

**CITY OF DECATUR, TEXAS
ORDINANCE NO. 2025-11-40**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DECATUR, TEXAS, AMENDING APPENDIX A, "DECATUR SUBDIVISION ORDINANCE," APPENDIX I – "DESIGN STANDARDS," CHAPTER 1. – "DESIGN CRITERIA," SECTION 107, "LANDSCAPE DESIGN," ADDING SUBSECTION 107.4.1 "PERMIT REQUIREMENTS" AND SUBSECTION 107.6, "XERISCAPING REQUIREMENTS," PROVIDING FOR UPDATED REGULATIONS AND REQUIREMENTS RELATED TO XERISCAPING; PROVIDING AMENDMENTS; PROVIDING A SAVINGS AND REPEALER CLAUSE; PROVIDING SEVERABILITY; PROVIDING A PENALTY FOR VIOLATIONS OF THIS ORDINANCE UPON CONVICTION IN AN AMOUNT NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING FOR PUBLICATION AND SETTING AN EFFECTIVE DATE. (SI-25-0003)

WHEREAS, the City of Decatur is a Home Rule Municipality acting under its Charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and has established a Planning and Zoning Commission to regulate zoning and subdivisions within the City (the "Commission"); and

WHEREAS, Section 580.002 of the Texas Local Government Code provides that the governing body of each municipality may consider enacting an ordinance requiring the use of xeriscape to conserve water, and if the governing body determines that the water conservation benefits of the required use of xeriscape would be significant relative to the cost of implementing that use, the governing body may adopt a xeriscape ordinance; and

WHEREAS, the City Council acknowledges that a policy to conserve energy, water, and other natural resources through the selection and use of xeriscape and drought-tolerant landscaping materials will help the City achieve its water conservation goals, among other benefits; and

WHEREAS, to implement the policy, the City Council desires to amend Appendix "A" of the "Decatur Subdivision Ordinance" to include updated Xeriscape requirements and add irrigation requirements, incorporating the Texas SmartScape program, applicable to subdivisions and developments for residential or non-residential uses within the City limits; and

WHEREAS, the Commission complied with all requisite notices and held a public hearing to receive public input to consider amending Appendix "A," "Decatur Subdivision Ordinance," Appendix I – "Design Standards," Chapter 1. – "Design Criteria," Section 107, "Landscape Design," adding Subsection 107.1.1 "Definitions," adding Subsection 107.4.1 "Permit Requirements," and amending Subsection 107.6, "Xeriscaping Requirements," providing for updated regulations and requirements related to Xeriscaping and

amendments to other sections made necessary by the proposed amendments set forth herein; and

WHEREAS, the Commission recommended APPROVAL of such amendments of the Subdivision Ordinance; and

WHEREAS, the City Council finds that such amendments substantially further the preservation of property values and the promotion of economic development within the City, and are consistent with the City's Comprehensive Plan; and

WHEREAS, after the holding of a public hearing and considering the comments and recommendation by the Commission, as well as comments from the public, the City Council of the City of Decatur, Texas, considered all appropriate factors and determined that the amendments as recommended by the Commission serve the intent of the Decatur 2050 Comprehensive Plan; the interest of orderly development; and the public health, safety and welfare and desires to approve such requested amendments to the City's Subdivision Ordinance;

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

**SECTION 1.
INCORPORATION OF PREMISES/ FINDINGS**

The foregoing recitals are the findings of the City Council and are hereby incorporated into this Ordinance as if set forth fully herein.

**SECTION 2.
AMENDMENTS**

2.1 Section 107, "Landscape Design," of Chapter 1, "Design Criteria," of Appendix I, "Design Standards," of Appendix A, "Subdivision Ordinance," of the Decatur Code of Ordinances is hereby amended to add Subsection 107.1.1, "Definitions," add Subsection 107.4.1 "Permit Requirements," and amend Subsection 107.6, "Xeriscaping Requirements," with all other provisions of Appendix I, Section 107 not expressly amended hereby remaining in full force and effect.

(New text is shown with underline, and deleted text is shown in ~~strikethrough~~. Underlines and strikethroughs shall not appear in codified version of ordinance.)

107.1.1 Definitions.

Atmospheric Vacuum Breaker (AVB): An assembly containing an air inlet valve, a check seat and an air inlet port(s). (Also known as the non-pressure type vacuum breaker.) A shutoff valve immediately upstream may be an integral part of the assembly, but there shall be no shutoff valves or obstructions downstream. The assembly shall not be subjected to operating pressure for more than twelve (12)

hours in any twenty-four (24) hour period. An AVB is designed to protect against a non-health hazard or a health hazard under a backsiphonage condition only.

