

ORDINANCE NO. 17-129

AN ORDINANCE AMENDING **APPENDIX B - ZONING** OF THE CODE OF ORDINANCES OF THE CITY OF FORT STOCKTON TITLED **ZONING***, SECTION 18. CERTIFICATE OF OCCUPANCY AND COMPLIANCE; & REPEALING ALL OTHER ORDINANCES OR PORTIONS THEREOF IN CONFLICT, A SEVERABILITY CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council has determined that the charges set forth would be in the best interest of the citizens of the City of Fort Stockton.

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

APPENDIX B - ZONING*
SECTION 18. CERTIFICATE OF OCCUPANCY AND COMPLIANCE

- (a) **General.** No building or portion thereof, hereafter erected, converted or altered shall be used, or changed in use until a Certificate of Occupancy and Compliance shall have been issued by the Building Official stating that the building, or portion thereof, or the proposed use of land or building complies with the provisions of this chapter and other building regulations. Failure to comply with the provisions of this chapter shall constitute a basis to deny or disconnect city utilities or to require private utility companies to do likewise.
- (b) **Application.** A Certificate of Occupancy and Compliance shall be applied for and coincident, with the application for a building permit and will be issued before occupancy and connection of utilities to such building, provided such construction or change has been made in complete conformity to the provisions of this chapter and other building regulation.
- (c) **Record Keeping.** A record of all Certificates of Occupancy shall be maintained on file in the office of the Building Official and copies shall be furnished on written request to any person having a proprietary or tenancy in interest in the building or land affected.
- (d) **Existing Building.** All existing or hereafter created nonconforming uses shall obtain a Certificate of Occupancy within eighteen (18) months of the effective date of this ordinance. An occupancy permit shall be considered evidence of the legal existence of a nonconforming use as contrasted to an illegal use and violation of this ordinance.
- (e) **Change.** Whenever a change of occupancy from one non-conforming use to another non-conforming use is proposed, an application for a Certificate of Occupancy shall be made to the Building Official.

Severability. If any provision, sections, exceptions, subsections, paragraph, sentence, clause or phase of this ordinance or the application of same to any person or set of circumstances, shall for any reason be held unconstitutional, void or invalid, such invalidity shall not affect the validity of the remaining provisions of this ordinance or their application to other persons or sets of circumstances and to this end all provisions of this ordinance are declared to be severable.

Conflicts. All ordinances or parts of ordinances inconsistent with the terms of this ordinance are hereby repealed; provided however, that such repeal shall be only to the extent of such inconsistency and in all other respects this ordinance shall be cumulative of other ordinances regulating and governing the subject matter covered by this ordinance.

This ordinance shall become effective after its approval and adoption upon first and final reading and its publication pursuant to law.


APPROVED AND ADOPTED on this 19th day of December, 2017.




Joe Chris Alexander, Mayor



Frank Rodriguez III, City Manager

Attest:


Delma A. Gonzalez, City Secretary

Approved As To Form & Legality:


Jesse Gonzales, Jr., City Attorney

*** Denotes that the Current Information in the Code of Ordinances of the City of Fort Stockton Remains the Same.