

ORDINANCE NO. 2011 - 14

AN ORDINANCE OF THE CITY OF CANTON, TEXAS, AMENDING THE 1985 ZONING ORDINANCE FOR THE CITY OF CANTON, TEXAS, AS HERETOFORE AMENDED, BY ALLOWING RECONSTRUCTION OF A RESIDENCE DESIGNATED AS A NONCONFORMING USE IN OTHER DISTRICTS THAT IS DESTROYED BY FIRE, EXPLOSION OR ACT OF GOD; 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 16-10. NONCONFORMING USES (5a) be amended to read as follows:

5. Restoration of nonconforming buildings

- a. Nonconforming buildings may be restored only if destruction caused by fire, explosion or act of God is fifty percent (50%) or less of its structural valuation prior to such destruction, except that a residence located in a zoning district that designates it as a nonconforming use may be reconstructed as a residence if destruction caused by fire, explosion or act of God is one hundred percent (100%) or less.

SECTION 2. 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 3. 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That all ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed to the extent of such conflict.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 4. SEVERABILITY CLAUSE

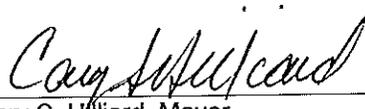
If for any reason any section, paragraph, subdivision, clause, phrase, word or provision of this ordinance shall be held invalid or unconstitutional by final judgment of a court of competent jurisdiction, it shall not effect any other section, paragraph, subdivision, clause, phrase, word or provision 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.

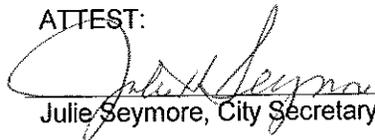
SECTION 5. EFFECTIVE DATE

The City Manager 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 15th day of November, 2011, to attest which we hereunto set our hands and seal.



Cary S. Hilliard, Mayor

ATTEST:


Julie Seymore, City Secretary