Backflow Prevention: The mechanical prevention of reverse flow, or back siphonage, of non-potable water from an irrigation system into the potable water source.

Backflow Prevention Assembly: Any assembly used to prevent backflow into a potable water system. The type of assembly used is based on the existing or potential degree of health hazard and backflow condition.

Design Pressure: The pressure that is required for an emission device to operate properly. Design pressure is calculated by adding the operating pressure necessary at an emission device to the total of all pressure losses accumulated from an emission device to the water source.

Double Check Valve Backflow Prevention Assembly (DC): An assembly composed of two independently acting, approved check valves, including tightly closing resilient seated shutoff valves attached at each end of the assembly and fitted with properly located resilient seated test cocks. This assembly shall only be used to protect against a non-health hazard.

Emission Device: Any device that is contained within an irrigation system and that is used to apply water. Common emission devices in an irrigation system include but are not limited to, spray and rotary sprinkler heads and drip irrigation emitters.

Head-to-Head Spacing: The spacing of spray or rotary heads equal to the manufacturer's published radius of the head.

Inspector: A licensed plumbing inspector, water district operator, other governmental entity, or irrigation inspector who inspects irrigation systems and performs other enforcement duties for a municipality or water district as an employee or as a contractor.

Irrigation Plan: A scaled drawing of a landscape irrigation system, which lists the required information and contains the specifications for the installation of the Irrigation System.

Irrigation System: An assembly of component parts that is permanently installed for the controlled distribution and conservation of water to irrigate any type of landscape vegetation in any location and/or to reduce dust or control erosion. This term does not include a system that is used on or by an agricultural operation as defined by Texas Agricultural Code, § 251.002.

Irrigation Technician: A person who works under the supervision of a licensed irrigator to install, maintain, alter, repair, service, or supervise the installation of an

irrigation system, including the connection of such system in or to a private or public, raw or potable water supply system or any water supply, and who is required to be licensed under Title 30, Texas Administrative Code, Chapter 30 (relating to Occupational Licenses and Registrations).

Irrigation Zone: A subdivision of an irrigation system with a matched precipitation rate based on plant material type (such as turf, shrubs, or trees), microclimate factors (such as sun/shade ratio), topographic features (such as slope) and soil conditions (such as sand, loam, clay, or combination) or for hydrological control.

Irrigator: A person who sells, designs, offers consultations regarding, installs, maintains, alters, repairs, services, or supervises the installation of an irrigation system, including the connection of such system to a private or public, raw or potable water supply system or to any water supply and who is required to be licensed under Title 30, Texas Administrative Code, Chapter 30 (relating to Occupational Licenses and Registrations).

Irrigator-in-Charge: The irrigator responsible for all irrigation work performed by an exempt business owner, including, but not limited to, obtaining permits, developing design plans, supervising the work of other irrigators or irrigation technicians, and installing, selling, maintaining, altering, repairing, or servicing a landscape irrigation system.

License: An occupational license that is issued by the Texas Commission on Environmental Quality under Title 30, Texas Administrative Code, Chapter 30, to an individual that authorizes the individual to engage in an activity that is covered by Title 30, Texas Administrative Code, Chapter 30.

Master Valve: A remote-control valve located after the backflow prevention device that controls the flow of water to the irrigation system mainline.

Matched Precipitation Rate: The condition in which all sprinkler heads within an irrigation zone apply water at the same rate.

Plumbing Code: The current adopted Plumbing Code for the City of Decatur.

Pressure Vacuum Breaker Backsiphonage Prevention Assembly (PVB): An assembly containing an independently operating internally loaded check valve and an independently operating loaded air inlet valve located on the discharge side of the check valve. The assembly is to be equipped with properly located resilient seated test cocks and tightly closing resilient seated shutoff valves attached at each end of the assembly This assembly is designed to protect against a non-health hazard or a health hazard under a backsiphonage condition only.

Reclaimed Water: Captured rainwater or untreated raw water suitable for beneficial use, such as landscape irrigation.

Reduced Pressure Principle Backflow Prevention Assembly (RP): An assembly containing two independently acting approved check valves together with a hydraulically operating, mechanically independent pressure differential relief valve located between the two check valves and below the first check valve. The unit shall include properly located resilient seated test cocks and tightly closing resilient seated shutoff valves at each end of the assembly. This assembly is designed to protect against a non-health hazard or a health hazard.

