

ORDINANCE NO. 2026 - 0501

AN ORDINANCE OF THE CITY OF TURKEY, TEXAS, ESTABLISHING ZONING REGULATIONS AND CREATING ZONING OR USE DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN; REGULATING THE LOCATION AND USE OF BUILDINGS, STRUCTURES AND LAND, AND SIZE OF BUILDINGS AND OTHER STRUCTURES; ADOPTING A ZONING MAP SHOWING THE LOCATION AND BOUNDARIES OF THE VARIOUS DISTRICTS AND USE AREAS; DEFINING TERMS; PROHIBITING MOBILE HOMES IN ANY DISTRICT; PROVIDING FOR APPEALS, FOR FUTURE CHANGES AND AMENDMENTS; REQUIRING BUILDING PERMITS; AUTHORIZING REVOCATION OF BUILDING PERMITS; DEFINING, AUTHORIZING AND PHASING OUT NON-CONFORMING USES; PROVIDING FOR ENFORCEMENT AND PENALTIES; PROVIDING A REPEALER; PROVIDING SEVERABILITY; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE

WHEREAS, the City of Turkey, Texas, a Type-B general law municipality, is authorized by state law to adopt and implement necessary and reasonable ordinances for the government, interest, welfare, or good order of the municipality and that is in the best interests of its citizenry; and

WHEREAS, the laws of the State of Texas have given authority to the City of Turkey to establish districts or zones within the corporate limits for the purposes of better regulating the use of land, controlling the density of population to the end that congestion upon public streets may be lessened and to promote the public health, safety, morals and general welfare and protecting and preserving places and areas of historical, cultural, or architectural importance and significance; and

WHEREAS, the City Council has considered boundaries or districts and appropriate regulations to be enforced therein, and public hearings having been held at which all owners of property affected were given ample opportunity, after public notice in writing and by advertisement, to file their protests or criticism, if any, they had; and,

WHEREAS, the passage, promulgation and enforcement of the provisions hereinafter contained are deemed to be necessary for the promotion of health, safety, morals and general welfare of the community to carry out the governmental powers delegated to and possessed by the City of Turkey for securing the goals hereinbefore expressed;

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

SECTION 1

That, the recitals set forth above are found to be true and correct, and they are hereby adopted by the City Council and made a part of this ordinance for all purposes.

SECTION 2

That, regulations for zoning are hereby established, to read as follows

ARTICLE 1. IN GENERAL

Sec. 1.01 INTERPRETATION AND PURPOSE

The purpose of this article is to zone the entire area of the City of Turkey into districts, as made and provided by state law, in accordance with a comprehensive plan, for the purpose of promoting health, safety, morals, and the welfare of the general public. They have been designed to lessen congestion in the street; to provide safety from fire, panic, and other dangers; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to provide and facilitate adequate provisions for transportation, water, sewage, schools, parks, and other public requirements. The districts have been created with fair and reasonable consideration, among other things, of the character of each particular district and its peculiar suitability for particular uses, and with the view of conserving the value of land and buildings in each particular district, and of insuring the harmonious and appropriate use of all property and land throughout the City of Turkey.

Sec. 1.02 DEFINITIONS

The following definitions, shall apply in the interpretation and enforcement of this article, to-wit:

General Terms. Words used in the present tense include the future; words in the singular number include the plural number; words in the plural number include the singular number; the word "building" includes the word "structure;" the word "lot" includes the word "plot;" the word "shall" is mandatory and not discretionary.

Accessory Building. A subordinate use or building customarily incident to and located on the lot occupied by the main use or building.

Alley. A way which extends only secondary means of access to abutting property.

Apartment. A room or suite of rooms in an apartment house or tenement, arranged, designed, or occupied as the residence of a single family, individual, or group of individuals.

Apartment House. A building or portion thereof arranged, designed or occupied by three (3) or more families living independently of each other.

