

**ORDINANCE NO. 09-02**

AN ORDINANCE OF THE TOWN OF SOUTH PADRE ISLAND, TEXAS AMENDING SECTIONS 4-33, 4-34 AND 4-35 OF ARTICLE IV OF CHAPTER 4 OF THE CODE OF ORDINANCES OF THE TOWN TO PROVIDE THAT THE BOARD OF ALDERMAN SHALL ACT AS THE BOARD OF ADJUSTMENTS AND APPEALS UNDER CHAPTER 4 (BUILDINGS AND CONTRUCTION); PROVIDING FOR SEVERABILITY AND EFFECTIVE DATE.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE TOWN OF SOUTH PADRE ISLAND, TEXAS:

Section 1. Sections 4-33, 4-34 and 4-35 of Article IV of Chapter 4 of the Code of Ordinances of the Town of South Padre Island are hereby amended to read as follows:

**"Sec.4-33 Appointment.**

There is hereby established a board to be called the Board of Adjustments and Appeals (hereafter Board) which shall be the Board of Aldermen of the Town.

**Sec.4-34 Term of Office.**

Each member of the Board shall serve for the same period that they serve as an alderman.

**Sec.4-35 Quorum.**

Four (4) members of the Board shall constitute a quorum. In varying the application of any provision of this Chapter or adopted code or in modifying an order of the Building Official, the concurring votes of four (4) members, shall be required. A Board member shall not act in a case in which he has a personal interest."

Section 2. If for any reason any section, paragraph, subdivision, clause, phrase, word or provision of this ordinance shall be held invalid or unconstitutional by final judgment of a court of competent jurisdiction, it shall not affect any other section, paragraph, subdivision, clause, phrase, word or provision of this ordinance for it is the definite intent of this Board of Aldermen that every section, paragraph, subdivision, clause, phrase, word or provision hereof be given full force and effect for its purpose.

Section 3. This Ordinance shall become effective when it is adopted in final form.


PASSED, APPROVED AND ADOPTED on First Reading, this 18th day of February 2009.

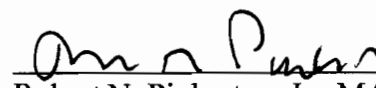
PASSED, APPROVED AND ADOPTED on Second Reading, this 4<sup>th</sup> day of March 2009.

ATTEST:



**TOWN OF SOUTH PADRE  
ISLAND, TEXAS**

  
Susan M. Hill, TOWN SECRETARY

  
Robert N. Pinkerton, Jr., MAYOR