

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS AMENDING CHAPTER 2 (ADMINISTRATION), ARTICLE VIII (BOARD OF ADJUSTMENT) OF THE CODE OF ORDINANCES OF THE TOWN OF ADDISON, TEXAS BY AMENDING OUTDATED AND INAPPLICABLE LANGUAGE; PROVIDING FOR SAVINGS/REPEALING, SEVERABILITY AND AN EFFECTIVE DATE.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS:**

**SECTION 1.** Chapter 2 (Administration), Article VIII (Board of Adjustment) of the Code of Ordinances, Addison, Texas is hereby amended to read in its entirety as follows:

Article VIII. Board of Zoning Adjustment

Sec. 2-315. – Appointment; removal, vacancy and reappointment.

The Board of Zoning Adjustment shall consist of seven members, each to be appointed by a majority of the City Council for a term of two years. Board members are removable for cause by the City Council. Vacancies shall be filled by the City Council to serve the remainder of the unexpired term for the vacant place. Members may not be appointed to serve more than three consecutive terms, not including any unexpired term of 12 months or less.

Sec. 2-316. – Appointment and Terms

Members of the Board of Zoning Adjustment appointed to Place 1, Place 2, and Place 3 shall be appointed in even-numbered years and members to Place 4, Place 5, Place 6 and Place 7 shall be appointed in odd-numbered years.

Sec. 2-317. – Selection for service at a meeting.

Five members of the Board shall serve at every meeting of the Board and shall be selected on a first-come-first-served basis when responding to a call for a meeting. The remaining two members shall serve as alternates for that meeting.

Secs. 2-318—2-349. – Reserved

**SECTION 2. Savings; Repealing.** Save and except as amended by this ordinance, the Code of Ordinances shall remain in full force and effect. This Ordinance shall be cumulative of all other ordinances of the Town and shall not repeal any of the provisions of those ordinances except in those instances where the provisions of those ordinances are in direct conflict with the provisions of this Ordinance. Provided, however, that the repeal of such ordinances or parts of such ordinances, and the amendments and changes made by this Ordinance, shall not affect any right, property or claim which was or is vested in the Town, or any act done, or right accruing or accrued, or established, or any suit, action or proceeding had or commenced before the time when this

Ordinance shall take effect; nor shall said repeals, amendments or changes affect any offense committed, or any penalty or forfeiture incurred, or any suit or prosecution pending at the time when this Ordinance shall take effect under any of the ordinances or sections thereof so repealed, amended or changed; and to that extent and for that purpose the provisions of such ordinances or parts of such ordinances shall be deemed to remain and continue in full force and effect.

**SECTION 3. Severability.** The sections, paragraphs, sentences, phrases, clauses and words of this Ordinance are severable, and if any section, paragraph, sentence, phrase, clause or word in this Ordinance or application thereof to any person or circumstance is held invalid or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this Ordinance, and the City Council hereby declares that it would have passed such remaining portions of this Ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

**SECTION 4. Effective Date.** This Ordinance shall take effect upon its passage and approval.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS** on this 23<sup>rd</sup> day of FEBRUARY 2020.

**TOWN OF ADDISON, TEXAS**

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Joe Chow, Mayor

**ATTEST:**

**APPROVED AS TO FORM:**

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Irma G. Parker, City Secretary

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Brenda N. McDonald, City Attorney