Boarding House. A building other than a hotel or motel where lodging and meals for five (5) or more persons are served for compensation.

Building. A structure having a roof supported by columns or walls for the shelter, support, or enclosure of persons, animals, or chattels; and when supported by division walls from the ground up, and without openings, each portion of such building shall be deemed a separate building.

Customary Home Occupations. Occupations ordinarily carried on in a home that are not detrimental, objectionable, or injurious to adjoining property. Any occupation that cannot be seen or heard, create odors, or cause any problems to the adjoining property owners shall be the only home occupations permissible.

Depth of Lot. The mean horizontal distance between the front and rear lot lines.

Depth of Rear Yard. The mean horizontal distance between the rear line of a building other than an accessory building and the center line of the alley where an alley exists; otherwise the rear lot line.

District. A section of the City of Turkey for which the regulations governing the area, height, or use of buildings are uniform.

Dwelling, Single-Family. A detached building having accommodations for and occupied by only one family.

Dwelling, Multi-Family. A building-used or designed as a residence for three or more families or households living independently of each other.

Dwelling, Two-Family. A building designed for, or occupied exclusively by, two families.

Family. A family is any number of individuals living together as a single housekeeping unit as distinguished from a group occupying a boarding house, a lodging house, or both, hotel or motel as herein defined.

Front Yard. An open, unoccupied space on the same lot with a building between the building and the street line or lines of the lot.

Garage, Private. A garage with a capacity for not more than three motor-driven vehicles for storage only and for private use.

Garage, Public. Any premises not a private garage, as defined above, used for housing vehicles, or where any such vehicles are repaired for operation, or kept for remuneration, hire, or sale.

Garage, Storage. Any premises, except those defined as a private or public garage, used exclusively for the storage of automobiles and other motor vehicles.

Habitable Space. A space in a building for living, sleeping, eating or cooking. Bathrooms, toilet rooms, closets, halls, storage or utility spaces and similar areas are not considered habitable spaces.

Height. The height of a building or portion of a building shall be measured from the average established grade of the street lot line or from the average natural ground level if higher, or if no street grade has been established, to the highest point of the roof's surface if a flat surface; to the deck line of mansard roofs; and to the mean height level between eaves and ridge for hip or gable roofs. In measuring the height of a building, the following structures shall be excluded: chimneys, cooling towers, radio and television towers, ornamental cupolas, domes or spires, elevator bulk heads, pent houses, tanks, water towers, and parapet walls not exceeding four (4) feet in height.

Hotel or Motel. A building occupied as the more or less temporary abiding place of individuals who are lodged with or without meals, in which as a rule the rooms are occupied for hire, in which provisions are not made for cooking in any individual apartment, and in which there are sleeping rooms, a public dining room for the accommodation of guests, and a general kitchen.

HUD-Code Manufactured Home. Defined in Texas Occupations Code Chapter 1201, as a structure that was built on or after June 15, 1976 according to the rules of the United States Department of Housing and Urban Development, built on a permanent chassis, designed for use as a dwelling with or without a permanent foundation when the structure is connected to the required utilities, transportable in one or more sections, and in the traveling mode, at least eight body feet in width or at least 40 body feet in length or, when erected on site, at least 320 square feet. The term does not include a recreational vehicle as defined by 24 C.F.R. Section 3282.15(b).

Mobile Home. Defined in Texas Occupations Code Chapter 1201, as a structure constructed before June 15, 1976, built on a permanent chassis, designed for use as a dwelling with or without a permanent foundation when the structure is connected to the required utilities, transportable in one or more sections; and in the traveling mode, at least eight body feet in width or at least 40 body feet in length or, when erected on site, at least 320 square feet; and includes the plumbing, heating, air conditioning, and electrical systems of the home.

Recreational Vehicle (RV): A vehicular unit primarily designed as temporary living quarters for recreation, camping, or travel, which is either self-propelled or mounted on or towed by another vehicle.

