AN ORDINANCE DESIGNATING CERTAIN AREAS OF THE CITY OF FORT WORTH'S EXTRATERRITORIAL JURISDICTION AS INDUSTRIAL DISTRICTS AS AUTHORIZED BY SECTION 42.044 OF THE TEXAS LOCAL GOVERNMENT CODE; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

**WHEREAS** Section 42.044 of the Texas Local Government Code authorizes the governing body of a municipality to designate any part of its extraterritorial jurisdiction as an "industrial district" and to treat the designated area in a manner considered by the governing body to be in the best interests of the municipality; and

**WHEREAS** the City of Fort Worth's Comprehensive Plan designates certain areas of its extraterritorial jurisdiction ("ETJ") located east of I-35W, south of SH 114, and north of SH 170 for industrial and mixed-use development; and

**WHEREAS** the Fort Worth city limits generally surround these ETJ areas and the City plans to serve the areas to support future industrial development.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FORT WORTH, TEXAS, THAT:

# **SECTION 1.**

The City Council hereby designates the parcels of land in the City of Fort Worth's extraterritorial jurisdiction that are identified in Exhibit A, which is attached hereto and incorporated herein by reference, each as an individually designated industrial district numbered 1-8 pursuant to Section 42.044 of the Texas Local Government Code.

### **SECTION 2.**

This ordinance shall be cumulative of all provisions of ordinances and of the Code of the City of Fort Worth, Texas (2015), as amended, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances and such Code, in which event conflicting provisions of such ordinances and such Code are hereby repealed.

### **SECTION 3.**

All rights and remedies of the City of Fort Worth, Texas, are expressly saved as to any and all violations of the provisions of the Code of the City of Fort Worth, or any other ordinances of the City, 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

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such ordinances, same shall not be affected by this ordinance, but may be prosecuted until final disposition by the courts.

## **SECTION 4.**

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 unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

## **SECTION 5.**

This ordinance shall take effect upon adoption.

# APPROVED AS TO FORM AND LEGALITY:

City Secretary

