ORDINANCE NO. 2126

AN ORDINANCE AUTHORIZING THE ISSUANCE OF A SPECIFIC USE PERMIT ON PARK CRESTMOOR ADDITION, BLOCK 2, LOT 24R2B, 700 WEST EULESS BOULEVARD, FOR USED MERCHANDISE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING A PENALTY FOR VIOLATION; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission has conducted a public hearing on June 21, 2016, in conjunction with Specific Use Permit Case No. 16-13-SUP, and has rendered a recommendation to the City Council with respect to this case; and

WHEREAS, the City Council has conducted a public hearing on August 16, 2016, has considered the recommendation of the Planning and Zoning Commission, and has determined that the proposed change is in the best interest of the general welfare of the City of Euless and that any foreseeable negative impacts of the proposed use have been mitigated through design restrictions or other set conditions.

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

SECTION 1.

ALLOWED USES. Used Merchandise use and conditions as specifically described on the Specific Use Permit Form (attached hereto and made a part hereof), shall be permitted on Park Crestmoor Addition, Block 2, Lot 24R2B, 700 West Euless Boulevard.

SECTION 2.

SEVERABILITY CLAUSE. It is hereby declared to be the intention of the City Council of the City of Euless that the sections, paragraphs, sentences, clauses, and phrases of this ordinance are severable and if any phrase, clause, sentence, paragraph, or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase.

SECTION 3.

PENALTY FOR VIOLATION. Any person, firm, or corporation violating any of the terms and provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in accordance with Chapter 1, "General

Provisions," Section 1-12, "General Penalty," Euless Code of Ordinances. Each such violation shall be deemed a separate offense and shall be punishable as such hereunder.

SECTION 4.

PUBLICATION CLAUSE. The caption and penalty clause of this ordinance shall be published in a newspaper of general circulation in the City of Euless, in compliance with the provisions of Article II, Section 12, of the City Charter. Further, this ordinance may be published in pamphlet form and shall be admissible in such form in any court, as provided by law.

SECTION 5.

EFFECTIVE DATE. This ordinance shall be in full force and effect from and after its passage, as provided by the Euless City Charter and the laws of the State of Texas.

PRESENTED AND PASSED ON FIRST AND FINAL READING at a regular meeting of the Euless City Council on August 16, 2016, by a vote of ____ ayes, ____ nays, and ____ abstentions.

APPROVED:

_____
Linda Martin, Mayor

ATTEST:

_____
Kim Sutter, TRMC, City Secretary

APPROVED AS TO FORM:

_____
Wayne Olson, City Attorney

THE CITY OF EULESS

ORDINANCE NO. _____
SPECIFIC USE PERMIT CASE #16-13-SUP

LAND USE: Used Merchandise

LOCATION: Park Crestmoor Addition, Block 2, Lot 24R2B
700 W. Euless Boulevard

This permit is valid only for the property and use listed above and then ONLY in accordance with the following documents and/or conditions:

CONDITIONS (INCLUDING DATES):

Conditions will be added after City Council approval.

Considered by Planning and Zoning Commission:
DATE OF ACTION: June 21, 2016

☑ **approval** ☐ **denial**

X Richard Louis McGuire
Signature of P & Z Chairman

Considered by City Council:
DATE OF ACTION: August 16, 2016

☐ **approval** ☐ **denial**

X_____
Signature of Mayor