Skill or Pleasure Coin-Operated or Slot Machines: Shall include every Coin Operated or Slot Machine of any kind or character whatsoever, when such machines are used or are capable of being used or operated for amusement or pleasure, or when such machines are operated for the

purpose of dispensing or affording skill or pleasure, or for any other purpose other than the dispensing or vending of merchandise, music, movies, or service.

Sec. 1.03 ZONING DISTRICTS

- (a) Zoning districts shall be as follows:
 - (1) A District: Single-Family Dwellings.
 - (2) B District: Two-Family Dwellings, Apartments and Multi-Family Dwellings.
 - (3) C District: Commercial and Central Business District

- (b) The boundaries of each district are shown upon the map which accompanies and is made a part of this article and is designated as the “zoning map,” the boundaries being shown by various colors, letters, figures, and markings. The zoning map and all coloring, markings, notations, references, and other information shown on the zoning map shall be and are hereby made as much a part of this article as if the zoning map and all notations, references, and other information thereon were fully set forth or described herein.

- (c) Except as hereinafter provided:
 - (1) No building or land shall be used for any purpose other than permitted in the district in which such building or land is located.
 - (2) No building shall be erected, reconstructed, enlarged, structurally altered, or moved unless it shall conform to the regulations for the district in which such building is located.
 - (3) Every building hereafter erected, enlarged, or structurally altered shall be on a lot as herein defined, and in no case shall there be more than one main building on one lot except as hereafter provided.
 - (4) No lot area shall be reduced or diminished such that the yards or other open spaces shall be smaller than that prescribed by this article; nor shall the yard or open spaces provided for and about any building used for the purpose of complying with the yard and lot provisions of this article be considered as providing yard or lot area for any other building or lot.
 - (5) All territory which may hereafter be annexed to the City of Turkey, Texas, shall be subject to all of the restrictions and regulations of an “A” district until otherwise changed by amendment to this article.

Sec. 1.04 REGULATIONS FOR “A” DISTRICT: SINGLE-FAMILY DWELLINGS

In an “A” district, no building or land shall be used, and no building shall be hereafter erected or structurally altered, which is arranged or designed to be used for other than one or more of the following uses:

- (1) Single-family dwellings.
- (2) HUD-Code Manufactured homes, if all other requirements for a single-family dwelling in this ordinance and all other requirements in other city ordinances are met.
- (3) Public parks or playgrounds.
- (4) Accessory buildings, including domestic employees' quarters and private garages, are permitted; provided that such buildings shall not be located nearer than 80 feet from the front lot line nor less than 5 feet from any other street line nor less than 5 feet from either side lot line. The domestic employee's quarters shall not be leased or rented to anyone other than the family of a bona fide domestic employee giving more than 50 percent of his or her time to the family occupying the premises.
- (5) The uses customarily incident to any of the above uses when situated in the same dwelling and not involving the conduct of a business, including the customary home occupations engaged in by the occupants of the dwelling and also including the office of a doctor, dentist, musician, artist, or similar profession when situated in the same dwelling; but said incidental use shall never be permitted as a principal use, but only as a secondary use when indispensably necessary to the enjoyment of the premises for any one of the uses permitted in an "A" district; and further provided that no name plate, sign, board, or advertising sign of any nature exceeding two (2) square feet in area shall be permitted in an "A" district, and not more than one such sign is permitted to each resident.

Sec. 1.05 REGULATIONS FOR "B" DISTRICT: TWO-FAMILY DWELLINGS, APARTMENTS AND MULTI-FAMILY DWELLINGS

In a "B" district, no building or land shall be used, and no building shall be hereafter erected or structurally altered, which is arranged or designed to be used other than one or more of the following uses:

- (1) Any use permitted in an "A" district.
- (2) Two-family dwellings.
- (3) Boarding or lodging houses.
- (4) Multi-family dwellings, apartments, apartment houses, and group houses, but not including RV parks.
- (5) Churches (except temporary revivals).
- (6) Public schools and educational institutions having a curriculum the same as is ordinarily

given in public schools.

