

ORDINANCE NO. 2019-661

AN ORDINANCE OF THE CITY OF CEDAR HILL, TEXAS, AMENDING CHAPTER 4 "BUILDINGS AND BUILDING REGULATIONS," ARTICLE IX, SECTION 4-162, OF THE CODE OF ORDINANCES OF THE CITY OF CEDAR HILL, TEXAS; PROVIDING AMENDED REGULATIONS PERTAINING TO THE MOVING OF HOUSES OR BUILDINGS IN THE OLD TOWN DISTRICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR INCORPORATION INTO THE CODE OF ORDINANCES; AND PROVIDING FOR PUBLICATION.

WHEREAS, the City Council adopted Ordinance No. 83-672 establishing regulations for the moving of houses; and

WHEREAS, the City Council of the City of Cedar Hill, Texas, finds and determines that it is in the best interest of the citizens of Cedar Hill, Texas, to amend Chapter 4 of the Code of Ordinances of the City of Cedar Hill, Texas, to encourage the preservation and renovation of houses and buildings for residential use that are of local, state or national historical significance and to stimulate re-development within the Old Town Zoning District.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CEDAR HILL, TEXAS, THAT:

SECTION 1. AMENDMENT OF CHAPTER 4, ARTICLE IX, SECTION 4-162, OF THE CODE OF ORDINANCES OF THE CITY OF CEDAR HILL, TEXAS

Chapter 4, Article IX, Section 4-162 is hereby amended to read as follows:

Sec. 4-162. – Moving of houses and buildings restricted.

(a) Definitions

(1) *Historical significance* is defined as having one or more of the following characteristics:

- a. Distinctive in character, interest or value and exemplifies cultural, economic, social, ethnic or historical heritage.
- b. Is an important example of a particular architectural type or specimen or embodies elements of architectural design, detail, material or craftsmanship.
- c. Has been identified as the work of an important architect or master builder.

- d. Has been identified with a person or persons who significantly contributed to culture and development.
- e. Bears a significant relationship to other distinctive buildings, structures, sites, objects or areas.
- f. Possesses significant archeological value, which has produced or is likely to produce data affecting theories of historic or prehistoric interest.
- g. Has been identified with a historic event.
- h. Is designated on the local registry, as a Recorded Texas Historic Landmark, State Antiquities Landmark or an American Civil Engineering Landmark, or is listed on the National Register of Historic Places.

(2) *Board* shall refer to the Historic Downtown Advisory Board.

(b) It shall be unlawful for any person to move or cause to be moved a previously occupied house or building from one (1) location outside the city to a location within the city, or to move a previously occupied house or building from within the city to another location within the city for the purpose of residential occupancy, except for houses or buildings that meet the following criteria:

- (1) The house or building is being moved into or within the Old Town Zoning District; and
- (2) The Board has determined that the house or building is of historical significance. If the Board determines that the house or building is not of historical significance, then the property owner may appeal the Board's decision to City Council. The written appeal shall be filed with the Building Official within ten (10) days after the Board's decision.

(c) This section shall not be interpreted to preclude the moving of a previously occupied house or building from one (1) location outside the city to a location within the city, or to move a previously occupied house or building from within the city to another location within the city for the purpose of non-residential occupancy if it has met the same criteria for moving houses and buildings for residential occupancy.

SECTION 2. SAVINGS CLAUSE.

This ordinance shall be cumulative of all provisions of ordinances and of the Code of Ordinances for the City of Cedar Hill, Texas, as amended, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances and such Code, in which event, conflicting provisions of such ordinances and Code are hereby superseded.

APPROVED AS TO FORM:

A handwritten signature in blue ink, appearing to read "Ron MacFarlane", is written over a horizontal line.

Ron MacFarlane
City Attorney

SECTION 3. SEVERANCE CLAUSE.

Should any word, sentence, paragraph, subdivision, clause, phrase, or section of this Ordinance, or of the Code of Ordinances, as amended hereby, be adjudged or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said Ordinance or the Code of Ordinances, as amended hereby, which shall remain in full force and effect.

SECTION 4. EFFECTIVE DATE.

Because of the nature of the interests sought to be protected and of the safeguards sought to be provided by this Ordinance, and in the interest of the health, safety, and welfare of the citizens of Cedar Hill, Texas, this Ordinance shall take effect immediately after its passage, approval, and publication as required by law.

SECTION 5. INCORPORATION INTO THE CODE OF ORDINANCES.

The provisions of this ordinance shall be included and incorporated in the Chapter 23 of the Code of Ordinances of the City of Cedar Hill. The provisions of this Ordinance and shall be appropriately renumbered to conform to the uniform numbering system of the Code or Ordinances, as well as the renumbering of any existing provisions of Chapter 23 of the Code of Ordinances found to be incorrect or not sequentially numbered.

SECTION 6. PUBLICATION.

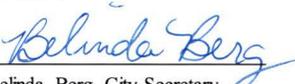
The City Secretary is hereby authorized and directed to cause publication of the descriptive caption and penalty clause hereof as an alternative method of publication provided by law.

PASSED, APPROVED and ADOPTED by the City Council, the City of Cedar Hill, on this the 22nd day of January, 2019.



Rob Franke, Mayor

ATTEST:



Belinda Berg, City Secretary

APPROVED AS TO FORM:

A handwritten signature in blue ink, appearing to read "Ron MacFarlane", is written over a horizontal line.

Ron MacFarlane
City Attorney