

**ORDINANCE 958**

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF PINEY POINT VILLAGE, TEXAS, BY AMENDING SECTION 74-245(k) BY LIMITING CURBCUTS TO FRONT YARDS AND SIDE YARDS; BY PROVIDING A PENALTY; AND PROVIDING FOR SEVERABILITY.**

\* \* \* \* \*

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PINEY POINT VILLAGE, TEXAS:**

**Section 1.** The Code of Ordinances of the City of Piney Point Village, Texas, be hereby amended by deleting the existing Section 74-245(k) and replacing it with a new Section 74-245(k) as follows:

- (k) *Driveway curbcuts.* Except as provided below, it shall be unlawful for any person to cause or permit the construction of any driveway curbcut which constitutes a driveway with any street other than the street adjacent to the front yard of the lot upon which the driveway is situated.
  - (1) On a corner lot, one curbcut shall be allowed in a side yard adjacent to a side street. The curbcut shall be allowed as long as: (1) no accessory building or structure (except a conforming fence) is located within the side yard containing the curbcut, (2) no garage door opening faces the street adjacent to such side yard, and such openings are at angles of not less than 90 degrees to such side street, (3) no driveway located within the front yard of the same lot is connected with the driveway utilizing such side yard curbcut. Notwithstanding the foregoing, no side yard curbcut shall be permitted on or adjacent to the following streets: Memorial Drive, San Felipe Drive, Greenbay Road, Claymore Road, Smithdale Road, Taylorcrest Road, Beinhorn Road, Hedwig Road, Piney Point Road, Blalock Road and/or South Piney Point Road.
  - (2) No more than two curbcuts shall be allowed in any front yard.

**Section 2.** Any person who shall violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined as set out in Section 1-11 of the Code of Ordinances in the City of Piney Point Village in an amount not to exceed \$2,000.00. Each day of violation shall constitute a separate offense.

**Section 3.** In the event any clause phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Piney Point Village, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

PASSED, APPROVED AND ADOPTED this 24<sup>th</sup> day of July 2006.

SIGNED:



Carol Fox  
Mayor

ATTEST:



Lorena Briel  
City Administrator