- (7) Water supply reservoirs, wells, towers, pumping stations, fire stations, gas and electric utility regulator stations; provided however, that the size and location of such stations are to be determined or fixed by the City Council.
- (8) Telephone exchange or substation, but with no business office.
- (9) Accessory buildings and uses customarily incident to any of the above uses are permitted when not involving the conduct of a business other than incidental to the residential use of such property, including private and storage garage; provided that such accessory buildings, if detached from the main building, shall be located not less than sixty (60) feet from the front lot line, not less than five (5) feet from any other street line, and not less than three feet from either side lot line.
- (10) The uses customarily incident to any of the above uses, same as in an "A" district.

Sec. 1.06 REGULATION FOR "C" DISTRICT: COMMERCIAL AND CENTRAL BUSINESS DISTRICT

In "C" district, no building or land shall be used and no building shall hereafter be erected or structurally altered, which is arranged or designed to be used for other than one or more of the following uses:

- (1) Any use permitted in an "A" district or "B" district, with exception of the Downtown District which is only to be used for commercial and business properties.
- (2) Advertising signs, bulletin and billboards.
- (3) Bank, office, studio.
- (4) Gasoline filling station.
- (5) Hospitals and clinics, excepting animal hospitals or clinics.
- (6) Hotel or motel.
- (7) Libraries and museums.
- (8) Non-profit religious, educational, and philanthropic institutions, except penal or mental institutions.
- (9) Private clubs, lodges, fraternities, and sororities, excepting those whose chief activity is a service customarily carried on as a business.

- (10) Restaurant, café.
- (11) Retail pressing, dyeing, and cleaning shops.
- (12) Retail stores, barber shops, beauty shops, and other shops for custom work or custom shops where articles are made to be sold at retail on the premises.
- (13) Retail ice delivery station.
- (14) RV Parks, with an RV Park Permit in accordance with Ordinance No. 2026-0401
- (15) Mortuary.
- (16) Green houses, florist shop, nursery office.
- (17) Bakery, laundry, washaterias, candy manufacturing, when not employing more than five (5) persons on the premises.
- (18) Theaters, moving picture shows, and similar amusement places.
- (19) Automobile sales and repair shops.
- (20) Business or commercial school or dancing or music academy.
- (21) Electric shop, electroplating, including armature winding.
- (22) Garages, storage and repair.
- (23) Laundry, dyeing and cleaning plants.
- (24) Lumber yards.
- (25) Locker plants, but not including slaughtering of animals.
- (26) Painting shops, parking lots, photographers studios, plumbing shops, printing shops, newspaper printing, job printing.
- (27) Restaurant, sales and showrooms.
- (28) Secondhand goods store, when entirely enclosed in a building.
- (29) Secondhand automobile sales, but not including wrecking.
- (30) Shoe repair shops.
- (31) Smoke/Vape shops.
- (32) Store or shop for the conduct of a retail business.
- (33) Tire repair shops, tin shops.

- (34) Wholesale houses, wholesale offices and sales rooms.
- (35) Beer parlors, saloons and places where beer and intoxicating liquors are sold for consumption off the premises.
- (36) Building materials, storage yards, new materials.
- (37) Skill or Pleasure Coin-Operated or Slot Machine business.
- (38) Catering establishments, motor freight depots, candy manufacturing.
- (39) Ice cream manufacturing, milk pasteurization and bottling plants, but not including the processing and manufacturing of other dairy products.
- (40) Ice plants.
- (41) Storage warehouses.
- (42) Any use not included in any other district, provided such use is not offensive or obnoxious by reason of the omission of odor, dust, smoke, gas fumes, noise, or vibration.

