

## **ORDINANCE NO. 1892**

**AN ORDINANCE OF THE CITY OF TERRELL, TEXAS, GRANTING A SPECIFIC USE PERMIT ON PROPERTY LEGALLY DESCRIBED AS LOT 2B, BLOCK 21, TERRELL ORIGINAL (401 S. ADELAIDE) OF THE CITY OF TERRELL, KAUFMAN COUNTY, TEXAS, PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

### **SECTION I.**

**WHEREAS**, the City Council of the City of Terrell, held a public hearing at 7:00 p.m. on Tuesday, September 16, 1997, in the Council Chamber of the City Hall in Terrell, Texas to consider a request for a Specific Use Permit to locate a mobile food trailer for the sale of Bar-B-Q, said site being more specifically described as Lot 2B, Block 21, Terrell Original, City of Terrell, Kaufman County, Texas; and

**WHEREAS**, the City Council has determined the real property is located in a Commercial (C) zoning district; and

**WHEREAS**, the City Council has determined that it would be in the best interest of the citizens of the City of Terrell to grant the specific use permit subject to certain stipulations.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Terrell, Texas, that:

A Specific Use Permit is granted to locate a mobile food trailer for the sale of Bar-B-Q on the property located at 401 S. Adelaide, Lot 2B, Block 21, Terrell Original, City of Terrell, Kaufman County, Texas, with the following stipulations:

1. Specific Use Permit to be reviewed for compliance at least annually.
2. Specific Use Permit to be effective for a period not to exceed one (1) year from date of final approval.
3. No additional temporary trailers to be allowed under this Specific Use Permit and no replacement trailers on property without written approval from City.

This Specific Use Permit shall take effect immediately from and after its passage and upon said facility complying with all terms and conditions set further herein.

### **SECTION II.**

All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

### **SECTION III.**

It is hereby declared to be the intention of the City Council 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 unconstitutionally shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and 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, clause, sentence, paragraph, or section.

**SECTION IV.**

This Ordinance will take effect immediately from and after its passage and the publication of the caption, as the law in such cases provides.

**PASSED AND APPROVED ON THIS 16TH DAY OF SEPTEMBER, 1997.**

**PASSED AND ADOPTED ON THIS 7TH DAY OF OCTOBER, 1997.**

**APPROVED:**

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**DON L. LINDSEY, MAYOR**

**ATTEST:**

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**BOBBY BISHOP, CITY SECRETARY**

**APPROVED AS TO FORM:**

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**MARY GAYLE RAMSEY, CITY ATTORNEY**