

1994-05

**AN ORDINANCE
ESTABLISHING CONSTRUCTION SETBACK
BUILDING SITE RESTRICTIONS AND HEIGHT RESTRICTIONS
ON ALL NEW CONSTRUCTION; PROVIDING SEVERANCE;
PROVIDING A PENALTY; PROVIDING AN EFFECTIVE DATE
AND PROVIDING FOR PUBLICATION**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF INGLESIDE ON THE BAY, TEXAS, AS FOLLOWS:

SECTION 1. Setback. No principal residential built dwelling shall be located nearer than twenty-five (25') feet nor further than forty (40') feet from the front street line, nor nearer than ten (10') feet to any side building site line, including the side street line, except that the detached out buildings such as garage, servants quarters, guest house or boat house detached from the principal residential dwelling and located on the rear of one-third of the building site may be located not nearer than four (4') feet from the side building site line and not nearer than four (4') feet from the rear line of the property.

SECTION 2. Building height. There is hereby established a building height on new construction at thirty-two (32') feet above the slab level in locations on or below the one hundred (100) year flood plain and twenty-eight (28') feet above the slab level for locations above the one hundred (100) year flood plain. The flood plain references refer to the established flood plain established by FEMA, which publication is on file in the Office of City Secretary.

SECTION 3. Severability. If any part of this Ordinance is held invalid or unenforceable by any Court at Law, the remaining parts shall still be effective and remain in force it being the

intent of the City Council that each part of this Ordinance shall be in full force and effect separate from any other part. Should any part hereof be held invalid or unenforceable, such part shall be severed from the balance of this Ordinance and said invalidity shall not affect the balance of this Ordinance.

SECTION 4. Penalty. Each day's violation of the requirements set in this Ordinance shall constitute a separate offense. Each violation shall be subject to a fine in Municipal Court not to exceed Two hundred dollars (\$200.00). Additionally, the regulations adopted herein may be enforced by appropriate legal action including, but not limited to, to an injunction suit in District Court.

SECTION 5. Effective date and Publication. This Ordinance shall be effective upon adoption and publication of the caption hereof in the official newspaper of the City and the City Secretary is hereby authorized and directed to publish the caption hereof.

PASSED AND APPROVED this the 5th day of April, 1994.

ATTEST:

Amelia Rose Adams
City Secretary

Al Robbins
AL ROBBINS, MAYOR
CITY OF INGLESIDE ON THE BAY