Sec. 1.07 REGULATIONS FOR AN "A" AND "B" DISTRICT

- (a) In an "A" district, no residence shall be erected that has less than 1000 square feet of floor space, and which does not meet the quality and construction of the dwellings in the surrounding area.
- (b) In a "B" district, no single-family residence shall be erected that has less than 1000 square feet of floor space, and which does not meet the quality and construction of the dwellings in the surrounding area.
- (c) In a "B" district, no two-family dwelling shall be erected that has less than 2000 square feet of floor space, and which does not meet the quality and construction of the dwellings in the surrounding area. No multi-family dwellings or apartments or housing for multiple families shall be erected that has less than 1000 square feet per family to be housed in the structure, and which does not meet the quality and construction of the dwellings in the surrounding area.
- (d) At least 80% of the square footage of a single-family dwelling shall be for habitable space; and at least 80% of the square footage of any structure intended to be used as a dwelling shall be for habitable space.
- (e) No residence shall be moved into any district of the zoned section until it meets the following requirements:
 - (1) A visual inspection must be made by the city manager or a designated official of the proposed house to be moved.

- (2) The house must meet all requirements of this article, and its construction must be approved by the City of Turkey via building permit.
- (3) The city manager shall have the authority to allow certain finishing work to be done to a house moved into any zoned district as preparation to meet the article requirements.
- (4) All work done to meet these requirements must be completed twelve (12) months from the date the permit is issued.

Sec. 1.08 MOBILE HOMES PROHIBITED

No mobile home, as defined herein, shall be placed on any lot in the city limits.

Sec. 1.09 SPECIAL USE PERMITS

The City Council may authorize the location of a special use permit after a public hearing and proper notice to all parties affected.

The City Council on any request for a special use permit, may require from the applicant, plans, information, operating data and expert evaluation concerning the location and function and characteristics of any building or use proposed.

The City Council may, in the interest of the public welfare and to assure compliance with this article, establish conditions of operation, location, duration, arrangement and construction of any use for which a permit is authorized. In authorizing the location of any special use permit, the City Council may impose such development standards and safeguards as the conditions and locations indicate important to the welfare and protection of the adjacent property from the emission of obnoxious or offensive odors, dust, dirt, gas, glare, explosion, fumes, smoke, noise, vibration, offensive view or other undesirable or hazardous conditions.

Every special use permit granted under the provisions of this article shall be considered as an amendment to the zoning ordinance as applicable to such property.

Sec. 1.10 NON-CONFORMING USES

Any use of property existing at the time of the passage of this article, or subsequent amendments thereto, that does not conform to the regulations set forth in this article shall be deemed a non-conforming use.

The lawful use of land existing at the time of the passage of this article, although such use does not conform to the provisions of this article, may be continued; however, if such non-conforming use is discontinued, any future use of the premises shall conform to the provisions of this article.

The lawful use of a building existing at the time of the passage of this article may be continued although the use does not conform to the provisions of this article; and such use may be extended throughout the building except those required by law or ordinance, are made thereto. If no structural alterations are made, a non-conforming use of a building may be changed to another non-conforming use of the same or more restricted classification; provided that, in the event a non-conforming use of a building is once changed to a non-conforming use of a higher or more restricted classification, such use shall not thereafter be changed to a lower or less restricted classification.

If a building occupied by a non-conforming use is destroyed by fire, explosion, or other casualty, it may not be constructed or rebuilt except to conform to the requirements of this article. However, nothing in this article shall be construed to prevent restoration of a building destroyed or damaged to the extent of not more than sixty (60%) percent of its reasonable value, by fire, explosion, acts of God, or other casualty, nor the continued occupancy or use of such building, or part thereof, which existed at the time of such partial destruction.

In the event that a non-conforming use of any building or land is discontinued for a period of six (6) months, any subsequent use of the building or land shall thereafter conform to the use permitted in the district in which it is located.

