

ORDINANCE NO. 2080

AN ORDINANCE OF THE TOWN OF HIGHLAND PARK, TEXAS AMENDING THE CODE OF ORDINANCES OF THE TOWN OF HIGHLAND PARK, BY ADDING SECTION 8.01.013, STATUARIES AND LANDSCAPE RECEPTACLES; PROVIDING FOR INCORPORATION INTO THE CODE OF ORDINANCES; PROVIDING A PENALTY CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town desires to implement rules and regulations that protect health, life, and property and that preserve good government, order, and security of the Town and its inhabitants; and

WHEREAS, these regulations are intended to protect neighborhood property values and promote the aesthetic appearance to the general public of single-family residential areas; and

WHEREAS, the Town is authorized by law to adopt the provisions contained herein, and has complied with all the prerequisites necessary for the passage of this ordinance; and

WHEREAS, all statutory and constitutional requirements for the passage of this ordinance have been adhered to, including but not limited to the Open Meetings Act; and

WHEREAS, the purpose of this ordinance is to promote the public health, safety, and general welfare of the citizens of the Town of Highland Park.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Highland Park, Texas:

SECTION 1. That, the statements contained in the preamble to this ordinance are hereby adopted as findings of fact and as a part of the operative provisions hereof.

SECTION 2. That, the Code of Ordinances of the Town of Highland Park, is hereby amended with the addition as follows:

8.01.013 Statuaries and landscape receptacles:

Statues/sculptures, topiaries, pots, planters, containers, and other similar free-standing landscape receptacle(s) that individually or collectively take up space in excess of 5% of the area of the front yard shall be prohibited in the front yard in all residential districts.

Where side yards are visible from a public roadway, statues/sculptures, topiaries, pots, planters, containers, and other similar free-standing landscape receptacle(s) that take up space individually or collectively in excess of 5% of the side yard area are prohibited in all residential districts.

No front yard or side yard in residential districts, visible from a public roadway, is allowed to have more than 1 statue/sculpture, topiary, pot, planter, container or other similar free-standing receptacle per 100 square feet of yard area (measured in minimum increments of one square

foot). The area of coverage will be calculated in a square based on the widest point of the statue/sculpture, topiary, pot, planter, container or landscape receptacle.

Topiaries, pots, planters and other free-standing landscape containers are required to have year-round living vegetation.

Exceptions:

Holiday themed decorations occurring between the time period of November 15 and January 6 each year.

Architecture features and/or extension of the main structure are not intended to be included.

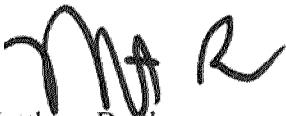
SECTION 3. That, this ordinance shall be deemed to be incorporated into the Code of Ordinances of the Town of Highland Park, Texas.

SECTION 4. That, should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or be held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof other than the part thereof decided to be unconstitutional, illegal, or invalid, and the same shall not affect the validity of the Code of Ordinances of the Town of Highland Park as a whole.

SECTION 5. That, this ordinance shall take effect immediately following its passage, approval, and publication as provided by law, and it is accordingly so ordained.

PASSED AND APPROVED by the Town Council of the Town of Highland Park, Texas, on this the 3rd day of August 2021.

APPROVED AS TO FORM:



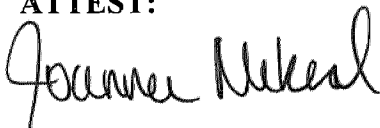
Matthew Boyle
Town Attorney

APPROVED:



Margo Goodwin
Mayor

ATTEST:



Joanna Mekeal
Town Secretary