

STATE OF TEXAS

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COUNTY OF FORT BEND

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**ORDER ADOPTING VISUAL AESTHETIC STANDARDS FOR SCREENING
JUNKYARDS AND AUTOMOTIVE WRECKING AND SALVAGE YARDS
IN THE UNINCORPORATED AREA OF FORT BEND COUNTY**

On this the 23 day of May, 2017, the Commissioners Court of Fort Bend County, Texas, sitting as the governing body of Fort Bend County, upon a motion of Commissioner Myers, seconded by Commissioner Patterson, a duly put and carried;

WHEREAS, the purpose of this Order is to establish visual aesthetic standards for screening requirements applicable to junkyards and automotive wrecking and salvage yards located in the unincorporated area of Fort Bend County;

WHEREAS, the authority to promulgate and enforce this Order is granted to Fort Bend County Commissioners Court by Chapter 234, Subchapter A, Texas Local Government Code;

NOW, THEREFORE, BE IT ORDERED that Fort Bend County Commissioners Court does hereby adopt these visual aesthetic standards for screening requirements applicable to junkyards and automotive wrecking and salvage yards located in the unincorporated area of Fort Bend County as set forth below:

1. DEFINITIONS.

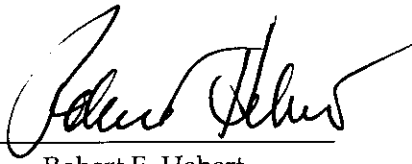
- 1.1. "Automotive wrecking and salvage yard" shall mean a business, other than a business classified as a salvage pool operator under Chapter 2302, Occupations Code, that stores three or more wrecked vehicles outdoors for the purpose of:
 - (a) selling the vehicles whole; or
 - (b) dismantling or otherwise wrecking the vehicles to remove parts for sale or for use in an automotive repair or rebuilding business.
- 1.2. "Junkyard" shall mean a business that stores, buys, or sells materials that have been discarded or sold at a nominal price by a previous owner and that keeps all or part of the materials outdoors until disposing of them.
- 1.3. "Screen" shall mean a solid barrier fence.

2. Standards.

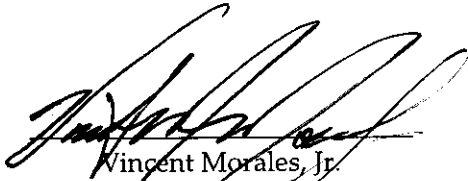
- 2.1. All junkyards and automotive wrecking and salvage yards, or combination thereof, shall be screened with a fence surrounding the entire business that effectively blocks the view of the junkyards and automotive wrecking and salvage yards from the motoring public at all times. The fencing must meet the following minimum standards:
 - (a) Height. The entire fence must be at least eight (8) feet in height.
 - (b) Design. Such screening shall be so designed as to cause the junkyard or automotive wrecking and salvage yard area to be inconspicuous and pleasing to the motoring public.

- (c) Fencing Material. The fencing shall be constructed of wood, masonry, corrugated sheet metal, chain link, or a combination of these materials and must be painted a single earth tone color.
 - (i) A chain link fence must be galvanized and have wood, vinyl, or metal slats or strips of a single earth tone color that run through all links of the fence. A properly constructed and maintained chain link fence with slats or strips complies with this Section.
 - (d) Signs. The fence may not have any signs appear on its surface, other than a sign indicating the business name.
- 2.2. Location. The fence must be located outside the right-of-way in such manner as not to interfere in any way with traffic along any highway or roadway.
- 3. COMPLIANCE WITH ORDER**
- 3.1. A business subject to this order must be in compliance with this Order no later than six (6) months from the effective date of this Order.
- 3.2. If a business subject to this Order is unable to comply with the screening requirement of this Order within the six (6) month period, then the business must obtain a variance from the Fort Bend County Fire Marshal's Office.
- 3.3. A business subject to a screening requirement under Subchapter E of Chapter 391, Chapter 396, or Chapter 397, Transportation Code, that was in compliance with that screening requirement on August 26, 1991, is exempt from the screening requirement adopted under this Order.
- 3.4. This Order does not apply to farm machinery owned or operated by the person on whose property the machinery is located and kept on that property for purposes other than sale.
- 4. ENFORCEMENT**
- 4.1. Violations of the visual aesthetic standards: Failure to comply with the Visual Aesthetic Standards may result in the following:
 - (a) A penalty not to exceed \$50 each day for the first 10 days of the violation;
 - (b) A penalty not to exceed \$100 each day for days 11 - 20;
 - (c) A penalty not to exceed \$250 each day for days 21 - 30; and
 - (d) A penalty not to exceed \$1,000 for each day after 30 days.
- 4.2. The County Attorney may file a civil action to recover any civil penalty from a business that violates a visual aesthetic standard established under this Order. In determining the amount of the penalty, the court shall consider the seriousness of the violation.

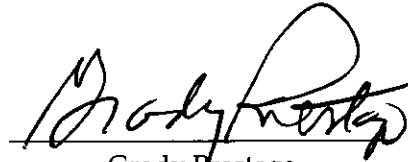
IT IS ORDERED, ADJUDGED AND DECREED by the Commissioners Court of Fort Bend County, Texas, that the above standards be and are hereby approved effective on the date of approval of this order.



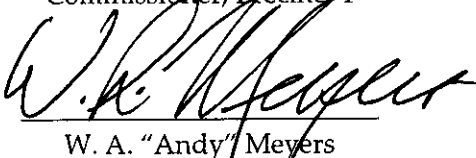
Robert E. Hebert
County Judge



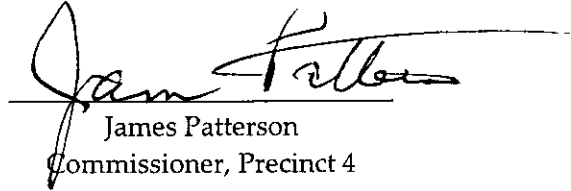
Vincent Morales, Jr.
Commissioner, Precinct 1



Grady Prestage
Commissioner, Precinct 2



W. A. "Andy" Meyers
Commissioner, Precinct 3



James Patterson
Commissioner, Precinct 4

ATTEST:



Laura Richard, County Clerk



Mark Flathouse, County Fire Marshal