Spill-resistant Pressure Vacuum Breaker Backsiphonage Prevention Assembly (SVB): An assembly containing an independently operating internally loaded check valve and an independently operating loaded air inlet valve located on the discharge side of the check valve. The assembly is to be equipped with properly located resilient seated test cocks, a properly located bleed/vent port, and tightly closing resilient seated shutoff valves attached at each end of the assembly. This assembly is designed to protect against a non-health hazard or a health hazard under a backsiphonage condition only.

Water Conservation: The design, installation, service, and operation of an irrigation system in a manner that prevents the waste of water, promotes the most efficient use of water, and applies the least amount of water that is required to maintain healthy individual plant material or turf, reduce dust, and control erosion.

Xeriscape: A method of landscaping that emphasizes water conservation, accomplished by following sound horticultural and landscaping practices, such as planning and design, soil improvement, limited turf areas, use of mulches, use of low-water demand plants, efficient irrigation practices, and appropriate maintenance. The use of xeriscaping is intended to promote the prudent use of the City's water resources, reduce the need for additional water system infrastructure, and help ensure the viability of required plantings during periods of drought."

"107.4.1 Permit Requirements.

1. Any person installing an irrigation system within the corporate limits of the City is required to obtain an irrigation permit from the City. Any irrigation plan submitted to the City must be in compliance with the requirements of this section in order to be approved for a permit. Irrigation permit applications and irrigation plans shall be submitted to the Building Official. All irrigation permit applications and irrigation plans must conform to the Building Official's requirements as set forth in the permit application.
2. An irrigation system used on or by an agricultural operation, as defined by Section 251.002 of the Agriculture Code, as amended, is exempt from this permit requirement.
3. **Backflow Prevention Methods and Devices.**
 - a. The potable water supply to lawn irrigation systems shall be protected against backflow by an atmospheric vacuum breaker, a pressure vacuum breaker, a spill-resistant pressure vacuum breaker or a reduced

pressure principle backflow prevention assembly. Valves shall not be installed downstream from an atmospheric vacuum breaker. Where chemicals are introduced into the system, the potable water supply shall be protected against backflow by a reduced pressure principle backflow assembly.

- b. Reduced pressure principle backflow prevention assemblies may be used if:
 - i. The device is installed at a minimum of twelve (12) inches above ground in a location that will ensure that the assembly will not be submerged, and drainage is provided for any water that may be discharged through the assembly relief valve.
- c. Backflow assemblies shall be protected from freezing and damage.
- d. Backflow prevention devices used in applications designated as health hazards must be lead-free and tested upon installation and annually thereafter by the irrigator, as required by the City Building Official.
- e. If an irrigation system is designed or installed on a property that is served by an on-site sewage facility, as defined in Title 30, Texas Administrative Code, Chapter 285 (On-Site Sewage Facilities), then:
 - i. All irrigation piping and valves must meet the separation distances from the On-Site Sewage Facilities system as required for a private water line in Title 30, Texas Administrative Code, Section 285.91(10);
 - ii. Any connections using a private or public potable water source that is not the City's potable water system must be connected to the water source through a reduced-pressure principal backflow prevention assembly as defined in Title 30, Texas Administrative Code, Section 344.50; and
 - iii. Any water from the irrigation system that is applied to the surface of the area utilized by the On-Site Sewage Facility system must be controlled on a separate irrigation zone or zones to allow complete control of any irrigation to that area so that there will not be excess water that would prevent the On- Site Sewage Facilities system from operating effectively.”

“107.6 Xeriscaping requirements.

These standards apply to residential, commercial, and industrial developments. For the purposes of this section, XERISCAPING is defined as a method of landscaping that emphasizes water conservation, accomplished by following sound horticultural and landscaping practices, such as planning and design, soil improvement, limited turf areas, use of mulches, use of low-water demand plants, efficient irrigation practices, and appropriate maintenance. The term xeriscape is derived from the Greek word “xeros”, which means dry. Please note that xeriscape does not mean “zero”-scape. The use of xeriscaping is intended to promote prudent use of the city’s water resources, and reduce the need for additional water system infrastructure, and to help ensure the viability of required plantings during periods of drought. All landscaping shall comply, where feasible, with the following

requirements designed to reduce water usage:

