

ORDINANCE # 108

AN ORDINANCE ESTABLISHING AND PROVIDING FOR AND REGULATING THE USE OF LAND, BUILDINGS AND STRUCTURES, AND ESTABLISHING MINIMUM REQUIRED DISTANCES BETWEEN RESIDENTIAL STRUCTURES AND PROVIDING THE PENALTY FOR VIOLATION OF THE PROVISIONS OF SUCH ORDINANCE NOT TO EXCEED \$200.00 FOR EACH VIOLATION AND PROVIDING INJUCTIVE RELIEF TO PERSONS EFFECTED BY THE VIOLATION OF SAID ORDINANCE. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WHEELER, TEXAS:

WHEREAS, under the laws of the State of Texas authority is conferred on the City of Wheeler to establish certain requirements within the city for the purpose of regulating the use of land and controlling the density of population to the end that the public health, safety, convenience and general welfare be promoted, now therefore,

Be it ordained by the City of Wheeler, Texas;

That no building or structure or part thereof shall be erected, altered or converted any use within a residential district in which it is located, including all trailer houses located within said residential districts, unless said residential buildings or trailer houses are a minimum distance of at least fifteen feet (15') apart.

That, except for trailer houses, no more than four (4) residential dwellings under separate roofs shall be located within a 300 foot street frontage or highway frontage. No structure or portion thereof shall be built/closer than 10' to the property boundary line.

That any person violating any of the provisions of this ordinance shall, upon conviction, be fined any sum, not exceeding \$200.00; and each and every day that the provisions of this ordinance are violated shall constitute a separate and distinct offence. In addition to the said penalty provided for, the right is hereby conferred and extended upon any residential property owner within the city of Wheeler, Texas, to bring suit in such Court or Courts having jurisdiction thereof and obtain such remedies as shall be available at law and equity in the protection of the rights of such property owners.

The fact that the ordinance herein is necessary to properly safeguard the general public welfare, health, peace and safety, creates an emergency and requires that this ordinance become effective immediately upon its passage, and it is accordingly so ordained.

Passed and approved this 5 day of January, 1979.

O. B. Burton
Mayor

Mildred Ramsey,
Secretary

¶ (Lots to be no smaller than 75 feet in new residential developments)
Ordinance amended by vote of council August 16, 1982.