

CERTIFICATE FOR ORDINANCE

I.

On the 10th day of September, 2015, the City Council of the City of Conroe, Texas, consisting of the following qualified members, to-wit: **Webb K. Melder, Mayor; Guy Martin, Mayor Pro Tem; Council Members Marsha Porter, Gil Snider, Seth Gibson and Duke Coon**, did convene in public session in the Council Chambers of the City Hall at 300 West Davis in Conroe, Texas. The roll being first called, a quorum was established, all members being present except the following, to wit: _____ . The Meeting was open to the public and public notice of the time, place and purpose of the Meeting was given, all as required by Chapter 551, Texas Government Code.

II.

WHEREUPON, AMONG OTHER BUSINESS transacted, the Council considered adoption of the following written Ordinance, to-wit:

ORDINANCE NO. 2271-15

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CONROE, TEXAS, AMENDING CODE OF ORDINANCES SECTIONS 14-502 AND 14-504 RELATED TO FENCE CONSTRUCTION AND MAINTENANCE; PROVIDING FOR EFFECTIVE DATE AND OTHER RELATED MATTERS

III.

Upon motion of Council Member Gibson, seconded by Mayor Pro Tem Martin, all members present voted for adoption of the Ordinance, except the following: _____. A majority of those Council Members present having voted for adoption, the presiding officer declared the Ordinance passed and adopted.

A true, full and correct copy of the Ordinance adopted at the Meeting is attached to and follows this Certificate.

SIGNED AND SEALED this 10th day of September, 2015.


MARLA J. PORTER, City Secretary

ORDINANCE NO. 2271-15

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CONROE, TEXAS, AMENDING CODE OF ORDINANCES SECTIONS 14-502 AND 14-504 RELATED TO FENCE CONSTRUCTION AND MAINTENANCE; PROVIDING FOR EFFECTIVE DATE AND OTHER RELATED MATTERS

* * * * *

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

Section 1. Code of Ordinances, City of Conroe, Texas Sec. 14-502 is amended in its entirety to read as follows:

Sec. 14-502. New fence construction; certain existing fences grandfathered.

All new fence construction must conform to the requirements of this division. Existing fences that exceed the height limits of this division but which otherwise conform to the requirements for new fences are grandfathered as long as they are maintained in a good state of repair. Existing fences that are non-conforming in any respect other than height are hereby declared a nuisance and must be removed immediately.

Section 2. Code of Ordinances, City of Conroe, Texas Sec. 14-504(a) is amended by the deletion of the language in ~~strikeout~~ text to read as follows:

Sec. 14-504. Height, Location, and other requirements.

~~(a) No permit is required for the construction of a conforming fence on residential property. A fence built of conforming materials that does not exceed six feet (6') in height may be constructed on residential property without a permit. A permit is required for the construction of a residential property fence that exceeds six feet (6') in height.~~ The requirements of the building code shall control whether or not a permit is required for fence construction on non-residential property. No fence that substantially obstructs the view through the fence is permitted along the front of residential property or along a side lot line of residential property between the street and the front of the residence ~~and no fence in this area may exceed four (4') in height.~~ Acceptable residential front yard fencing includes wrought iron, decorative aluminum, chain link, or similar material that allows generally an unobstructed view. Opaque fencing is allowed in other locations. The front yard height and opacity restriction does not apply to residential lots that are greater than one (1) acre in size, or to neighborhood walls or fences that are installed for privacy, security, or sound mitigation around the perimeter of a residential subdivision.

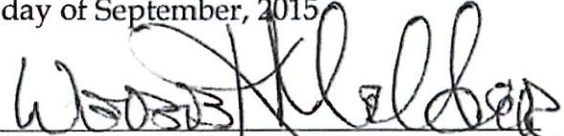
Section 3. Wherever any provision of this ordinance provides for the amendment of the Code of Ordinances, City of Conroe, Texas such provision shall be liberally

construed to provide for the codification of the specified provision and for such other provisions of the ordinance that the codifier in its discretion deems appropriate to codify. The codifier may change the designation or numbering of chapters, articles, divisions or sections as herein specified in order to provide for logical ordering of similar or related topics and to avoid the duplicative use of chapter, article or section numbers. Neither the codification nor any application of the codified ordinance shall be deemed invalid on the basis of a variance in the number or section of this ordinance and its codified provisions. The failure to codify the specified provisions of this ordinance shall not affect their validity or enforcement.

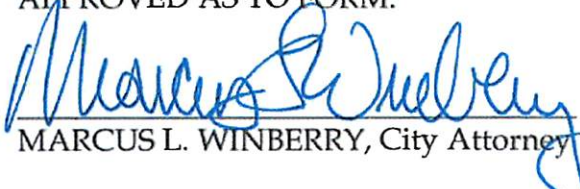
Section 4. The provisions of this ordinance are severable. If any provision of this ordinance or its application to any circumstance is held invalid, the invalidity does not affect other provisions or applications of this ordinance that can be given effect without the invalid provision or application.

Section 5. This ordinance shall be effective immediately upon adoption.

PASSED AND APPROVED this the 10th day of September, 2015


WEBB K. MELDER, Mayor

APPROVED AS TO FORM:


MARCUS L. WINBERRY, City Attorney

ATTEST:


MARLA J. PORTER, City Secretary