

Village of Point Venture

ORDINANCE NO. 2025-06-18D

AN ORDINANCE OF THE VILLAGE OF POINT VENTURE, TEXAS AMENDING CHAPTER 4 OF THE VILLAGE OF POINT VENTURE CODE OF ORDINANCES; ELIMINATING REGULATIONS RELATED TO INDUSTRIAL DISTRICTS; PROVIDING FINDINGS OF FACT; PROVIDING FOR REPEAL, SEVERABILITY, SAVINGS, AND CODIFICATION; DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED IS CONDUCTED IN ACCORDANCE WITH THE OPEN MEETINGS ACT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Village Council of the Village of Point Venture (“Village Council”) seeks to provide for the public health, safety and welfare of its citizens; and

WHEREAS, pursuant to Section 51.001 of the Texas Local Government Code, the Village of Point Venture may adopt and amend ordinances for the good government, peace and order of the Village, and as necessary or proper for carrying out a power granted by law to the Village; and

WHEREAS, pursuant to Section 51.002 of the Texas Local Government Code, the Village of Point Venture may adopt ordinances and rules that are not inconsistent with state law; and

WHEREAS, the Village Council finds that removing references to industrial districts contained in regulations governing antenna facilities is necessary to ensure consistency with the Village’s current Zoning Ordinance; and

WHEREAS, the Village Council finds that adoption of this Ordinance will promote the orderly and safe use of property within the Village; and

WHEREAS, the Village Council finds that no new law is adopted by this ordinance; and

WHEREAS, the Village Council finds that removing references to industrial districts contained in regulations governing antenna facilities is not inconsistent with state law.

NOW THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL OF THE VILLAGE OF POINT VENTURE, TEXAS:

SECTION 1. Findings of Fact. All of the above recitals and premises are hereby found to be true and correct legislative and factual findings of the Village Council of the Village of Point Venture, Texas and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

SECTION 2. Ordinance Amendment. The Code of Ordinances of the Village of Point Venture, Texas is hereby amended by deleting Subsection 4.07.008(d)(3) of Article 4.07 of Chapter 4 and substituting therefor a new Subsection 4.07.008(d)(3) of Article 4.07 of Chapter 4 to provide as follows:

“CHAPTER 4 BUILDING REGULATIONS

. . .

ARTICLE 4.07 BUILDING HEIGHT AND ANTENNA FACILITIES

. . .

4.07.008 Standards For Antenna Facilities

. . .

- (d) Setbacks. Antenna facilities shall conform with each of the following minimum setback requirements:

. . .

- (3) At a minimum, antenna facilities shall meet the setbacks of the underlying zoning district.”

SECTION 3. Ordinance Amendment. The Code of Ordinances of the Village of Point Venture, Texas is hereby amended by deleting Subsection 4.07.008(d)(5) of Article 4.07 of Chapter 4 and substituting therefor a new Subsection 4.07.008(d)(5) of Article 4.07 of Chapter 4 to provide as follows:

“CHAPTER 4 BUILDING REGULATIONS

. . .

ARTICLE 4.07 BUILDING HEIGHT AND ANTENNA FACILITIES

. . .

4.07.008 Standards For Antenna Facilities

. . .

- (d) Setbacks. Antenna facilities shall conform with each of the following minimum setback requirements:

. . .

- (5) Antenna facilities shall not be located between a principal structure and a public street, with the following exceptions:

(A) On sites adjacent to public streets on all sides, antenna facilities may be placed within a side yard abutting a local street.

(B) An antenna facility’s setback may be reduced or its location in relation to a public street varied, at the sole discretion of the village, to allow the

integration of a tower into an existing or proposed structure such as a church steeple, light standard, power line support device, or similar structure.”

SECTION 4. Repeal. This Ordinance shall be cumulative of all other ordinances and shall not repeal any of the provisions of such ordinances except for those instances where there are direct conflicts with the provisions of this Ordinance. All resolutions or ordinances of the Village, or parts thereof, conflicting or inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such conflict, and the terms and provisions of this Ordinance shall govern.

SECTION 5. Severability. Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. The Village Council hereby declares that it would have passed all remaining portions of this Ordinance without the inclusion of the portion or portions declared unconstitutional or invalid.

SECTION 6. Savings. All rights and remedies of the Village of Point Venture are expressly saved as to any and all violations of the provisions of any ordinances which have accrued at the time of the effective date of this Ordinance; and such accrued violations and litigation, both civil and criminal, whether pending in court or not, under such ordinances, shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

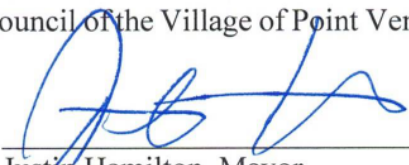
SECTION 7. Codification. The Village Secretary is directed to have this Ordinance codified at the next available codification update.

SECTION 8. Open Meeting. The Village Council of the Village of Point Venture finds that the meeting at which this Ordinance passed was conducted in compliance with the Texas Open Meetings Act.

SECTION 9. Effective Date. This Ordinance shall take effect immediately from and after its passage as allowed by governing law.

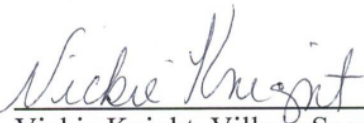
DULY CONSIDERED by the Village Council of the Village of Point Venture, Texas, on the 16th day of April, 2025.

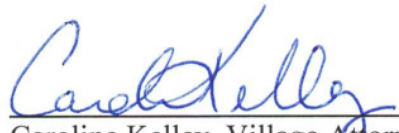
DULY PASSED AND ADOPTED by the Village Council of the Village of Point Venture, Texas, on the 18th day of June, 2025.


Justin Hamilton, Mayor

ATTEST:

APPROVED AS TO FORM:


Vickie Knight, Village Secretary


Caroline Kelley, Village Attorney