

ORDINANCE NO. 365

AN ORDINANCE AMENDING ORDINANCE NO. 294, PASSED BY THE CITY COUNCIL OF THE CITY OF ADDISON, TEXAS, ON NOVEMBER 9, 1976, BY AMENDING SECTION 2, NUMBER 2 TO SHOW THE SQUARE FOOTAGE AREA TO BE 4500 SQUARE FEET; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR NO SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY; AND DECLARING AN EMERGENCY.

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

SECTION 1. That the City of Addison's Ordinance No. 294 passed and approved by the City Council of the City of Addison, Texas, on November 9, 1976, is hereby amended to amend Section 2, Number 2 to read as follows:

Section 2. That the above special use permit is granted subject to the following conditions, to-wit:

2. That the special use permit granted herein shall be limited to:

Sale of alcoholic beverages for on-premises consumption only and to that particular area designated on the site plan attached hereto as being outlined in red and encompassing 4500 square feet.

Such amendment shall not repeal any other provisions in said Ordinance No. 294.

SECTION 2. Any part of Ordinance No. 294 heretofore passed and approved by the City Council that are in conflict with the Ordinance are hereby repealed.

SECTION 3. That it is the intention of the City Council that this ordinance be considered in its entirety, as one ordinance, and should any portion of this ordinance be held to be void or unconstitutional, then said ordinance shall be void in its entirety, and the City Council would not have adopted said ordinance if any part or portion of said ordinance should be held to be unconstitutional or void.

SECTION 4. Any person violating or failing to comply with any provision of this Ordinance shall, upon commission, be deemed guilty of a misdemeanor, and shall be subject to a fine not to exceed the sum of Two Hundred Dollars (\$200.00) for each offense, and each day said violation continues shall constitute a separate offense.

SECTION 5. The above described property requires that it be given the above zoning amendment in order to permit its proper development and in order to protect the public interest, comfort and general welfare of the City creates an urgency and an emergency for the preservation of the public health, safety and welfare and requires that this ordinance shall take affect immediately from and after its passage and publication of the caption as the law in such case provides.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ADDISON, TEXAS, on this the 11<sup>th</sup> day of October, 1977.

ATTEST:

John W. Milligan  
ACTING CITY SECRETARY

Jay Redding  
MAYOR