Sec. 1.11 FRONT YARD REGULATION FOR DWELLINGS

- (a) In the "A" district, there shall be a front yard having a depth of not less than thirty (30) feet, measured from the front property line of the lot to the front line of the building, covered porch or terrace or attached accessory building; however, if fifty percent (50%) or more of the property on one side of a street within the block is improved with buildings, the required front yard depth need not exceed the average front yard depth of the existing buildings.
- (b) In the "B" district, there shall be a front yard having a depth of not less than twenty-five feet (25'), measured from the front property line of the lot to the front of the building, covered porch or terrace or attached accessory building; however, if fifty (50%) percent or more of the property on one side of the street within the block is improved with buildings, the required front yard depth need not exceed the average front yard depth of the existing building.

Sec. 1.12 REAR YARD REGULATION FOR DWELLINGS

- (a) In all districts where buildings are erected or structurally altered for dwelling purposes, there shall be a rear yard having a depth of not less than twenty (20%) percent of the depth of the lot, provided such rear yard need not exceed thirty (30) feet.
- (b) In computing the required depth of a rear yard for any building where such rear yard abuts an alley, the depth of the lot may be considered to the center of the alley, and required depth of the rear yard measured from the center of the alley.
- (c) An accessory building may occupy not more than fifty (50%) percent of the minimum required rear yard.

Sec. 1.13 SIDE YARD REGULATION FOR DWELLINGS

- (a) In the "A," and "B" districts, and in all other districts where a building is erected or structurally altered for dwelling, there shall be two side yards, on each side of the building. The combined width of the two side yards shall be not less than twenty (20%) percent of the width of the lot; provided that the combined width need not exceed twelve (12) feet and that in no case shall either side yard be less than five (5) feet in width.
- (b) In the "C" district, if the property is not used for dwelling purposes, no side yard is required, unless the lot abuts upon the side of a lot in any "A" or "B" district, in which case, a side yard of not less than five (5) feet shall be provided on the side abutting the "A," or "B" district. In any case where a side yard is provided but is not required by this article, such side yard shall be not less than three (3) feet in width.
- (c) For the purpose of side yard regulations, two or more detached one- or two-family dwellings shall be considered as one building when occupying one lot; provided that there shall be a minimum of ten (10) feet between the sides of the buildings.
- (d) In the case of group houses or apartments or court apartments where entrances are provided into side yard, the width of the side yard shall be increased by one foot for each such side yard entrance; and if any stairway opens onto or is served by such side yard, a side yard of not less than ten (10) feet shall be provided.
- (e) The width of a place, court or interior court shall be not less than thirty (30) feet, measured between buildings or from buildings to the property line forming such place or courts; provided covered porches or terraces may project into such required place or court not more than twenty (20%) percent of the width of such place or court.

- (f) Every part of a required yard, place, or court shall be unobstructed from its lowest point to the sky, provided that sill, cornices, and belt courses may project into the required yard, place or court not more than eighteen (18) inches.

Sec. 1.14 LOT AREA REGULATIONS

In the “A” district, the minimum area of the lot shall be 6,000 square feet.

In the “B” and “C” districts, the minimum area of the lot shall be 5,000 square feet for a single-family dwelling and 6,000 square feet for a two-family dwelling; and for apartment houses, multi-family dwellings or buildings arranged or designed for more than two families, the minimum area of the lot shall be 5,000 square feet plus 1,000 square feet for each family unit in excess of two.

Sec. 1.15 PROHIBITING OBSTRUCTION OF VIEW ON LOT BOUNDARIES

On any lot on which a front yard is required by this article, no wall, fence, or other structure shall be erected, and no hedge, tree, shrub, or other growth or structure of any kind shall be maintained in such location within such required front yard so as to obstruct the view.

Any fence, wall, hedge, shrubbery, or other growth or structure of any kind higher than a base line extending from a point 2½ feet above walk grade at the walk to a point 4½ feet above walk grade at the depth of the front yard required is hereby declared to be an obstruction to view except single trees having a single trunk which are pruned to a height of 7 feet above walk grade.

