

CITY OF THE COLONY, TEXAS

ORDINANCE NO. 2020 - 2387

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF THE COLONY, TEXAS, AMENDING THE CODE OF ORDINANCES, APPENDIX A, SECTION 10, SECTION 10-100, OF THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF THE COLONY, TEXAS, ENTITLED "SCHEDULE OF USES BY DISTRICT" IS HEREBY AMENDED BY AMENDING THE USE CHART FOR THE USE "(74) PET SHOP" AND "(79) KENNELS, INDOOR (NO OUTSIDE RUNS) AND KENNELS, OUTDOOR (INCLUDES OUTSIDE RUNS)"; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY OF A FINE NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000) FOR EACH AND EVERY OFFENSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 211.006(a) of the Texas Local Government Code requires the City of The Colony, Texas, to publish notice of a public hearing concerning a zoning amendment before the 15th day before the date of the public hearing; and

WHEREAS, Appendix A, Section 24-101(d) of the Code of Ordinances of the City of The Colony, Texas, provides the following "[a] public hearing shall be held by city council before adopting any proposed amendment, supplement or change. Notice of such hearing shall be given per the publication policy of the city, stating the time and place of such hearing, and shall be published a minimum of 15 days prior to the date of the public hearing;" and

WHEREAS, the Planning and Zoning Commission and the City Council of the City of The Colony, Texas, in compliance with the laws of the State of Texas, and the Code of Ordinances of the City of The Colony, Texas, 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 the City Council of the City of The Colony, Texas, is of the opinion and finds that said changes should be granted, and that the Code of Ordinances should be amended.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF THE COLONY, TEXAS:

SECTION 1. That the findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

SECTION 2. That Appendix A, Section 10, Section 10-100, of the Comprehensive Zoning Ordinance of the City of The Colony, Texas, entitled "Schedule of Uses by District" is hereby amended by amending the use chart for the use "(74) Pet shop" which shall read as follows:

		SF	D	TH	M1	M2	M3	M4	MH	PD	A	P	O1	O2	NS	SC	GR	LC	HC	I	BP
74	Pet Shop	N	N	N	N	N	N	N	N		N	N	N	N	N	N	N	N	N	N	N

SECTION 3. That Appendix A, Section 10, Section 10-100, of the Comprehensive Zoning Ordinance of the City of The Colony, Texas, entitled “Schedule of Uses by District” is hereby amended by amending the use chart for the use “(79) Kennels, indoor (no outside runs) and Kennels, outdoor (includes outside runs),” which shall read as follows:

79	Kennels, indoor (no outside runs)	N	N	N	N	N	N	N	N	N	N	*	S	S	S	S	S	S	S	S	S	N
	Kennels, outdoor (includes outside runs)	N	N	N	N	N	N	N	N	N	N	*	S	S	S	S	S	S	S	S	S	N

SECTION 4. If any section, article paragraph, sentence, clause, phrase or word in this ordinance, or application thereto any persons or circumstances is held invalid or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this ordinance; and the City Council hereby declares it would have passed such remaining portions of this Ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

SECTION 5. That all provisions of the Ordinances of the City of The Colony, Texas, in conflict with the provisions of this ordinance be, and the same are hereby amended, repealed, and all other provisions of the Ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 6. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and, upon conviction in the municipal court of the City of The Colony, Texas, shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense. Every day a violation occurs shall constitute a separate offense.

SECTION 7. This Ordinance shall become effective from and after its date of passage in accordance with law.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF THE COLONY, TEXAS, THIS 21ST day of JANUARY, 2020.



 Joe McCourry, Mayor

ATTEST:

Tina Stewart

Tina Stewart, City Secretary

APPROVED AS TO FORM:

Jeff Moore

Jeff Moore, City Attorney

