

By: Farrar

H.B. No. 1129

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the types of restrictions that may be enforced by  
3 certain municipalities.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 212.132, Local Government Code, as  
6 redesignated by Chapter 1420, Acts of the 77th Legislature, Regular  
7 Session, 2001, is amended to read as follows:

8 Sec. 212.132. DEFINITION. In this subchapter,  
9 "restriction" means a land-use regulation [~~limitation~~] that:

10 (1) affects the character of the use to which real  
11 property, including residential and rental property, may be put;

12 (2) fixes the distance that a structure must be set  
13 back from property lines, street lines, or lot lines; [~~or~~]

14 (3) affects the size of a lot or the size, type, and  
15 number of structures that may be built on the lot;

16 (4) regulates or restricts the type of activities that  
17 may take place on the property, including commercial activities,  
18 keeping of animals, use of fire, nuisance activities, vehicle  
19 storage, and parking;

20 (5) regulates architectural features of a structure,  
21 construction of fences, landscaping, garbage disposal, or noise  
22 levels; or

23 (6) specifies the type of maintenance that must be  
24 performed on a lot or structure, including maintenance of a yard or

1 fence.

2 SECTION 2. This Act takes effect September 1, 2003.