

ORDINANCE NO. 2024-0118C

AN ORDINANCE OF THE CITY OF WILMER, TEXAS, AMENDING ORDINANCE NO. 09- 0618, THE COMMUNITY PLAN AND THOROUGHFARE PLAN OF THE CITY OF WILMER, AS HERETOFORE AMENDED, TO REALIGN LAVENDER ROAD AND RECLASSIFY AS A COLLECTOR; TO MAINTAIN THE EXISTING ROUTE FOR MASON ROAD AND RECLASSIFY AS A MINOR ARTERIAL; AND RECLASSIFY VAN ROAD AS A COLLECTOR, IN ORDER TO FACILITATE DEVELOPMENT IN THE VICINITY AND IMPROVE TRAFFIC FLOW AND SAFETY. CITY OF WILMER, DALLAS COUNTY, TEXAS; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR A PENALTY NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000) FOR EACH AND EVERY OFFENSE; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission of the City of Wilmer, Texas, held a public hearing on January 11, 2024 on a request (M-24-01) to amend the Thoroughfare Plan, Exhibit A-3, to realign Lavender Road and reclassify as a Collector; to maintain the existing route for Mason Road and reclassify as a Minor Arterial; and reclassify Van Road as a Collector, in order to facilitate development in the vicinity and improve traffic flow and safety. City of Wilmer, Dallas County, Texas; and

WHEREAS, the City Council of the City of Wilmer, Texas, held a public hearing on January 18, 2024, and has determined that it would be in the best interest of the citizens of Wilmer to amend the Thoroughfare Plan, Exhibit A-3, to realign Lavender Road and reclassify as a Collector; to maintain the existing route for Mason Road and reclassify as a Minor Arterial; and reclassify Van Road as a Collector, in order to facilitate development in the vicinity and improve traffic flow and safety. City of Wilmer, Dallas County, Texas; and

WHEREAS, the City Council has determined that all notice requirements have been given in compliance with the laws and ordinances of the City of Wilmer and State Law.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WILMER, TEXAS:

SECTION 1. The Thoroughfare Plan (Ord. 09-0618) be and is hereby changed to realign Lavender Road and reclassify as a Collector; to maintain the existing route for Mason Road and reclassify as a Minor Arterial; and reclassify Van Road as a Collector, in order to facilitate development in the vicinity and improve traffic flow and safety. City of Wilmer, Dallas County, Texas, and (As fully described herein as Exhibit "A").

SECTION 2. All ordinances or part of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed. In addition to the regulations described herein, the subject property shall be subject to all other applicable codes and ordinances of federal, state, county and other entities having jurisdiction.

SECTION 3. The subject property shall be used only in the manner and for the purposes provided for in the Community Plan (Thoroughfare Plan) and Comprehensive Zoning Ordinance.

SECTION 4. Any person, entity or corporation violating any provisions of this ordinance shall be considered in violation of the adopted Community Plan (Thoroughfare Plan) and Comprehensive Zoning Ordinance of the City of Wilmer and be subject, upon conviction, to the penalties and remedies therein.

SECTION 5. The recitals are true and correct and are incorporated herein by this reference.

SECTION 6. 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, clause, sentence, paragraph, or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality 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 in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph, or section.

SECTION 7. An offense committed before the effective date of this ordinance is governed by the prior law and by then-applicable City ordinances that were in effect when such offense was committed, and the former law is continued in effect for this purpose.

SECTION 8. Any person, firm, or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided by the Comprehensive Zoning Ordinance of the City of Wilmer, as heretofore amended, and upon conviction shall be subject to a fine not to exceed the sum of two thousand dollars (\$2,000.00) for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

SECTION 9. This Ordinance will take effect immediately from and after its passage and the publication of the caption, as the law in such case provides.

DULY PASSED and approved by the City Council of the City of Wilmer, Texas, on this the 18th day of January, 2024.

ATTEST:



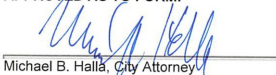
Mayra Ortiz, City Secretary

APPROVED:



Sheila Petta, Mayor

APPROVED AS TO FORM:



Michael B. Hall, City Attorney

