

***AN ORDINANCE TO REGULATE THE CONSTRUCTION, ALTERATION, REPAIR AND REMOVAL OF BUILDINGS WITHIN THE FIRE LIMITS OF THE CITY OF MUNDAY; PROVIDING FEES FOR THE PERMITS AND PROVIDING PENALTIES FOR VIOLATIONS; REVOCATION OF ALL ORDINANCES IN CONFLICT THERE WITH; DESCRIBING FIRE LIMITS OF THE CITY OF MUNDAY; AND DECLARING AN EMERGENCY.***

Be it ordained by the City Council of the City of Munday as follows:

***Section 1. Fire Limits:***

- The following shall be and are hereby declared to be the primary fire limits: Beginning at a point on the West side of the right-of-way of the Wichita Valley Railroad on Main Street, thence North along the West side of Elm Avenue to the South side of B Street, thence West with the South side of B Street to a point on the West side of Birch Ave., thence North 200' feet, thence West to the East side of 3rd Avenue, or street two known as 3rd Avenue, thence South 300' feet, thence West 270 feet to the East line of Street three known as 4th Avenue, thence South to the North line of Main Street, thence East to the East line of 3rd Avenue, thence South to the North line of Bowie Street, thence East with the North line of Bowie Street to the West line of the right-of-way of the Wichita Valley Railroad, thence in a northeasterly direction to the place of beginning.

***Section 2. Permits and Inspections:***

- No walls, structures, buildings, or part thereof, shall hereafter be built, enlarged, or altered until a plan of the proposed work, together with a statement of materials to be used, shall have been submitted to the City Secretary who shall, if in accordance with the provisions herein contained issue a written permit in triplicate for the proposed work. Permits to be kept on file with the City Secretary. Structures hereafter erected without a permit, or those not in conformity with this ordinance, shall be removed.
- No building shall be moved from without to within the fire limits, nor from one location to another within the fire limits until a permit shall have been issued therefor. No permit shall be issued unless such construction is in accordance with this ordinance. The designated Building Inspector shall inspect, as often as practical progress to see that all provisions of this ordinance are being complied with. (All plans and specifications submitted to City Secretary shall comply with all City ordinances of the City of Munday, Texas, and with Article

***Section 3. Construction Required Within The Fire Limits:***

- In the primary fire limits no building or structure of wooden, ironclad (whether on wood or metal supports), stucco, or veneer type construction, or any building whose

walls contain wood supports, shall be permitted except as indicated in Section 4. No building shall be built, enlarged, or altered hereafter except in accordance with this ordinance.

No roofing on an existing roof shall be renewed or repaired to a greater extent than 10% of the roof surface, except in conformity with this ordinance, and in no instance shall more than one permit be issued each existing building in any one year.

**Section 6 Repairs and Additions:**

- Any existing building within the fire limits which hereafter may be damaged by fire, decay, or otherwise, to an amount greater than 50% of its present value, exclusive of the foundation, shall not be repaired or rebuilt, but shall be removed.
- Extensions, remodeling, or additions to existing buildings shall not be considered as repairs, and shall not be permitted except when conforming with Section 3 of this ordinance.

**Section 7 Arbitration:**

- Whenever an application for permit to repair any existing building already located within the fire limits is made by any person or firm, and the City Council and the applicant disagree on the extent of repairs to be made, and a permit is denied by the designated Building Inspector, then the City Council shall appoint a competent and disinterested person, and the applicant shall appoint a competent and disinterested person, which said two persons so appointed shall select a third member, and these said three persons shall appraise the building, examine the plans of the proposed work, and the statement of materials and labor to be used in the repairing or rebuilding of said building, and make a signed written report of their findings to the City Council. If such report reflects clearly that said rebuilding or repairing would be in violation of this ordinance, then such application for permit shall be denied by the City Council, and if such report reflects that the person seeking said permit has complied with said ordinance, and the requested rebuilding or repairing is not in violation of said ordinance, then said City Council shall issue a permit for the proposed **rebuilding or repairing**.

**Section 8. Validity of Ordinance**

- If any section, paragraph, subdivision, clause, phrase, or provision of this ordinance shall be adjudged invalid or held unconstitutional, the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof, other than the part so decided to be invalid or unconstitutional.

**Section 9 Ordinance Repealed:**

- All ordinances in conflict with this Ordinance is hereby repealed.

**Section 10 Fees:**

- A fee of \$ 5.00 shall accompany each application for a building and / or remodeling permit or any other permit that may be issued under this ordinance.

*Section 11 Penalties:*

- Any person, firm or corporation who shall violate any of the provisions of this ordinance shall be guilty of a misdemeanor, and upon conviction shall be fined in any sum not exceeding **TWO HUNDRED DOLLARS (\$200.00)**, and each and every day's violation shall constitute a separate and distinct offense; and in the case of the owner or occupant under the provisions of this ordinance shall be a corporation, and shall violate any provisions of this ordinance, the president, vice president, secretary or treasurer of such corporation, or any manager, agent or employee of such corporation, shall be also severally liable for the penalties herein provided for such violation.

It is deemed an imperative and public necessity that this ordinance be passed upon its first reading, and it is declared an emergency Ordinance, and is MADE, PASSED and ENTERED as herein ORDAINED BY THE UNANIMOUS VOTE OF THE CITY OF MUNDAY, TEXAS at a regular meeting, all members present, on this the 9 th day of January, A.D. 1968, and shall take effect immediately upon its passage and publication.

is declared an emergency Ordinance, and is MADE, PASSED and ENTERED as herein ORDAINED BY THE UNANIMOUS VOTE OF THE CITY COUNCIL of the City of Munday, Texas, at a regular meeting, all members being present, on this the 9th day of January, A. D. 1968, and shall take effect immediately upon its passage and publication.

COPY

[Signature]  
Mayor,

Kenneth H. Baker  
Councilman,

Waymon O. Smith  
Councilman,

William H. Hunt  
Councilman,

B. J. Anderson  
Councilman,

J. R. [Signature]  
Councilman.