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49       **WHEREAS**, as a result of the recommendation of the Planning and Zoning  
50 Commission, as contained in its final report, the City Council, after review, hereby finds and  
51 determines that the proposed Master Landscaping Plan, attached hereto as Exhibit “A”  
52 should be approved as in the best interest of the community, its health and general welfare;  
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54       **NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY**  
55 **OF SEABROOK, STATE OF TEXAS:**

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57       **SECTION 1. FINDINGS.**

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59       That the facts and matters set forth in the preamble of this Ordinance are hereby  
60 found to be true and correct.

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62       **SECTION 2. AMENDMENT TO THE SEABROOK CITY CODE .**

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64       The Seabrook City Code of Ordinances, is hereby amended by approving a “Master  
65 Landscaping Plan”, for owner applicant, being more particularly described in “Exhibit A”,  
66 which is incorporated by reference for all purposes for the property located at the 2000 to  
67 2100 Block of State Highway 146, “Miramar Shopping Center”, located immediately east of  
68 State Highway 146, north of Hialeah Drive, south of El Mar Lane, and west of Bahama  
69 Drive, as provided in Subsection 7.01.14(b)(3), and owner applicant shall meet the standards  
70 approved in Exhibit “A” Master Landscaping Plan and all signs in this designated area shall  
71 meet the standards as approved in Exhibit A.

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73       **SECTION 3. INCORPORATION INTO THE CODE; PENALTY CLAUSE.**

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75       This ordinance is hereby incorporated and made a part of the Seabrook City Code.  
76 Violation of this Ordinance is subject to the penalty section of said Code including, Section  
77 11.06, “Criminal Enforcement”, which provides that any person who shall violate any  
78 provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction,  
79 shall be fined in an amount not to exceed \$2,000.00. Each day of violation shall constitute a  
80 separate offense.

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82       **SECTION 4. SAVINGS.**

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84       All rights and remedies that have accrued in favor of the City under this Ordinance  
85 and amendment hereto shall be and are preserved for the benefit of the City.

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87       **SECTION 5. REPEAL OF CONFLICTING ORDINANCES.**

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89       All ordinances or parts of ordinances in conflict or inconsistent with this Ordinance  
90 are hereby expressly repealed. This Ordinance shall in no manner amend, change,  
91 supplement, or revise any provision of any ordinance of the City of Seabrook.

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**SECTION 6. SEVERABILITY.**

In the event any clause phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part of provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Seabrook, Texas, declares that it would have passed each every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

**SECTION 7. NOTICE.**

The City Secretary shall give notice of the enactment of this Ordinance by promptly publishing it or its descriptive caption and penalty after final passage in the official newspaper of the City; the Ordinance to take effect upon publication.

**PASSED, APPROVED, AND ADOPTED** on first reading with a quorum present, by an affirmative vote of a majority of Councilmembers present, in accordance with Seabrook City Charter Section 2.10 on this 16<sup>th</sup> day of August, 2022.

**PASSED, APPROVED, AND ADOPTED**, as revised on final reading with a quorum present, by an affirmative vote of a majority of Councilmembers present, in accordance with Seabrook City Charter Section 2.10 on this 6<sup>th</sup> day of September, 2022.

By: \_\_\_\_\_  
Thomas G. Kolupski  
Mayor

ATTEST:

By: \_\_\_\_\_  
Robin Lenio, TRMC  
City Secretary

APPROVED AS TO FORM:

\_\_\_\_\_  
Steven L. Weathered  
City Attorney