

ORDINANCE 2013-02

AN ORDINANCE OF THE CITY OF CANTON, TEXAS, AMENDING THE 1985 ZONING ORDINANCE FOR THE CITY OF CANTON, TEXAS, AS HERETOFORE AMENDED, GRANTING A SPECIFIC USE PERMIT TO ALLOW RESIDENTIAL AND/OR APARTMENT DWELLING(S) AT 180 W. TYLER, CANTON, TEXAS; REPEALING ALL ORDINANCES OR SECTIONS IN CONFLICT THEREWITH; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO HUNDRED DOLLARS (\$200.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the Planning and Zoning Commission of the City of Canton and the City Council of the City of Canton, in compliance with the laws of the State of Texas with reference to the granting of zoning classifications and changes, have given the requisite notices by publication and otherwise, and have held due hearings and afforded a full and fair hearing to all property owners generally and to all persons interested and situated in the affected area and in the vicinity thereof; and

WHEREAS, the City Council of the City of Canton is of the opinion and finds that a specific use permit should be granted and that the Zoning Ordinance should be amended:

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Canton, Texas:

SECTION 1

That the Zoning Ordinance and Official Zoning Map of the City of Canton, Texas, as heretofore amended, be, and the same is hereby amended, by granting a specific use permit to allow residential and/or apartment dwellings in General Business District (B-2) zoning on the second and third levels of the property described as 180 W. Tyler, Canton, Texas, currently owned by Tommy Eubank.

SECTION 2. REGULATIONS

The building shall be renovated to meet current building and fire codes to ensure the life safety of the residents.

SECTION 3. SPECIAL REQUIREMENTS

On-street parking is not allowed for residents. Off-street parking shall be designated or assigned.
A system of interconnected audible fire alarms shall be installed in all areas.
A fire sprinkler system shall be installed throughout the building.
All living spaces shall have a secondary means of emergency egress.

SECTION 4. VIOLATION AND PENALTY

Any violation of the 1985 Zoning Ordinance shall be a misdemeanor and each day that said violation occurs shall be a separate misdemeanor and the penalty for violating the provisions of the 1985 Zoning Ordinance shall be a fine not to exceed Two Hundred (\$200.00) Dollars.

SECTION 5. REPEAL OF CONFLICTING ORDINANCE

That all ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed to the extent of such conflict.

SECTION 6. SEVERABILITY CLAUSE

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 City Council that every section, paragraph, subdivision, clause, phrase, word or provision hereof be given full force and effect for its purpose.

SECTION 7. EFFECTIVE DATE

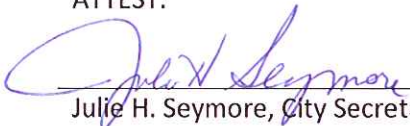
This ordinance shall take effect immediately from and after its passage.

PASSED by a majority vote of the City Council of Canton, Texas, on this the 15th day of January, 2013, to attest which we hereunto set our hand and seal.



Cary S. Hilliard, Mayor

ATTEST:



Julie H. Seymore, City Secretary