

ORDINANCE NO. 2004-09

AN ORDINANCE OF THE CITY OF CANTON, TEXAS, AMENDING THE 1985 ZONING ORDINANCE FOR THE CITY OF CANTON, TEXAS, AS HERETOFORE AMENDED, PROVIDING FOR THE ALLOWANCE OF BED AND BREAKFAST FACILITIES BY SPECIFIC USE PERMIT; 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.

SECTION 1: That Section 3.2 GENERAL DEFINITIONS be amended to include:

1A. BED AND BREAKFAST FACILITY: A facility in which accommodations are furnished for lease or rent, whether with or without meals, in which two (2) or more such accommodations are used or maintained for guests, lodgers, or roomers.

SECTION 2: That Section 15-15 SPECIFIC USE PERMITS be amended to include:

Section 1.3 Specific Uses by Zoning Districts

Agricultural District (RA)

16. Bed and Breakfast Facility

Single Family Detached Residential (R-1), (R-2), (R-3)

Multiple Family Residential (MF-1)

Mobile Home Park District (MH-1)

Manufactured Housing District (R-4)

22. Bed and Breakfast Facility

Restricted Professional and Office (RPO)

28. Bed and Breakfast Facility

Local Business District (B-1)

34. Bed and Breakfast Facility

General Business District (B-2)

26. Bed and Breakfast Facility

First Monday Business District (FMB-1), (FMB-2)

1. Bed and Breakfast Facility

SECTION 3. VIOLATION AND PENALTY

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 4. 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That all ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed to the extent of such conflict.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 5. 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 effect 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 6. EFFECTIVE DATE

The City Manger of the City of Canton is hereby authorized and directed to cause a true and correct copy of the caption, penalties, and effective date of this ordinance to be published in a newspaper having general circulation in the City of Canton, Texas prior to its effective date. Following the publication, this ordinance shall be in full force and effect.

PASSED by a majority vote of the City Council of Canton, Texas, on this the 20th day of April, 2004, to attest which we hereunto set our hands and seal.

WILLIAM F. HILLIARD, Mayor

ATTEST:

JULIE H. JACKSON, City Secretary