1. Required plant materials shall be selected from those identified as native plants, and those that have been adapted to the local climate and conditions. Native plants and planting practices are identified through the "Texas SmartScape" program, as published by the North Central Texas Council of Governments Regional Storm Water Management Program.
2. Where specific conditions reduce the likelihood that these plant materials will survive, alternative plants may be provided, subject to review and approval by the City Manager Planning Director, or their designee.
3. Plants not recommended in the "Texas SmartScape" program are subject to the review and approval of the City Manager Planning Director or their designee. The City Manager Planning Director, or their designee may require the applicant to provide additional information related to the hardiness, adaptability, and water demands of the plant(s) when used.
4. For maximum reduction in water usage, xeriscape plants should not be interspersed in plant massings with plants requiring higher water usage. Property owners and developers are encouraged to design irrigation systems and watering schedules that supply the appropriate amount of water for plantings, without overwatering.
5. Permeable pavement in low-traffic areas or overflow parking may be approved by the City Manager Planning Director, or their designee, where conditions are favorable to filter storm water and reduce run-off. Adequate strength of the permeable pavement must be proven by the applicant to ensure pavement life.
6. All replacement trees shall be selected from the "Texas SmartScape" program database for the North Central Texas (DFW) region as published by the North Central Texas Council of Governments Regional Storm Water Management Program, and which may be amended from time to time. The Texas SmartScape Plant Database is located online at txsmartscape.com. Additional tree varieties may be approved by the Planning Director or their designee."

"107.6.1 Residential Xeriscape Requirements. *

If Xeriscape landscaping is proposed, a minimum percentage of the total lot area of the property on which residential development occurs shall be devoted to traditional landscape development in accordance with the following:

- | | |
|-----------------------------------------------|------------|
| 1. <u>Single-family and duplex dwellings:</u> | <u>35%</u> |
| 2. <u>Multi-family dwellings:</u> | <u>30%</u> |

Artificial turf shall be limited to 40% of any required landscape area and setback area required by the Zoning Ordinance."

"107.6.2 Non-residential Xeriscape Requirements. *

If Xeriscape landscaping is proposed, a minimum percentage of the total lot area of the property on which commercial development occurs shall be devoted to traditional landscape development in accordance with the following:

1. Commercial uses: 10%
2. Industrial uses: 10%
3. Schools, churches, philanthropic uses 20%

Artificial turf shall be limited to 50% of any required landscape area and setback area required by the Zoning Ordinance.”

Alternative standards may apply to projects that are zoned as part of a Planned Development (PD).”

“107.6.3 Groundcover requirement – all development.

The entire building site must be completely covered with suitable groundcovers, including but not limited to sod, organic mulch, and planting beds. No exposed soils shall be permitted.

No exposed soils shall be permitted on any site. Any areas with exposed soils at the end of 6 months after development shall be covered with sod or an approved groundcover and maintained. All groundcovers must be maintained at a height of less than twelve (12) inches at all times.”

“107.6.4 Artificial Turf requirements – all development

Evidence that the artificial turf proposed will have a minimum tufted weight of 56 ounces per square foot, be a natural green in color, and have a minimum 8-year warranty is required. A sample of the proposed turf that meets these standards shall be submitted with the proposed landscape plan, including a copy of the manufacturer’s specifications and warranty information.”

Evidence that all artificial turf installations will have a minimum permeability of 30 inches per hour per square yard and provide anchoring information as to the size and location of anchors to ensure the turf will withstand the effects of wind is required.

Consideration of the percentage of living plant materials versus the percentage of artificial turf proposed for any property shall be part of the review process. Evidence that living plant material will be drought-tolerant and consist of 50 percent Texas native species, including shrubs, vines, trees, and ground covers is required.

Any landscape plan approval to allow artificial turf shall include the following conditions:

- a. Precautions for installation around existing trees shall be monitored and may be restricted to ensure that tree roots are not damaged during the installation of the base material.
- b. Rubber infill material is prohibited.

