

ORDINANCE NUMBER 21-12-1243

AN ORDINANCE OF THE CITY OF MURPHY, COLLIN COUNTY, TEXAS AMENDING CHAPTER 26 “DEVELOPMENT STANDARDS”, ARTICLE 26.06 “EXTERIOR CONSTRUCTION AND DESIGN”, SECTION 26.06.002 ENTITLED “DESIGN STANDARDS”, SUBSECTION 26.06.002(1) ENTITLED “RESIDENTIAL BUILDINGS AND STRUCTURES” TO ESTABLISH STANDARDS FOR ROOFS ON RESIDENTIAL BUILDINGS AND STRUCTURES; PROVIDING FOR INCORPORATION OF PREMISES; PROVIDING AMENDMENTS; PROVIDING FOR A PENALTY NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000) PER DAY FOR EACH OFFENSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A CUMULATIVE/REPEALER CLAUSE, PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Murphy 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; and

WHEREAS, the Commission, at a regularly scheduled meeting of the Commission on November 22, 2021, voted to approve amendments to provisions in Section 26.06, Exterior Construction and Design; and

WHEREAS, the Planning and Zoning Commission of the City of Murphy and the City Council of the City of Murphy, in compliance with the laws of the State of Texas, have given the requisite notices by publication and otherwise, and have held due hearings and afforded a full and fair hearing to all property owners generally and to all persons interested, and the City Council of the City of Murphy in exercise of its legislative discretion has concluded that it is in the best interest of the health, safety, and welfare of the citizens of the City of Murphy to make the following amendments to Chapter 26, Development Standards of the City of Murphy Code of Ordinances as follows:

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

Section 1. Incorporation of Premises. That all of the above recitals are found to be true and correct and are incorporated into the body of this Ordinance as if fully set forth herein.

Section 2. Amendment.

That Subsection 26.06.002(1)(F) entitled “Roofs” of the Code of Ordinances of the City of Murphy, is hereby amended and shall read in its entirety as follows:

Chapter 26. Development Standards

Article 26.06. Exterior Construction and Design
Sec. 26.06.002. Design Standards
Subsection 26.06.002(1) Residential Buildings and Structures

(F) Roofs. Minimum roof pitch shall be at least 8:12, unless otherwise stated in applicable zoning district or PD ordinance, with the following exceptions:

- (i) “Santa Fe” style with flat roof and highly articulated parapet that conceals the roof and any roof-mounted equipment, the home being of rustic design with adobe or stucco exterior and natural wood accents;
- (ii) “Texas ranch house” style with low pitched roofs (minimum of 5:12) and large eaves/ overhangs, the home generally being one-story with a rambling design on a SF-20 lot or larger; or
- (iii) “Mediterranean” style with a low-pitched roof (minimum of 5:12) topped with tile or material with similar appearance, the home generally having a stucco and/or tumbled stone exterior.

Any proposed addition to an existing single-family structure shall have a minimum roof pitch of 4:12.

Section 3. Penalty. Any person, firm or corporation intentionally, knowingly or recklessly violating any term or provision of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be subject to a penalty of fine not to exceed the amount of Two Thousand Dollars (\$2,000) for each offense. Every day a violation continues shall constitute a separate offense.

Section 4. Savings. That all rights and remedies of the City of Murphy are expressly saved as to any and all violations of the provisions of any Ordinances that have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such Ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

Section 5. Cumulative/Repealer Clause. This Ordinance shall be cumulative of all other Ordinances of the City of Murphy and shall not repeal any of the provisions of such Ordinances except for those instances where there are direct conflicts with the provisions of this Ordinance or where expressly repealed hereby. 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.


Section 6. Severability Clause. If any section, article, paragraph, sentence, clause, phrase or word in this Ordinance or application thereof to any person or circumstance is held invalid or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this Ordinance, and the City Council hereby declares it would have passed such remaining portions of this Ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

Section 7. Publication/Effective Date. This Ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and City Charter in such cases provide.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Murphy, Texas, on this 7th day of December, 2021.

ATTEST:





Scott Bradley, Mayor
City of Murphy, Texas



Susie Quinn, City Secretary

APPROVED AS TO FORM:

for 

Wm. Andrew Messer, City Attorney