

**ORDINANCE NUMBER 17-08-1051**

**AN ORDINANCE OF THE CITY OF MURPHY, COLLIN COUNTY, TEXAS, AMENDING CHAPTER 30, ZONING, OF THE CODE OF ORDINANCES OF THE CITY TO GRANT A SPECIFIC USE PERMIT FOR PERMANENT COSMETIC SERVICES FOR THE PROPERTY AT 120 E. FM544, SUITE 62 IN MURPHY CROSSING ZONED PD (PLANNED DEVELOPMENT) DISTRICT NUMBER 17-05-1038, ON PROPERTY HAVING THE LEGAL DESCRIPTION OF MURPHY CROSSING ADDITION, LOT 3B, IN THE CITY OF MURPHY, COLLIN COUNTY, TEXAS; PROVIDING A CUMULATIVE/ REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED THE SUM OF TWO THOUSAND (\$2000.00) DOLLARS FOR EACH VIOLATION AND THAT A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED ON EACH DAY OF VIOLATION; PROVIDING A SAVINGS CLAUSE, AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the business owners of Inspired Cuts, a business located in Murphy Crossing at 120 E. FM544, Suite 62, such property having the legal description of Murphy Crossing Addition, Lot 3B, in the City of Murphy, Collin County, Texas (the "Property"), having requested an amendment to the Comprehensive Zoning Ordinance and Map, Chapter 30 of the City of Murphy Code of Ordinances by seeking approval of a Specific Use Permit for Permanent Cosmetic Services within Planned Development (PD) District ordinance number 17-05-1038 as more fully defined herein; and

**WHEREAS**, the Planning and Zoning Commission and the City Council of the City of Murphy, in compliance with the laws of the State of Texas, have given the requisite notices by publication and otherwise, and have held due hearings and afforded full and fair hearings to all property owners generally and to all persons interested in this regard; and

**WHEREAS**, the City Council having considered the recommendation of the Planning and Zoning Commission for approval of the requested SUP for Permanent Cosmetic Services and having considered public input, has determined that the approval of the SUP for the Property is compatible with the approved uses within the PD and with surrounding the Property, and the governing body in the exercise of its legislative discretion has concluded that Chapter 30 Zoning of the City of Murphy Code of Ordinances be amended as follows:

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

**Section 1. Incorporation of Premises.** That all of the above recitals are found to be true and correct and are incorporated into the body of this ordinance as if fully set forth herein.

**Section 2. Specific Use Permit.** That the Zoning Ordinance and Map of the City of Murphy, Texas, be, and the same are hereby amended so as to approve a Specific Use Permit for Permanent Cosmetic Services, as specifically defined herein, to the Property located at 120 E. FM544, Suite 62 as part of Planned Development (PD) district ordinance number 17-05-1038 in the City of Murphy, Collin County, Texas. Permanent Cosmetic Services authorized by this SUP shall mean the application of permanent eye brows, eye lining, lip lining and full lips only, and such application shall be non-pictorial in nature, containing no verbiage, shapes, or symbols of any kind.

**Section 3. Applicable Regulations.** Development and use of the Property shall be in compliance with the City Code of Ordinances, this ordinance, the conditions stated in the Development Conditions and Standards for Planned Development (PD) district ordinance number 17-05-1038.

**Section 4. Zoning Ordinance and Map Amended.** That Chapter 30 of the City of Murphy Code of Ordinances and Zoning Map, as amended, shall be and remain in full force and effect save and except as amended by this ordinance, and that said Property shall in all other respects be subject to all applicable regulations of the City of Murphy.

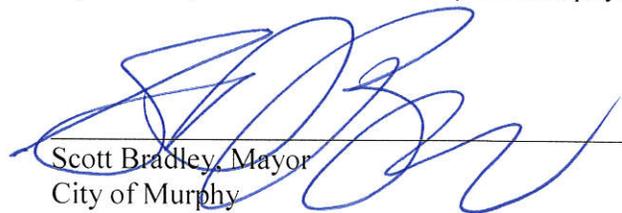
**Section 5. Cumulative/ Repealer Clause.** This ordinance shall be cumulative of all provisions of state or federal law and all ordinances of the City of Murphy, Texas, except where the provisions of this ordinance are in direct conflict with the provisions of such other ordinances, in which event the conflicting provisions of such ordinances are hereby repealed to the extent of such conflict.

**Section 6. Severability Clause.** If any word, section, article, phrase, paragraph, sentence, clause or portion of this ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect for any reason, the validity of the remaining portions of this ordinance or the Comprehensive Zoning Ordinance, Chapter 30 of the City of Murphy Code of Ordinances, and the remaining portions shall remain in full force and effect.

**Section 7. Penalty Clause.** Any person, firm or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and, upon conviction, in the Municipal Court of the City of Murphy, 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 8. Effective Date.** This ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and City Charter in such cases provide.

**PASSED, APPROVED AND ADOPTED** by the City Council of the City of Murphy, Texas, on this 1st day of August 2017.

  
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Scott Bradley, Mayor  
City of Murphy

ATTEST:

  
\_\_\_\_\_  
Susie Quinn, City Secretary

APPROVED AS TO Form

  
for \_\_\_\_\_  
Wm. Andrew Messer, City Attorney

