

ORDINANCE NO. 12-12-940

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MURPHY, COLLIN COUNTY, TEXAS, AMENDING ITS COMPREHENSIVE ZONING ORDINANCE AND MAP, CHAPTER 86 OF THE CITY OF MURPHY CODE OF ORDINANCES, BY CHANGING THE ZONING CLASSIFICATION FROM PRIVATE RECREATION (PPK) TO PARKS/OPEN SPACE (PK) FOR THE PROPERTY LEGALLY DESCRIBED AS ABS A0588 C A MCMILLAN SURVEY, TRACT 57; AND PROVIDING A SEVERABILITY CLAUSE, A REPEALER CLAUSE, A PENALTY CLAUSE, AND AN EFFECTIVE DATE.

WHEREAS, during the process of reviewing and updating the City of Murphy's Comprehensive Zoning Map, City staff determined that several areas of the City depicted on the map do not reflect the current development of the property; and

WHEREAS, the City desires to amend its Ordinances and Comprehensive Zoning Map to reflect the current developed conditions; and

WHEREAS, the property legally described as ABS A0588 C A McMillan Survey, Tract 57, (the "Property") is currently zoned as Private Recreation (PPK); and

WHEREAS, the City currently uses the Property for park purposes; and

WHEREAS, based on its use, the appropriate Zoning Classification for the Property is Parks/Open Space (PK); and

WHEREAS, the Planning and Zoning Commission of the City of Murphy 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 a full and fair hearing to all property owners generally and to all persons interested, and the City Council of the City of Murphy is of the opinion and finds that said changes should be granted and that the Comprehensive Zoning Ordinance and Map should be amended;

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

Section 1. The Zoning Classification for and the Comprehensive Zoning Map depicting the property legally described as ABS A0588 C A McMillan Survey, Tract 57, is hereby changed from Private Recreation (PPK) to Parks/Open Space (PK).

Section 2. Chapter 86 of the City of Murphy Code of Ordinances, as amended, shall be and remain in full force and effect save and except as amended by this Ordinance.

Section 3. 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 the Comprehensive Zoning Ordinance, Chapter 86 of the City of Murphy Code of Ordinances, and the remaining portions shall remain in full force and effect.

Section 4. 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 5. This Ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and Charter in such cases provide.

PASSED, APPROVED, AND ADOPTED on this the 11th day of December, 2012.

APPROVED:



John Daugherty, Mayor Pro Tem
City of Murphy

ATTEST:



Kristi Gilbert, City Secretary
City of Murphy



APPROVED AS TO FORM:

Wm. Andrew Messer,
Attorney for the City of Murphy