

ORDINANCE NO. 10-018

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GREENVILLE, TEXAS, AMENDING CITY OF GREENVILLE CODE OF ORDINANCES, CHAPTER 28 ZONING REGULATIONS, ARTICLE IV, PERMITTED USES; PROVIDING FOR A REPEALING CLAUSE, A SEVERABILITY CLAUSE, A PENALTY CLAUSE AND PROVIDING THAT THIS ORDINANCE SHALL BE EFFECTIVE FROM AND AFTER FEBRUARY 9, 2010.

WHEREAS, Animal Control Officers and City Staff have received several complaints regarding the boarding and keeping of domestic pets; and

WHEREAS, City Staff proposes to regulate commercial kennels in order to alleviate some of these concerns; and

WHEREAS, City Staff desires to allow commercial kennels in Commercial and Industrial Zoning District by Conditional Use Permit only; thereby requiring an applicant for a commercial kennel to be subject to an individual review of their proposed location, design and configuration, and the imposition of conditions by the Planning and Zoning Commission and the City Council in order to ensure the appropriateness of the use at a particular location; and

WHEREAS, modifying the City of Greenville Zoning Ordinance to include commercial kennels is one part of a two-part approach focused on regulating new commercial kennels within the City; the second part of the approach includes an ordinance that will address commercial kennels already in operation within the city limits; and

WHEREAS, on January 11, 2010, the Planning and Zoning voted to recommend that the City Council approve the following changes:

Section 2-2.1 General Definitions:

103: JUNKYARD: See Automobile Salvage or Wrecking Yard.

104: KENNEL, COMMERCIAL: Any business or establishment, not otherwise defined herein, whether operated separately or in connection with another business or establishment that keeps, boards, sells, shows, and/or trains dogs and/or cats for profit.

~~104~~**105: KINDERGARTEN OR NURSERY: See CHILD DAY CARE CENTER (BUSINESS) and CHILD DAY NURSERY.**

Section 4-1 Permitted Use Schedule:

USE TYPE	A	SF-E	SF-1	SF-2	SF-3	SF-4	PH	SFA	2F	MHP	MF-1	O	NS	GR	HR	C	CA	I-1	I-2	
BUSINESS AND PROFESSIONAL USES																				
Hotel or Motel															P	P	P	P	P	P
Kennel, Commercial																	C		C	C
Key Shop												C	C	P	P	P	C	P	P	P

WHEREAS, the City Council believes the amendments to Chapter 28 Zoning Regulations, Article IV, Permitted Uses concerning the regulation of Commercial Kennels is consistent with the best interest of the citizens of Greenville;

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

SECTION 1: That the City Council hereby approves the following regulations for sign regulations:

Section 2-2.1 General Definitions:

- 103: JUNKYARD: See Automobile Salvage or Wrecking Yard.
- 104: KENNEL, COMMERCIAL: Any business or establishment, not otherwise defined herein, whether operated separately or in connection with another business or establishment that keeps, boards, sells, shows, and/or trains dogs and/or cats for profit.
- 105: KINDERGARTEN OR NURSERY: See CHILD DAY CARE CENTER (BUSINESS) and CHILD DAY NURSERY.

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Key Shop												C	C	P	P	P	C	P	P	P

SECTION 2. All Ordinances or parts of Ordinances in conflict herewith are repealed to the extent of conflict only.

SECTION 3. A person who violates this Ordinance is guilty of a separate offense for each day or part of day the violation is committed, continued, or permitted. Each offense, upon conviction, is punishable by a fine not to exceed \$2,000.00.

SECTION 4. That if any section, provision, subsection, paragraph, sentence, clause, phrase, or word in this Ordinance or application thereof to any person or circumstance is held invalid by any court of competent jurisdiction, such holdings shall not affect the validity of the remaining portions of this Ordinance, and the City Council of the City of Greenville, Texas hereby declares it would have enacted such remaining portions, despite such invalidity.

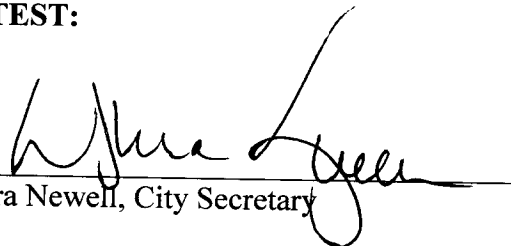
SECTION 5. This Ordinance shall be in full force and effect from and after February 9, 2010.

PASSED AND APPROVED, this the 9th day of February, 2010.



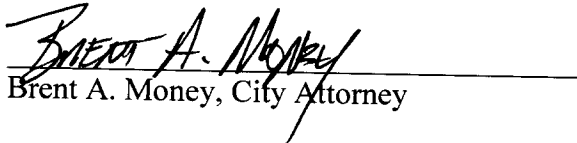
Thomas B. Oliver, Mayor

ATTEST:



Debra Newell, City Secretary

APPROVED AS TO FORM:



Brent A. Money, City Attorney