

CITY OF ROCKWALL

ORDINANCE NO. 25-60

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, BY AMENDING ARTICLE 12, *ENFORCEMENT*, AS DEPICTED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Rockwall, Texas adopted the Unified Development Code [Ordinance No. 20-02] on February 3, 2020 and the Unified Development Code (UDC) has been amended over the years to improve efficiency and ensure the safe, orderly and efficient development and expansion of the City of Rockwall in accordance with and pursuant to its Comprehensive Plan, Master Thoroughfare Plan, and Master Trail Plan; and,

WHEREAS, the City Council has determined that there is a need to strengthen the regulations regarding building permits in that some projects lay dormant or show little progress over the years; and,

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the city's corporate boundaries, and the governing body in the exercise of its legislative discretion, has concluded that the Unified Development Code [Ordinance No. 20-02] should be amended as follows:

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

SECTION 1. FINDINGS OF FACT. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

SECTION 2. AMENDMENT. That Article 12, *Enforcement*, of the Unified Development Code [Ordinance No. 20-02] of the City of Rockwall, as heretofore amended, be and the same is hereby amended as specifically described in *Exhibit 'S'* of this ordinance;

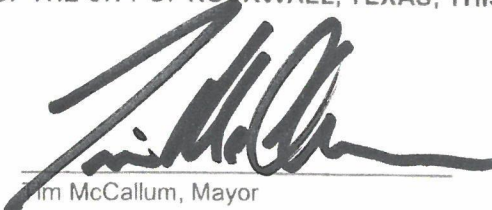
SECTION 3. PENALTY OF FINE. That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *Two Thousand Dollars (\$2,000.00)* for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense;

SECTION 4. REMAINING PROVISIONS UNCHANGED. That if any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code [Ordinance No. 20-02], and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable;

SECTION 5. EFFECTIVE DATE. That this ordinance shall take effect immediately from and after its passage.

SECTION 6. OPEN MEETINGS. It is hereby officially found and determined that the meeting at which this Ordinance is passed was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act.

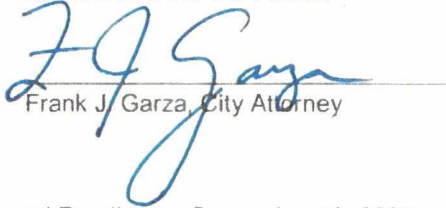
PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE
6TH DAY OF OCTOBER, 2025.


Tim McCallum, Mayor

ATTEST:


Kristy Teague, City Secretary

APPROVED AS TO FORM:


Frank J. Garza, City Attorney



1st Reading: September 15, 2025

2nd Reading: October 6, 2025

Exhibit 'A'
Article 12, Enforcement, of the
Unified Development Code (UDC)



SECTION 01 | PENALTIES

SUBSECTION 01.01: COMPLIANCE AND FINES

Any person who violates or fails to comply with the requirements of the Unified Development Code (UDC) or who builds or alters any building in violation of any plan or statement submitted and approved hereunder, shall be guilty of a misdemeanor and shall be liable to a fine of not more than \$2,000.00. Each day such violation shall be permitted to exist shall constitute a separate offense. The owner of any building or premises or part thereof, where anything in violation of the Unified Development Code (UDC) shall be placed or shall exist shall be guilty of a separate offense and upon conviction thereof shall be fined as herein provided.

SUBSECTION 01.02: OTHER ACTIONS

Nothing herein contained shall prevent the City from taking such other lawful action as is necessary to prevent or remedy any violation.

SECTION 02 | STOP WORK ORDER

SUBSECTION 02.01: STOP WORK ORDER

When the City determines that there has been non-compliance with any material term, condition or requirement of the Unified Development Code (UDC), the City may order any person having a proprietary interest in the property or any person engaged in the development or construction on the property to cease and desist from engaging in any further development or construction activities on the site. The *Stop Work Order* shall be in writing and shall be posted on the site. The order shall specifically state the nature of the non-compliance and the acts prohibited.

The City may bring suit in a court of competent jurisdiction to restrain and enjoin any person attempting or allowing development or construction without a permit or other authorization or who fails to cease and desist from further development or construction after notice of a stop work order has been posted in accordance with this Article.

When the City determines that there has been non-compliance with the Unified Development Code (UDC) which constitutes a health or safety hazard, a stop work order shall be issued and shall remain in effect until there has been compliance with the Unified Development Code (UDC). This Article shall not override the county health director or designee's ability to suspend, or reinstate food or child care permits in conformance with state and federal laws.

SUBSECTION 02.02: APPEAL PROCESS

Appeal of a *Stop Work Order*, suspension or revocation may be made to the City Council or the appropriate board or commission, by any person aggrieved, by giving written notice no later than three (3) days after the stop work order is posted, or notice of the suspension or revocation is received. The notice shall state:

- (A) The name and address of the person making the appeal;
- (B) The facts surrounding of particular appeal;
- (C) The nature of the *Stop Work Order*, suspension or revocation; and
- (D) The reasons why the ruling should be set aside.

The City Council or appropriate board or commission shall hear the appeal at its next regularly scheduled meeting following receipt of the

notice of appeal provided that the appeal is received at least three working days prior to that meeting. The City Council or appropriate board or commission shall either affirm or reverse the decision appealed no later than seven (7) days after the close of the hearing.

An appeal brought under this section shall not stay the *Stop Work Order*, suspension or revocation.

SECTION 03 | OCCUPANCY, BUILDING, AND USE PERMITS

SUBSECTION 03.01: BUILDING PERMITS REQUIRED

(A) **Building Permit Required.** No building or other structure shall be erected, moved, added to, or structurally altered without a permit issued by the Chief Building Official, as required by [Chapter 10, Building and Building Regulations, of the Municipal Code of Ordinances](#). A building permit shall not be issued except in conformity with the provisions of the Unified Development Code (UDC), unless otherwise authorized by the Board of Adjustment (BOA) in the form of a variance as provided by the Unified Development Code (UDC).

(B) **Building Permit Expiration.** The purpose of this section is to provide an expiration date for building permits that are approved by the City of Rockwall.

(1) **Building Permits Issued After October 6, 2025.** Any building permit issued by the City of Rockwall on or after **October 6, 2025**, shall expire in six (6) months from **October 6, 2025**, if at the time of issuance, the permit did not have an expiration date and no progress has been made towards the completion of the project as determined by the Chief Building Official.

(2) **Building Permits Issued Before October 6, 2025.** Not with standing any other provision of this Article, any building permit issued on or before **October 6, 2025**, shall expire in two (2) years from **October 6, 2025**, if at the time of issuance, the permit did not have an expiration date and the building is not substantially complete as determined by the Chief Building Official.

(3) **Extension of a Building Permit.** Any extension of a building permit must be requested in writing prior to the expiration date of the building permit, and such request must be accompanied by evidence that substantial progress has been made towards completion of the project. The Chief Building Official shall have sole discretion as to any extension of a building permit.

(4) **Appeal of an Extension Request.** If the Chief Building Official denies an extension, the applicant of the extension request shall have ten (10) days to file an appeal with the Board of Adjustments (BOA) on the grounds of an *Appeal of an Administrative Decision* as defined in Subsection 04.03(A)(1) of Article 02, *Development Review Authority*, of this Unified Development Code (UDC).

SUBSECTION 03.02: CERTIFICATES OF OCCUPANCY FOR NEW, ALTERED, OR NON-CONFORMING USES

(A) It shall be unlawful to use, occupy, or permit the use or occupancy of any building or premises or both, or part thereof, hereafter created, erected, changed, converted or altered or enlarged in its