

**ORDINANCE NO. 2009-37**

**AN ORDINANCE OF THE CITY OF CANTON, TEXAS, AMENDING THE 1985 CITY OF CANTON ZONING ORDINANCE, AS HERETOFORE AMENDED, BY CHANGING THE ZONING FROM FIRST MONDAY BUSINESS "FMB-1" TO LOCAL BUSINESS DISTRICT "B-1" ON ALL TRACTS OF LAND LOCATED BETWEEN THE AREA BORDERED BY GROVES STREET ON THE NORTH SIDE, TRADE DAYS BLVD. ON THE EAST SIDE, TERRELL STREET ON THE SOUTH SIDE AND LITTLE STREET ON THE WEST SIDE, IN DOWNTOWN CANTON, TEXAS; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; 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 zoning change should be granted and that the Zoning Ordinance and Map 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 Map of the City of CANTON, Texas, as heretofore amended, be, and the same are hereby, amended by changing the property located in the area bordered on the north side by Groves Street, on the east side by North Trade Days Blvd., on the south side by Terrell Street, and on the west side by Little Street, in downtown Canton, Texas, from First Monday Business "FMB-1" to Local Business District "B-1" zoning classification.

**SECTION 2.** That the property described may be used only for the purposes set out in the Zoning Ordinance of the City of Canton, subject to the following special conditions:

- a. That the property shall be developed in accordance with the City of Canton Zoning Ordinance; and
- b. That the Use Regulations, Height Regulations and Area Regulations of the "B-1" Local Business District shall apply.

**SECTION 3.** That any provisions of the ordinances of the City of Canton in conflict with the provisions of this ordinance or the Zoning Ordinance and Map, as amended hereby, be, and the same are hereby, repealed.


**SECTION 4.** That should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance or the Comprehensive Plan, as amended hereby, be adjudged or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this ordinance or the Comprehensive Plan as a whole, or any part or provision thereof, other than the part decided to be invalid, illegal or unconstitutional.

**SECTION 5.** Any violation of this 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 this Ordinance shall be a fine not to exceed Two Hundred and No/100 (\$200.00) Dollars.

**SECTION 6.** That this ordinance shall take effect immediately from and after its passage and the publication of the caption as the law in such cases provide.

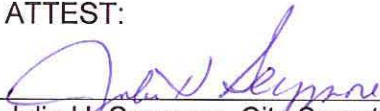
**DULY PASSED** by the City Council of the City of Canton, Texas, on the 17<sup>th</sup> day of November, 2009.

**APPROVED:**



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William R. Wilson, Mayor

**ATTEST:**



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Julie H. Seymore, City Secretary