

**CITY OF FOREST HILL, TEXAS**

**ORDINANCE NO. 2020-02**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FOREST HILL, TEXAS, AMENDING SECTION 64-21, "DEFINITIONS," OF ARTICLE II, "DEFINITIONS," OF CHAPTER 64, "ZONING," OF THE FOREST HILL CODE OF ORDINANCES BY ADDING A DEFINITION FOR GAME ROOM; AMENDING SECTION 64-71, "USES," OF ARTICLE IV, "SCHEDULE OF USES," OF CHAPTER 64, "ZONING," OF THE FOREST HILL CODE OF ORDINANCES BY ADDING A USE OF GAME ROOM; AMENDING SUBSECTION (C), "RECREATION AND ENTERTAINMENT USES," OF SECTION 64-171, "PARKING REQUIREMENTS BASED ON USE," OF ARTICLE IX, "OFF-STREET PARKING AND LOADING REQUIREMENTS," OF CHAPTER 64, "ZONING," OF THE FOREST HILL CODE OF ORDINANCES BY ADDING PARKING REQUIREMENTS FOR GAME ROOM; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY FOR VIOLATIONS; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Forest Hill, Texas, is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

**WHEREAS**, notice of a public hearing before the Planning & Zoning Commission and the City Council was published in the official newspaper for the City of Forest Hill at least fifteen (15) days before such hearing; and

**WHEREAS**, public hearings to the addition of this uses the schedule of uses herein described were held before the Planning & Zoning Commission and the City Council, and the Planning & Zoning Commission has heretofore made a recommendation concerning the addition of the use; and

**WHEREAS**, the City Council is of the opinion that adding the use to the schedule of uses herein initiated furthers the purpose as set forth in the Comprehensive Zoning Ordinance and is in the best interest of the citizens of the City of Forest Hill:

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FOREST HILL, TEXAS, THAT:**

**SECTION 1.**

That Section 64-21, "Definitions," of Article II, "Definitions," of Chapter 64 "Zoning," of the Forest Hill Code of Ordinances is hereby amended by adding a definition to read as follows:

"Game Room: A for-profit business located in a building or place that contains six (6) or more:

- (a) Amusement Redemption Machines, or
- (b) Electronic, electromechanical, or mechanical contrivances that, for consideration, afford a player the opportunity to obtain a prize or thing of value, the award of which is determined solely or partially by chance, regardless of whether the contrivance is designed, made, or adopted solely for bona fide amusement purposes."

## SECTION 2.

That Section 64-71, "Uses," of Article IV, "Schedule of Uses," of Chapter 64, "Zoning," of the Forest Hill Code of Ordinances is hereby amended to add a use to the schedule as follows:

<i>Uses</i>	<i>R1</i>	<i>R2</i>	<i>R3</i>	<i>R4</i>	<i>2F</i>	<i>MF</i>	<i>LR</i>	<i>GB</i>	<i>LI</i>	<i>HI</i>	<i>PD</i>
<b>Commercial Uses</b>											
Game Room								X	X	X	

## SECTION 3.

That Sub-Section (C), "Recreation and Entertainment Uses," of Section 64-171, "Parking Requirements Based on Use," of Article IX, "Off-Street Parking and Loading Requirements," of Chapter 64, "Zoning," of the Forest Hill Code of Ordinances be amended to add parking requirements for Short Term Rentals as follows:

"(4) Pool Halls, Coin Arcades, Skating Ring, or other indoor commercial amusements. One (1) parking space for each one hundred twenty-five (125) square feet of floor space."

## SECTION 4.

This Ordinance shall be cumulative of all provisions of all ordinances of the City of Forest Hill, Texas, and the Forest Hill Code of Ordinances, as amended, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

## SECTION 5.

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared invalid or unconstitutional by the valid judgment or decree of any court of competent jurisdiction,



such invalidity or unconstitutionality shall not affect any of the remaining, phrase, clauses, sentences, paragraphs or sections of this Ordinance since the same would have been enacted by the City Council without incorporation in this Ordinance of any such invalid or unconstitutional phrase, clause, sentence, paragraph or section.

#### **SECTION 6.**

Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this ordinance shall be fined not more than \$2000.00 for all violations involving zoning, fire safety, or public health and sanitation, including dumping or refuse, and shall be fined \$500.00 for all other violations of this ordinance. Each day that a violation is permitted to exist shall constitute a separate offense.

#### **SECTION 7.**

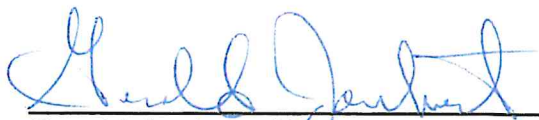
The City Secretary of the City of Forest Hill is hereby directed to publish this Ordinance as required by law.

#### **SECTION 8.**


This Ordinance shall take effect after its passage and publication as required by law, and it is so ordained.

**PASSED, APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF FOREST HILL, TEXAS, THIS THE 3<sup>RD</sup> DAY OF MARCH, 2020.**

**APPROVED:**

  
Gerald Joubert, Mayor

**ATTEST:**

  
Amy L. Anderson, TRMC City Secretary

**APPROVED AS TO FORM:**

  
Samantha Rokkett, City Attorney