

CITY OF HUMBLE

ORDINANCE NO. 10-683

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HUMBLE, TEXAS, AMENDING CHAPTER 12, BUILDINGS AND BUILDING REGULATIONS, OF ITS CODE OF ORDINANCES BY AMENDING THE DEFINITION OF "CHANGE OF USE" IN SECTION 12-350; REQUIRING THAT NON-RESIDENTIAL USES ABANDONED ONE YEAR OR MORE COMPLY WITH THE NEIGHBORHOOD DEVELOPMENT STANDARDS; IMPOSING A PENALTY IN AN AMOUNT NOT TO EXCEED \$500 FOR VIOLATION OF ANY PROVISION HEREOF; REPEALING OTHER ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; AND PROVIDING FOR SEVERABILITY.

Whereas, in order to preserve neighborhood values, in 2008 the City Council adopted reasonable and necessary rules regarding the new construction in residential areas; and

Whereas, the City Council also at that time adopted reasonable and necessary rules regarding the conversion of use of residential structures to non-residential uses in residential areas; and

Whereas, the City Council desires to extend the application of those reasonable and necessary rules to non-residential uses and multi-family uses that are abandoned for one year or more in residential areas;

Now, therefore,

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

Section 1. The findings contained in the preamble of this Ordinance are determined to be true and correct and are hereby adopted as part of this Ordinance.

Section 2. Section 12-350 of the Code of Ordinances of the City of Humble, Texas, is hereby amended by changing the definition of "change of use" to read as follows:

"Chapter 12, BUILDINGS AND BUILDING REGULATIONS...

Article VIII. Neighborhood Development ...

Section 12-350. Definitions...

Change of use means (a) the cessation or conversion of the use of structure from a private residence or single family dwelling unit to some other non residential use or combination of non-residential or multi-family residential uses; or (b) any continuation of any pre-existing non-residential use or combination of non-residential or multi-family uses if such non-residential or multi-family uses ceased to operate for a continuous period of one year.”

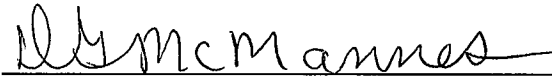
Section 3. Any person who shall intentionally, knowingly, recklessly, or with criminal negligence, violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined in an amount not to exceed \$500.00. Each day of violation shall constitute a separate offense.

Section 4. In the event any section, paragraph, subdivision, clause, phrase, provision, sentence, or part of this ordinance or the application of the same to any person or circumstance 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 declared to be invalid or unconstitutional; and the City Council of the City of Humble, Texas, 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, or whether there be one or more parts.

Section 5. This Ordinance shall become effective upon adoption of this Ordinance when the caption hereof is caused to be published once in the official newspaper of the City, by the City Secretary, within ten days after the passage of the ordinance, as required by law and Article II, Section 13 of the City Charter.

PASSED, APPROVED, AND ADOPTED this 14th day of January, 2010.

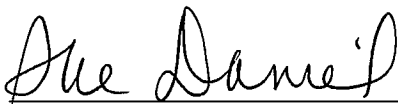
APPROVED:



D. G. McMannes

Mayor

Attest:



Sue Daniel, City Secretary

