CITY OF LINDSAY, TEXAS

ORDINANCE NO. 1218-1

AN ORDINANCE OF THE CITY OF LINDSAY, TEXAS, AMENDING SECTION 25, USE OF LAND AND BUILDINGS, AND SECTION 26, DESCRIPTION OF USES, OF THE CITY OF LINDSAY ZONING ORDINANCE TO CREATE MOBILE FOOD UNIT AS A USE, SPECIFY IN WHICH DISTRICTS SAID USE IS AUTHORIZED, AND PROVIDE A DEFINITION FOR SAID USE; PROVIDING A CUMULATIVE CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Lindsay, Texas, is a Type A general-law municipality located in Cooke County, created in accordance with the provisions of Chapter 6 of the Local Government Code and operating pursuant to the enabling legislation of the State of Texas; and

WHEREAS, the City Council previously adopted Ordinance No. 0510-2 as the City of Lindsay Zoning Ordinance; and

WHEREAS, the City Council has determined that there is a need to amend the City of Lindsay Zoning Ordinance to regulate the use of food trucks in the City; and

WHEREAS, the City Council of the City of Lindsay has determined that the amendments made in this ordinance are in the best interest of the health, safety and general welfare of the citizens of the City of Lindsay.

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

SECTION 1.

Section 25, "Use of Land and Buildings," of the City of Lindsay Zoning Ordinance is amended by amending Table 25.1, "Accessory and Incidental Uses," to add Mobile Food Unit as type of use and to permit the Mobile Food Unit use as follows:

Accessory and Incidental Uses															
Type of Use	A	SF-E	SF-1	SF-2	TH	TF	MF	MH-1	MH-2	C-1	C-2	C-3	M-1	M-2	PD
Mobile Food Unit										C	X	X	X	X	

SECTION 2.

Section 26, "Descriptions/Definitions of Uses," of the City of Lindsay Zoning Ordinance is amended by adding a Section 26.7.7 to read as follows:

"26.7.7 Mobile Food Unit: any tract of land where a mobile food unit is permitted to be located and operated in accordance with the City's regulations for mobile food units."

SECTION 3.
CUMULATIVE

This Ordinance shall be cumulative of all provisions of ordinances of the City of Lindsay, Texas, except where the provisions of this Ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

SECTION 4.
SEVERABILITY

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections 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 unconstitutionality 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 5.
EFFECTIVE DATE

This Ordinance shall be in full force and effect after its passage and publication as required by law.

PASSED AND APPROVED ON THIS 14 **day of** January**, 2019.**

By: _____
Scott Neu, Mayor

ATTEST:

_____
Monica Laux, City Secretary