

ORDINANCE 992

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF PINEY POINT VILLAGE, TEXAS, BY ADOPTING A NEW SUBSECTION 74-244 (a) (4) OF SECTION TO INCLUDE: GENERATORS AS ACCESSORY BUILDINGS AND STRUCTURES; PROVIDING FOR LOCATIONS OF GENERATORS; AND PROVIDING FOR TYPES OF GENERATORS TO BE USED AND TIME FOR CYCLING OF GENERATORS; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000.00 FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF; AND EACH DAY OF VIOLATION OF ANY PROVISION HEREOF; 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 is hereby amended by adopting the following amendment to Section 74-244 (a):

(4) *Generator.* If not located in the existing building lines, the generator may be located: (i) on the ground, (ii) in the rear third of the property, and (iii) ten feet from the property line. The generator must be screened from the public view by shrubbery and be fueled only by natural gas. Sound shielding and screening is subject to a City approved design.

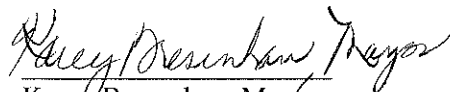
Unless there is a bona fide emergency requiring the use of the generator, the generator may be turned on only during daylight hour on weekdays.

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 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 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 28 day of July 2008.

SIGNED:


Karey Bresnahan, Mayor

ATTEST: 
Lorena E. Briel, City Administrator