

CITY OF GUNTER, TEXAS
ORDINANCE NO. 2019-04-18-01

AN ORDINANCE OF THE CITY OF GUNTER, TEXAS, REVISING CHAPTER 14, SECTION 27.8, RELATING TO FENCING, BY REPLACING SECTION 27.8.3(e), PROVIDING THAT ANY PROVISION OF ANY ORDINANCE IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE IS HEREBY REPEALED; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY CLAUSE; AND PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

WHEREAS, the City of Gunter is a general law city in Grayson County, Texas, and has authority under Chapters 211. 212 and 371 of the Texas Local Government Code to regulate land uses; and

WHEREAS, the City Council of the City of Gunter has determined that current city regulations regarding height of fencing around pools should be revised fencing to protect property owners, provide for public safety, and improve aesthetics in the community; now therefore

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GUNTER, TEXAS, THAT:

SECTION I. FENCES IN RESIDENTIAL AREAS. Chapter 14, Section 27.8.3(e) of the Gunter Code of Ordinances shall be revised to read as follows:

(e) Swimming pools shall be enclosed with a fence of not less than four feet (4') height constructed of masonry, wrought iron, wood, or other suitable permanent material.

SECTION II. REPEALER CLAUSE: This Ordinance shall be cumulative of all other ordinances dealing with the same subject and any provision of any ordinance in direct conflict with any provision of this Ordinance is hereby repealed and the provisions of this Ordinance shall supersede any provisions in conflict herewith; all provisions of any other ordinance not in conflict herewith shall remain in full force and effect.

SECTION III. SAVINGS CLAUSE: If any section, part, or provision of this Ordinance is declared unconstitutional or invalid, by a court of competent jurisdiction, then, in that event, it is expressly provided, and it is the intention of the City Council in passing this Ordinance that its parts shall be severable and all other parts of this Ordinance shall not be affected thereby and they shall remain in full force and effect.

SECTION IV. PENALTY CLAUSE: Each violation of any of the provisions of this Ordinance shall constitute a separate offense and shall, upon conviction thereof, be punishable by a fine not to exceed \$2,000.

SECTION V. PUBLICATION AND EFFECTIVE DATE: This Ordinance shall take effect immediately upon its passage and publication according to law.

SECTION VI: It is hereby found and determined that the meeting at which this Ordinance was passed was open to the public as required by law, and that public notice of the time, place and purpose of said meeting was given, all as required by Article 551.041, Texas Government Code.

PASSED AND ADOPTED by the City Council of the City of Gunter, Grayson County, Texas, on this 18th day of April, 2019.

Approved:



Mark Millar, Mayor

Attest:



Detra Gaines, City Secretary

