

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF MANSFIELD, TEXAS AS HERETOFORE AMENDED BY AMENDING SECTIONS 1300, 4400 ARTICLE 6 AND 7800.B OF SAID ORDINANCE TO CREATE A NEW INDUSTRIAL USE PERMIT, REQUIRE SPECIFIC USE PERMIT FOR INDUSTRIES NOT ELSEWHERE LISTED, DELETE MEDICAL WASTE PRODUCT FACILITY AND CERTAIN INDUSTRIAL USES FROM THE PERMITTED USE TABLE AND DELETE SPECIAL CONDITIONS ON MEDICAL WASTE PRODUCT FACILITY; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission and the governing body of the City of Mansfield, Texas, in compliance with the laws of the State of Texas with reference to the amendment of the Comprehensive Zoning Ordinance of the City of Mansfield, Texas (hereinafter “the Zoning Ordinance”), have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally and to all interested citizens, the governing body of the City is of the opinion and finds that the Comprehensive Zoning Ordinance should be amended;

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

SECTION 1.

That Section 1300 “Application of This Ordinance” of the Zoning Ordinance is hereby amended to read as shown below.

“No structure shall be constructed, erected, placed or maintained and no land use commenced or continued within the City except as specifically, or by necessary implication, authorized by this Ordinance. Specific Use Permits, Industrial Use Permits and/or variances are allowed only as granted by the City Council, the Planning and Zoning Commission, or the Board of Adjustments upon finding that the specified conditions exist.”

SECTION 2.

That Section 4400 “Permitted Uses” of the Zoning Ordinance is hereby amended as shown in Exhibit “A” attached hereto and made a part hereof for all purposes.

SECTION 3.

That Section 4400.B “Permitted Use Table” of the Zoning Ordinance is hereby amended by amending “Table J Manufacturing and Industrial Uses” as shown in Exhibit “B” attached hereto and made a part hereof for all purposes.

SECTION 4.

That Article 6 of the Zoning Ordinance is hereby amended by inserting a new Section 6400, “Industrial Use Permit” to read as shown in Exhibit “C” attached hereto and made a part hereof for all purposes.

SECTION 5.

That Subsection B of Section 7800, “Special Conditions” of the Zoning Ordinance is hereby amended by deleting Paragraph 37 related to Medical Waste Product Facility in its entirety.

SECTION 6.

That all ordinances of the City in conflict with the provisions of this ordinance be, and the same are hereby, repealed and all other ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 7.

Should any paragraph, sentence, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision thereof, other than the part so declared to be invalid, illegal or unconstitutional, and shall not affect the validity of the Zoning Ordinance as a whole.

SECTION 8.

Any person, firm or corporation violating any of the provisions of this ordinance or the Zoning Ordinance, as amended hereby, shall be deemed guilty of a misdemeanor and, upon conviction in the Municipal Court of the City of Mansfield, Texas, shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense, and each and every day any such violation shall continue shall be deemed to constitute a separate offense.

SECTION 9.

This ordinance shall take effect immediately from and after its passage on third and final reading and the publication of the caption, as the law and charter in such cases provide.

First reading approved on the _____ day of _____, 2015.

Ordinance No. _____

Page 3

Second reading approved on the _____ day of _____, 2015.

DULY PASSED on the third and final reading by the City Council of the City of Mansfield, Texas, this _____ day of _____, 2015.

David L. Cook, Mayor

ATTEST:

Vicki Collins, City Secretary

APPROVED AS TO FORM AND LEGALITY

Allen Taylor, City Attorney