

ORDINANCE NO. 2022-04-02

AN ORDINANCE AMENDING THE ZONING ON TONK - IRBY ADD BLOCK 1 TR IN SW/4 DESC AS BEG NW/C L26 BL IRBY'S AS POB TH W 78.90' W TO MIDDLE OF RIVER SERLY TO W LINE OF HWY 77 NORTHERLY TO S LINE OF B-1 IRBY TH NWERLY ALONG BOUNDARY OF B-1 TO POB (.573 AC APPROX), TONK-IRBY ADDITION BLOCK 1 LOTS 23-30, TONK-IRBY ADDITION BLOCK 1 LOT 22, TONK-IRBY ADDITION BLOCK 1 LOT 21, TONK-IRBY ADDITION BLOCK 1 LOTS 6-12, TONK-IRBY ADDITION BLOCK 1 LOTS 4 & 5, TONK-IRBY ADDITION BLOCK 1 LOT 1 & LOT 2 INCL N 8' VAC ALLEY ADJ ON S & LOT 3 INCL S8' VAC ALLEY ADJ ON N AND WITH AN APPROXIMATE STREET ADDRESS OF 501, 503, 503 ½, 507, S MAIN, TONKAWA, OKLAHOMA 74653, FROM I-1 RESTRICTED LIGHT INDUSTRIAL DISTRICT TO C-4 OPEN DISPLAY COMMERCIAL DISTRICT.

EMERGENCY ORDINANCE

WHEREAS, an application for re-zoning was filed by Eric Schottleutner to re-zone certain real property within the City; and

WHEREAS, public notice was timely published and mailed to the owners of real property located within three hundred feet (300') from the exterior boundary of the real property, and in addition to all persons owning real property within the real property's legal description, advising all noticed that a public hearing on the zoning amendment would be heard on the 10th day of March 2022 at 5:30 p.m., and at the place as identified in the notice;

WHEREAS, on the 10th day of March 2022, pursuant to a properly and timely posted agenda, the Tonkawa Planning Commission met and passed a motion to recommend the zoning amendment to the Mayor and City Council;

WHEREAS, on the 15th day of March 2022, the City Council considered the recommendation of the Tonkawa Planning Commission on the zoning amendment and formally approved it by at least a majority vote.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TONKAWA, OKLAHOMA:

Section I: That TONK - IRBY ADD BLOCK 1 TR IN SW/4 DESC AS BEG NW/C L26 BL IRBY'S AS POB TH W 78.90' W TO MIDDLE OF RIVER SERLY TO W LINE OF HWY 77 NORTHERLY TO S LINE OF B-1 IRBY TH NWERLY ALONG BOUNDARY OF B-1 TO POB (.573 AC APPROX), TONK-IRBY ADDITION BLOCK 1 LOTS 23-30, TONK-IRBY ADDITION BLOCK 1 LOT 22, TONK-IRBY ADDITION BLOCK 1 LOT 21, TONK-IRBY ADDITION BLOCK 1 LOTS 6-12, TONK-IRBY ADDITION BLOCK 1 LOTS 4 & 5, TONK-IRBY ADDITION BLOCK 1 LOT 1 & LOT 2 INCL N 8' VAC ALLEY ADJ ON S & LOT 3 INCL S8' VAC ALLEY ADJ ON N AND WITH

AN APPROXIMATE STREET ADDRESS OF 501, 503, 503 ½, 507, S MAIN, TONKAWA, OKLAHOMA 74653, IS HEREBY REZONED FROM I-1 RESTRICTED LIGHT INDUSTRIAL DISTRICT TO C-4 OPEN DISPLAY COMMERCIAL DISTRICT.

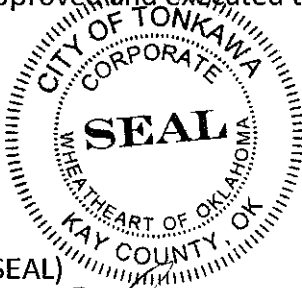
Section II. REPEALER. All ordinances or parts thereof which are inconsistent with this ordinance are hereby repealed.

Section III. SAVINGS CLAUSE. Nothing in this ordinance hereby adopted shall be construed to affect any suit or proceeding now pending in any court, or any rights acquired or liability incurred nor any cause or causes of action accrued or existing, under any act or ordinance repealed hereby. Nor shall any right or remedy of any character be lost, impaired or affected by this ordinance.

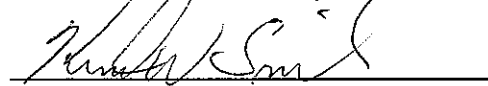
Section IV. SEVERABILITY. If any one or more of the sections, sentences, clauses or parts of this ordinance, chapter or section shall for any reason be held invalid, the invalidity of such section, clause or part shall not affect or prejudice in any way the applicability and validity of any other provision of this ordinance. It is hereby declared to be the intention of the City Council of the City of Tonkawa that this ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

Section V. EMERGENCY. In order to protect the health, safety and welfare of the general public of the City of Tonkawa, Oklahoma, and in order to immediately provide for this amendment to the zoning in the City of Tonkawa, an emergency is hereby declared; therefore, this ordinance shall become effective from and after its date of publication.

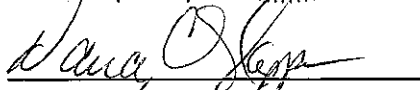
Approved and executed this 19th day of April 2022.




THE CITY OF TONKAWA, OKLAHOMA


Kenneth W. Smith, Mayor

ATTEST (SEAL)


Nancy Skipper, City Clerk

Approved as to Legality:


Bryce S. Kennedy, City Attorney