

## **ORDINANCE NUMBER 1076**

### **AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE CITY OF BURKBURNETT, TEXAS, AMENDING CHAPTER 150: BUILDING REGULATIONS BY REPLACING SECTION 150.55: PAVING STANDARD; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT HERewith; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Board of Commissioners of the City of Burkburnett is continually reviewing the provisions of the City Code of Ordinances to ensure that it meets the current needs of the City and that the procedures herein reflect standard practice; and

**WHEREAS**, the Board of Commissioners of the City of Burkburnett desires to promote its citizens' health, safety, and general welfare;

**WHEREAS**, the Board of Commissioners of the City of Burkburnett desires to repeal and replace section 150.55 to authorize the use of chip seal in specified areas;

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF BURKBURNETT, TEXAS THAT:**

#### **PART 1. ENACTED**

THAT the Code of Ordinances Chapter 150 be amended by adding Section 150.55: Paving Standard, which shall read as follows:

#### **PAVING**

##### **§ 150.55 PAVING STANDARDS**

- A. All required parking spaces, aisles, and maneuvering areas required in all zoning districts shall be constructed of an all-weather level surface composed of either concrete, asphalt, brick, or paving stones. Such paving shall meet the minimum current industry standards for installation and maintenance. Such all-weather surfaces shall be used for all minimum parking and loading areas, whether enclosed or unenclosed, and shall be connected by an all-weather surface driveway to the street. Rock, gravel, dirt parking surfaces and maneuvering areas are strictly prohibited for all required parking and maneuvering areas.
- B. Fully screened, salvage yards or work areas composed of seal coated or other compactable aggregate that meet all development standards in commercial or industrial districts may be authorized in accordance with the terms of a special use permit.
- C. All required parking and maneuvering areas in residential districts shall be constructed with all-weather materials. The use of seal coated or other compactable aggregate past the 25ft front setback for additional parking spaces and maneuvering areas that meet all other development standards may occur only where authorized by an approved site plan.

## **PART II: REPEALER**

All ordinances or parts of ordinances in force when the provisions of this Ordinance become effective, which are inconsistent or conflict with the terms and provisions contained in this Ordinance, are hereby repealed only to the extent of any such conflict.

## **PART III: SEVERABILITY**

It is hereby declared to be the intention of the Board of Commissioners that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance be 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 of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this Ordinance, and the remainder of this Ordinance shall be enforced as written.

## **PART IV: COMPLIANCE WITH TEXAS OPEN MEETINGS ACT**

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act Chapter 551 of the Texas Government Code.

## **PART V: EFFECTIVE DATE**

This Ordinance shall take effect after publication in accordance with State law.

**PASSED AND APPROVED ON THIS 16<sup>TH</sup> DAY OF DECEMBER 2024.**

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Lori Kemp, Mayor

**ATTEST:**

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Nikki Tepfer, City Clerk