

ORDINANCE NO. 3964

AN ORDINANCE OF THE CITY OF NORTH RICHLAND HILLS, TEXAS, AMENDING ORDINANCE NO. 3663 OF THE CITY OF NORTH RICHLAND HILLS, TEXAS, TO REPLACE EXHIBIT B ESTABLISHING RESTRICTIONS AND CONDITIONS ON VARIANCE; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES AND REPEAL OF CONFLICTING PROVISIONS; PROVIDING SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of North Richland Hills is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, the City Council previously adopted Ordinance No. 3663 authorizing a variance to the distance requirements for the sale of alcohol for on-premise consumption on 8.443 acres in the 9000 Block of Mid-Cities Boulevard, North Richland Hills, Texas; and

WHEREAS, Ordinance No. 3663 had attached an Exhibit "B" setting forth restrictions and conditions on the variance being granted; and

WHEREAS, the City Council now finds it necessary to amend Exhibit "B" to Ordinance No. 3663 to accurately reflect the intended restrictions and conditions.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NORTH RICHLAND HILLS, TEXAS, THAT:

SECTION 1: The City Council hereby finds the recitals above to be true and correct, and such recitals are hereby incorporated into this Ordinance as if written herein.

SECTION 2: Ordinance No. 3663 is hereby amended by replacing Exhibit "B" to said ordinance with Exhibit "A," attached hereto and incorporated into this Ordinance for all purposes. The regulations contained in Exhibit "A" shall apply to the variance granted in Ordinance No. 3663 as if the document was included in said ordinance when it was originally adopted.

SECTION 3: This Ordinance shall be cumulative of all provisions of the Code of Ordinances, City of North Richland Hills, Texas, 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of such ordinances and such Code, in which event conflicting provisions of such ordinances and such Code are hereby repealed.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 4: All rights and remedies of the City of North Richland Hills are expressly saved as to any and all violations of the provisions of any ordinances in the Code of Ordinances, City of North Richland Hills, Texas, 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: It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections 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 6: This Ordinance shall be in full force and effect from and after its passage.

AND IT IS SO ORDAINED.

PASSED AND APPROVED on this 27th day of July 2026.

CITY OF NORTH RICHLAND HILLS

Jack McCarty, Mayor

ATTEST:

Alicia Richardson
City Secretary/Chief Governance Officer

APPROVED AS TO FORM AND LEGALITY:

Bradley A. Anderle, City Attorney

APPROVED AS TO CONTENT:

Cori Reaume, Director of Planning
Ordinance No. 3964
Page 2 of 2