

## ORDINANCE NO. 18-2020

**AN ORDINANCE OF THE CITY OF MARION, TEXAS, AMENDING ORDINANCE NUMBER 03-2010, ZONING ORDINANCE OF THE CITY OF MARION, TEXAS BY AMENDING SECTION IV: PLANNING AND ZONING COMMISSION; C. STRUCTURE OF COMMISSION, D. TERMS OF APPOINTMENT AND I. PARLIAMENTARY PROCEDURE; MEETINGS OPEN TO PUBLIC; PROVIDING FOR THE REPEAL OF ORDINANCE SECTIONS IN CONFLICT HEREWITH; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, on August 16, 2010, the Marion City Council adopted Ordinance No. 03-2010 Zoning Ordinance designating a Planning and Zoning Commission;

**WHEREAS**, the Planning and Zoning Commission is designated by the City Council of the City of Marion to hold public hearings and make recommendations to the Council regarding zoning regulation in the Marion city limits and subdivision regulations in the city limits and in its extra-territorial jurisdiction; and

**WHEREAS**, the City Council wishes to amend Ordinance No. 03-2010 to include two (2) residents from the City's extra-territorial jurisdiction on the five (5) member Planning and Zoning Commission.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARION, TEXAS, THAT:**

**Part 1. Findings of Fact.** The above and foregoing recitals are hereby found to be true and correct and are incorporated herein as findings of fact.

**Part 2. Enacted.** Ordinance No. 03-2010 Section IV: Planning and Zoning Commission C. Structure of the Commission, D. Terms of Appointment, and I. Parliamentary Procedure; Meetings Open to Public, 1. Quorum are hereby amended, and the amended portions shall read as follows:

### **SECTION IV: PLANNING AND ZONING COMMISSION**

#### **C. STRUCTURE OF THE COMMISSION**

An agency of the City Council of the City of Marion, Texas, is hereby created which shall be known as the Marion Planning and Zoning Commission, and that such commission shall consist of five (5) members, which shall be appointed by the City Council.

#### **D. TERMS OF APPOINTMENT**

The Commission shall consist of two (2) members who are resident citizens of the City's extraterritorial jurisdiction (ETJ) and registered voters and three (3) members who are resident citizens of the City of Marion and registered voters. Members shall serve a term of two (2) years,

with even numbered positions being selected in even numbered years and odd numbered positions being selected in odd numbered years. The initial term of office shall begin on November 1 of the year of appointment, except for the filling of vacancies and unexpired terms. All vacancies shall be filled by appointment of a majority vote of the Council and such appointments shall be for the remainder of the unexpired term.

**I. PARLIAMENTARY PROCEDURE; MEETINGS OPEN TO PUBLIC**

1. Quorum: A quorum shall consist of a majority of the entire commission (3) and any issue to be voted on shall be resolved by a majority of those present.

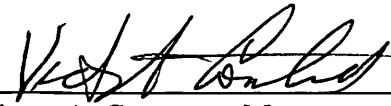
**Part 3. Repealer Clause.** This Ordinance shall be cumulative of all provisions of state or federal law and other ordinances of the City except where the provisions of this Ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

**Part 4. Severability.** It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable and, if any phrase, sentence, paragraph or section of this Ordinance should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation of this ordinance of any such invalid phrase, clause, sentence, paragraph or section. If any provision of this Ordinance shall be adjudged by a court of competent jurisdiction to be invalid, the invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision, and to this end the provisions of this Ordinance are declared to be severable.

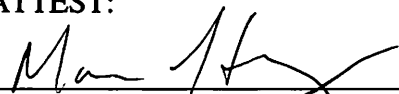
**Part 5. Open Meetings.** It is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act.

**Part 6. Effective Date.** This ordinance shall take effect immediately from and after its passage.

PASSED AND APPROVED on this the \_\_\_\_ day of \_\_\_\_\_, 2020.

  
\_\_\_\_\_  
Victor A. Contreras, Mayor

ATTEST:

  
\_\_\_\_\_  
Maria Hernandez, City Secretary