Notwithstanding any other provision of this article concerning non-conforming uses, all non-conforming fences, walls, and other structures except buildings shall be removed or altered or otherwise caused to conform to this section, and all non-conforming trees, shrubs, hedges, and other growths shall be removed, trimmed, or pruned so as to conform to this section, within a period of six (6) months from the date of passage of this article.

ARTICLE 2 OFFICIAL ZONING MAP

Sec. 1.16 ZONING MAP

The zoning map of the City of Turkey, which is made a part of this article, and shall be considered as much a part of the same as if the matters of information set forth thereby were all fully contained and described herein, shall be in duplicate originals, and is hereby adopted in duplicate,

each of which shall bear the signature of the mayor and attestation of the city secretary for identification and authentication. One of said duplicate originals, together with this article, shall be enrolled by the city secretary upon the minutes of ordinance; the other duplicate original shall be framed and hung at some convenient place in the city hall for the use and benefit of the public.

When definite distances in feet are not shown on the zoning map, the district boundaries on the zoning map are intended to be along existing street, alley, or property lines, or extensions of or from the same. When the location of a district boundary line is not otherwise determined, it shall be determined by the scale of the map measured from a given line.

Where the street layout actually on the ground varies from the street layout on the zoning map, the board of adjustment may apply the designations shown on the mapped streets in such a way as to carry out the intent and purpose of the plan for the particular plan in question.

Where the district boundaries are not otherwise indicated, and where the property has been or hereafter may be divided into blocks and lots, the district boundaries shall be construed to be lot lines, and where the districts designated on the map accompanying and made a part of this article are bounded approximately by lot lines, such lot lines shall be construed to be the boundary of such districts unless such boundaries are otherwise indicated on the map.

In unsubdivided property, the district boundary lines on the map accompanying and made a part of this article shall be determined by the use of the scale contained on such map.

Sec. 1.17 AMENDMENTS AND CHANGES

The City Council may from time to time amend, supplement, or change by ordinance the boundaries of the districts, or the regulations herein established.

A public hearing shall be held by the City Council before adopting any proposed amendment, supplement, or change. Notice of such hearing shall be given by publishing the same two (2) times in a newspaper of general circulation in the City of Turkey, stating the time and place of such hearing, which time shall be not earlier than fifteen (15) days from the first day of such publication.

If a protest against such proposed amendment, supplement, or change has been filed with the city secretary, duly signed and acknowledged by the owners of twenty percent (20%) or more either of the area of the lots included in such proposed change, or those immediately adjacent thereto extending two hundred (200) feet from such lots, such amendments shall not become effective except by the favorable vote of three-fourths (3/4) of all the members of the City Council.

Any person requesting an amendment or change to the zoning ordinance shall be required to pay a filing fee of \$50.00. No action by the City Council shall be valid until the filing fee has been paid.

This fee shall not be refunded should the person making the request fail to make formal presentation or should the requested amendment or change be denied.

ARTICLE 3. CITY COUNCIL TO ACT AS ZONING COMMISSION

Sec. 1.18 CITY COUNCIL AUTHORITY

A Zoning Commission is not being established by this ordinance, and in accordance with Local Govt. Code 211.007(e), if a general-law municipality exercises zoning authority without the appointment of a zoning commission, any reference in a law to a municipal zoning commission or planning commission means the governing body of the municipality. Therefore, the City Council shall act as the zoning authority for the city. Any appeal of decisions made by an employee of the City of Turkey regarding building permits or any other permits referenced in this ordinance, shall be heard by the City Council.

ARTICLE 4. BUILDING PERMITS

Sec. 1.19 BUILDING PERMITS REQUIRED

No building shall be constructed, erected, altered, renovated, repaired or moved into any district until a building permit has been issued by the city, in accordance with Ordinance No. 2026-0402. All applications for building permits shall be accompanied by a plat in duplicate, drawn to scale, showing the actual dimensions of the lot to be built upon the size of the building to be erected, and such other information as may be necessary to provide for the enforcement of these regulations. A record of such applications and plats shall be kept in the office of the City of Turkey.

