

ORDINANCE NO. O-2024-005

AN ORDINANCE OF THE TOWN OF BROCK, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE TO PROVIDE FOR OUTDOOR SEATING; PROVIDING A PENALTY NOT TO EXCEED TWO THOUSAND AND NO/100 DOLLARS (\$2,000.00); PROVIDING FOR SAVINGS, SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the Town of Brock, Texas (hereinafter, "Town") is a general law municipality organized and existing by virtue of the laws of the State of Texas and located within Parker County, Texas; and

WHEREAS, the Brock Comprehensive Zoning Ordinance does not currently provide for "Outdoor Seating Requirements" within the Town; and

WHEREAS, the Town Commission desires to amend the Brock Comprehensive Zoning Ordinance to provide for regulations for outdoor seating in various zoning districts and, further, to provide variance process for said regulations.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF BROCK, TEXAS:

SECTION 1. The of Comprehensive Zoning Ordinance is hereby amended to include an addition section to read as follows:

"SECTION 10.2.19 – OUTDOOR SEATING REQUIREMENTS

Outdoor seating areas may be allowed in conjunction with existing or proposed commercial establishments within Non-Residential and Planned Development Zoning Districts, subject to approval of a Conditional Use Permit pursuant to Section 10.2.12, and in accordance with subject to the following minimum standards.

1. All lights must be arranged and controlled so as to deflect glare or any uncomfortably bright, harsh light away from any nearby residential use.

2. Outdoor seating areas may not generate noise in excess of 45 dB(A) between the hours of 10:00 p.m. and 6:00 a.m. or in excess of 55 dB(A) at all other times.

3. All outdoor seating areas shall be included in the calculation of off-street parking requirements in 10.2.14. The addition of outdoor seating without the requisite minimum number of off-street parking spaces shall be considered a violation of this Zoning Ordinance."

SECTION 2. Any person, firm, or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the Town of Brock, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00).


SECTION 3. Should any word, sentence, paragraph, subdivision, clause, phrase, or section of this ordinance or of the Comprehensive Zoning Ordinance of the Town of Brock, as amended hereby, be adjudged or held, in whole or in part, to be invalid, voided, or unconstitutional, the same shall not affect the validity of the remaining portions of said ordinances, as amended hereby, which shall remain in full force and effect.

SECTION 4. All ordinances of the Town in conflict with the provisions of this ordinance be, and the same are hereby repealed and all other ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 5. This ordinance shall become effective from and after its passage and approval and after publication as may be required by law.

PASSED AND APPROVED by the Town Commission of the Town of Brock, Texas, on this the 17th day of June 2024.


TOWN OF BROCK, TEXAS


Jay Hamilton, Mayor

ATTEST:


Alyssa Vanesler, Town Clerk

APPROVED AS TO FORM:


Whitt Wyatt, Town Attorney