

ORDINANCE NO. 2025-10-01

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF POETRY, TEXAS, DESIGNATING THE MEMBERS OF THE TOWN COUNCIL AS MEMBERS OF THE TOWN'S BOARD OF ADJUSTMENT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, state law authorizes the governing bodies of Type A general-law municipalities to act as a board of adjustment and to exercise the duties and authority granted to boards of adjustment under state law; and

WHEREAS, the Town Council finds and determines that the duly qualified members of the Town Council should serve as a board of adjustment to hear and decide matters delegated to boards of adjustment under state law, and that this designation is in the best interest of the citizens of the Town.

NOW THEREFORE BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF POETRY, TEXAS:

SECTION 1: That the Town Council of the Town of Poetry, Texas be and is hereby designated as the Board of Adjustment of the Town of Poetry, Texas, and shall have and exercise the powers, duties authority of a board of adjustment as allowed or directed by state law.

SECTION 2: That when acting as a board of adjustment, the Council may (1) hear and decide an appeal that alleges error in an order, requirement, decision, or determination made by an administrative official in the enforcement of zoning regulations; (2) hear and decide special exceptions to the terms of a zoning ordinance when an ordinance requires the board to do so; (3) authorize in specific cases a variance from the terms of a zoning ordinance if the variance is not contrary to the public interest and, due to special conditions, a literal enforcement of the ordinance would result in unnecessary hardship, and so that the spirit of the ordinance is observed and substantial justice is done; and (4) hear and decide other matters authorized by ordinance. The meeting, quorum and voting requirements applicable to boards of adjustment shall apply to the

Council when acting as a board of adjustment; provided, however, that the mayor shall not be deemed to be a member of the board and shall have no voting authority.

SECTION 3: That should any word, sentence, section, subsection, subdivision, paragraph, clause, phrase or provision of this ordinance be adjudged invalid or held unconstitutional, the same shall not affect the validity of this ordinance as a whole or any part or provision hereof, other than the part so decided to be invalid or unconstitutional.

SECTION 4: That all provisions of the ordinances of the Town of Poetry in conflict with the provisions of this ordinance be and the same are hereby repealed, and all other provisions of the ordinances of the Town of Poetry not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 5: That this Ordinance shall take effect immediately from and after its passage as the law in such cases provides.

DULY PASSED by the Town Council of the Town of Poetry, Texas, on the 16th day of October, 2025.

APPROVED:



MAYOR

ATTEST:



TOWN SECRETARY

APPROVED AS TO FORM:

TOWN ATTORNEY

