of the City of Wilmer not in conflict with the provisions of this ordinance shall remain in full force and effect.

**SECTION 4.** That an offense committed before the effective date of this ordinance is governed by the prior law and by then-applicable City ordinances that were in effect when such offense was committed and the former law is continued in effect for this purpose.

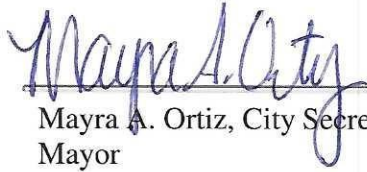
**SECTION 5.** That should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision hereof, other than the part so declared to be unconstitutional, illegal or invalid, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

**SECTION 6.** That any person, firm, or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided by the Comprehensive Zoning Ordinance of the City of Wilmer, as heretofore amended, and upon conviction shall be punished by a fine not 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.

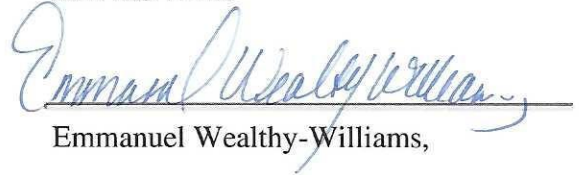
**SECTION 7.** This ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law in such cases provide.

**DULY PASSED and approved** by the City Council of the City of Wilmer, Texas, on the 20th day of February, 2020.

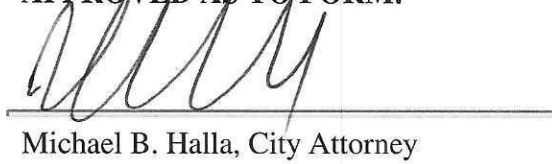
**ATTEST**

  
\_\_\_\_\_  
Mayra A. Ortiz, City Secretary  
Mayor

**APPROVED:**

  
\_\_\_\_\_  
Emmanuel Wealthy-Williams,

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Michael B. Halla, City Attorney