- c. A copy of the approved landscape plan with any applicable conditions, together with a signed and notarized Hold Harmless letter by the property owner seeking to use artificial turf, shall be recorded in the Public Records of Wise County at the applicant's expense so that any subsequent purchaser will be on notice regarding the special rules relating to the artificial turf.
- d. A landscape inspection shall be conducted after the installation of the artificial turf to ensure all living plant materials conform to the landscape plot plan provided and meet the drought-tolerant and native species requirements.
- e. Artificial turf shall be maintained in a green, fadeless condition and shall be maintained free of dirt, mud, stains, weeds, debris, tears, holes, and impressions, as determined by Code Compliance. All edges of the artificial turf shall not be loose and must be maintained with appropriate edging or stakes.
- f. Artificial turf must be replaced if it falls into disrepair with fading or holes or loose areas, as determined by Code Compliance. Replacement shall be completed within 60 days of notification by Code Compliance.
- g. If maintenance is required on the City right-of-way or utility easement, it shall be the responsibility of the property owner to remove, replace, and repair, at the owner's expense, any artificial turf that has been placed in the right-of-way or utility easement within 60 days.

Recommended Tree List for Xeriscaping:

<u>Scientific Name</u>	<u>Common Name</u>	<u>Size at Maturity</u>
<u>Chilopsis linearis</u>	<u>Desert Willow (Native)</u>	<u>>25 ft. (30 ft.)</u>
<u>Diospyrus texana</u>	<u>Texas Persimmon (Native)</u>	<u><25 ft. (10—30 ft.)</u>
<u>Fraxenis texensis</u>	<u>Texas Ash (Native)</u>	<u>>25 ft. (50 ft.)</u>
<u>Pinus eldarica</u>	<u>Afghan Pine (Non-Native)</u>	<u>>25 ft. (40 ft.)</u>
<u>Quercus macrocarpa</u>	<u>Bur Oak (Native)</u>	<u>>25 ft. (80 ft.)</u>
<u>Quercus virginiana</u>	<u>Live Oak (Native)</u>	<u>>25 ft. (50 ft.)</u>

<u>Quercus shumardii/texana</u>	<u>Shumard/Texas Red Oak (Native)</u>	<u>>25 ft. (80 ft.)</u>
<u>Quercus muhlenbergii</u>	<u>Chinkapin Oak (Native)</u>	<u>>25 ft. (80 ft.)</u>
<u>Ulmus crassifolia</u>	<u>Cedar Elm (Native)</u>	<u>>25 ft. (80 ft.)</u>
<u>Ulmus parvifolia</u>	<u>Lacebark Elm (Non-Native)</u>	<u>>25 ft. (50 ft.)</u>
<u>Carya illinoensis</u>	<u>Pecan (Native)</u>	<u>>25 ft. (100 ft.)</u>
<u>Magnolia grandiflora</u>	<u>Southern Magnolia (Native)</u>	<u>>25 ft. (60 ft.)</u>
<u>Acer saccharum "Caddo"</u>	<u>Caddo Maple (Non-Native)</u>	<u>>25 ft. (60 ft.)</u>
<u>Taxodium distichum</u>	<u>Bald Cypress (Native)</u>	<u>>25 ft. (80 ft.)</u>
<u>Ulmus americana</u>	<u>American Elm (Native)</u>	<u>>25 ft. (80 ft.)</u>
<u>Quercus sinuata</u>	<u>Bigelow Oak (Native)</u>	<u>>25 ft. (40 ft.)</u>
<u>Cupressus arizonica</u>	<u>Arizona Cypress (Non-Native)</u>	<u>>25 ft. (60 ft.)</u>
<u>Quercus sinuata</u>	<u>Durrand Oak (Native)</u>	<u>>25 ft. (90 ft.)</u>
<u>Quercus laceyi</u>	<u>Lacey Oak (Native)</u>	<u>>25 ft. (40 ft.)</u>
<u>Sapindus sapanaria</u>	<u>Western Soapberry (Native)</u>	<u>>10 ft. (50 ft.)</u>
<u>Juglans microcarpa</u>	<u>Texas Walnut (Native)</u>	<u>>25 ft. (80 ft.)</u>
<u>Bumelia lanuginosa</u>	<u>Chittamwood (Native)</u>	<u>>25 ft. (50 ft.)</u>

Recommended Shrub List for Xeriscaping:

<u>Scientific Name</u>	<u>Common Name</u>	<u>Spacing</u>
<u>Hesperaloe spp.</u>	<u>Hesperaloe (Native)</u>	<u>6'</u>
<u>Baileya multiradiata</u>	<u>Desert Marigold (Native)</u>	<u>2' – 3'</u>
<u>Nassella tenuissima</u>	<u>Mexican Feather Grass (Non-Native)</u>	<u>3'</u>