ARTICLE 5. ENFORCEMENT AND PENALTIES

Sec. 1.20 ENFORCEMENT AND PENALTIES

1. A violation of this ordinance shall be a Class C misdemeanor, punishable by a fine not exceeding \$500 for each offense. Each day a violation continues constitutes a separate offense.

2. The City Code Enforcement Officer, City Marshal, law enforcement agencies, all peace officers of the State of Texas, and/or other designated representative(s) of the City are authorized to enforce this ordinance.
3. The City may revoke a building permit, if any of the following conditions are applicable:
 - a. The application, plans or supporting documents contain false or misleading information or reflect a lack of compliance with applicable codes.
 - b. The failure to provide inspections, as required herein.
 - c. The structure for which the building permit has been issued is not being used or constructed in conformance with applicable codes or ordinances.
4. The City may also issue stop-work orders, pursue an injunction, abatement, removal or any other remedy available under state law, including any remedy available for nuisance or dangerous premises abatement.

SECTION 2.
SEVERABILITY

That, If any provision, section, subsection, sentence, clause or the application of same to any person or set of circumstances for any reason is held to be unconstitutional, void or invalid or for any reason unenforceable, the validity of the remaining portions of this ordinance or the application thereby shall remain in effect, it being the intent of the City Council of the City of Turkey, Texas in adopting this ordinance, that no portion thereof or provision contained herein shall become inoperative or fail by any reasons of unconstitutionality of any other portion or provision.

SECTION 3
REPEALER

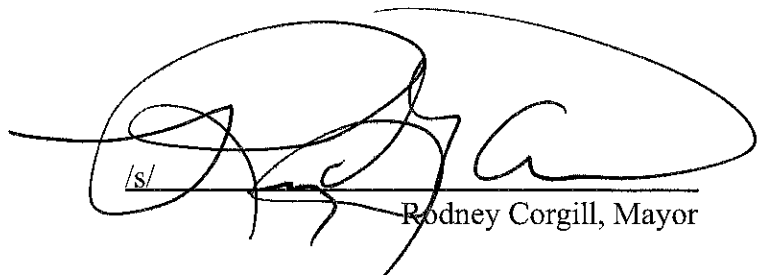
That, this Ordinance shall be cumulative of all other ordinances and shall not repeal any of the provisions of said ordinances except those instances where there are direct conflicts with the provisions of this Ordinance. Ordinances or parts thereof in force at the time this Ordinance shall take effect and that are inconsistent with this Ordinance are hereby repealed to the extent that they are inconsistent with this Ordinance. Provided, however, that any complaint, action, claim or lawsuit that has been initiated or has arisen under or pursuant to any of the ordinances or

sections thereof that have been specifically repealed on the date of adoption of this Ordinance shall continue to be governed by the provisions of such ordinance or section thereof and for that purpose the ordinance or section thereof shall remain in full force and effect.

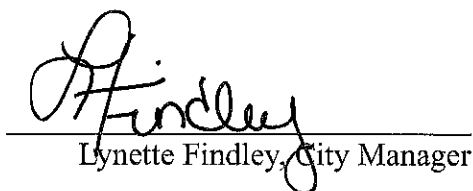
SECTION 4
EFFECTIVE DATE

That, This ordinance shall take effect from and after its passage and publication as may be required by governing law.

PASSED, APPROVED, AND ADOPTED, on this the ^{7th}~~5th~~ day of ^{May}~~May~~, 2026, at a regular meeting of the City Council of the City of Turkey, Texas which meeting was held in compliance with the Open Meetings Act, Tex Gov't Code, §551.001, et.seq. at which meeting a quorum was present and voting.


/s/ _____
Rodney Corgill, Mayor

ATTEST:



Lynette Findley, City Manager