<u>Myrica pusilla</u>	<u>Myrtle, Dwarf Wax (Native)</u>	<u>8' – 10'</u>
<u>Agave havardiana</u>	<u>Harvard's Agave (Native)</u>	<u>3' – 4'</u>
<u>Hesperaloe parviflora</u>	<u>Red Yucca (Native)</u>	<u>6'</u>
<u>Echinacea purpurea</u>	<u>Purple Coneflower (Native)</u>	<u>1' – 2'</u>
<u>Leucophyllum frutescens</u>	<u>Texas Sage/Cenizo (Native)</u>	<u>4' – 6'</u>
<u>Lantana urticoides</u>	<u>Texas Lantana (Native)</u>	<u>2' – 6'</u>
<u>Yucca rupicola</u>	<u>Yucca, Twist-Leaf (Native)</u>	<u>1'</u>
<u>Dasyilirion wheeleri</u>	<u>Wheeler's Sotol (Native)</u>	<u>3' – 6'</u>
<u>Opuntia laevis</u>	<u>Smooth Prickly Pear (Native)</u>	<u>4' – 8'</u>
<u>Lupinus texensis</u>	<u>Texas Bluebonnet (Native)</u>	<u>1' – 3'</u>
<u>Sophora secundiflora</u>	<u>Texas Mountain Laurel (Native)</u>	<u>8' – 10'</u>

Recommended Ground Cover List for Xeriscaping:

<u>Scientific Name</u>	<u>Common Name</u>	<u>Height</u>	<u>Spacing</u>
<u>Rivina humilis</u>	<u>Pigeonberry</u>	<u>12" – 18"</u>	<u>12" – 24"</u>
<u>Dyschoriste linearis</u>	<u>Snake Herb</u>	<u>6" – 12"</u>	<u>12" – 18"</u>
<u>Viola papilionacea</u>	<u>Wood Violet</u>	<u>4" – 6"</u>	<u>12" – 18"</u>
<u>Straggler daisy</u>	<u>Horseherb</u>	<u>6" – 12"</u>	<u>12" – 15"</u>
<u>Stemodia lanata</u>	<u>Woolly Stemodia</u>	<u>24" – 36"</u>	<u>24" – 36"</u>
<u>Geum canadense</u>	<u>White Avens</u>	<u>18" – 30"</u>	<u>12" – 18"</u>
<u>Phyla nodiflora</u>	<u>Frog Fruit</u>	<u>1" – 3"</u>	<u>12" – 18"</u>

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**SECTION 3.
SAVINGS AND REPEALER**

That this Ordinance shall be cumulative of all other ordinances of the City of Decatur and shall not repeal any of the provisions of such ordinances, except in those instances where provisions of such ordinances are in direct conflict with the provisions of this ordinance. Provided however, that any complaint, action, claim, or lawsuit which has been initiated or has arisen under or pursuant to any such ordinance on the date of adoption of this Ordinance shall continue to be governed by the provisions of such ordinance and for that purpose the ordinance shall remain in full force and effect.

**SECTION 4.
SEVERABILITY**

That it is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this Ordinance shall be declared void, ineffective, or unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such voidness, ineffectiveness, or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation herein of any such void, ineffective, or unconstitutional phrase, clause, sentence, paragraph, or section.

**SECTION 5.
PENALTY**

It shall be unlawful for any person, corporation, or other entity to violate any provision of this Ordinance, and any person violating or failing to comply with any provision of this Ordinance shall be fined, upon conviction, an amount not to exceed Two Thousand Dollars (\$2,000.00).

**SECTION 6.
PUBLICATION/ EFFECTIVE DATE**

This Ordinance shall take effect on its final passage and publication as required by Charter and Texas law, and it is so ordained.

PRESENTED ON FIRST READING THIS 27th day of October, 2025.

PASSED AND APPROVED by the City Council of the City of Decatur, Texas this **10th day of November 2025**, by a vote of 6 ayes, 0 nays, and 0 abstentions, at a regular meeting of the City Council of the City of Decatur.

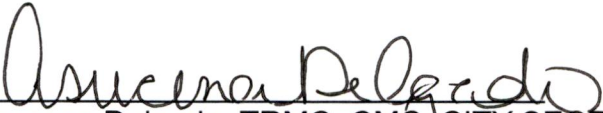
APPROVED:



Mike McQuiston, MAYOR



ATTEST:



Asucena Delgado, TRMC, CMC, CITY SECRETARY

APPROVED AS TO FORM:



Pamela H. Liston, CITY ATTORNEY