

ORDINANCE NO. 2021-09-01

AN ORDINANCE OF THE CITY OF TONKAWA, OKLAHOMA, AMENDING THE TONKAWA MUNICIPAL CODE 2021; PROVIDING FOR AN AMENDMENT TO SECTION 12-282.1.B, BY THE ADDITION OF A NEW SUBSECTION (13), PROVIDING THAT LABORATORIES, WHETHER FOR COMMERCIAL, MEDICAL OR EDUCATIONAL RESEARCH OR ANY OTHER LAWFUL PURPOSE, TO INCLUDE BUT NOT BE LIMITED TO ANY LABORATORY OR OTHER COMMERCIAL, MEDICAL OR EDUCATIONAL RESEARCH FACILITY LICENSED BY THE STATE OF OKLAHOMA, ARE A PERMITTED USE WITHIN THE C-2 COMMERCIAL BUSINESS DISTRICT; PROVIDING FOR REPEALER; PROVIDING FOR SAVINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PENALTIES AND DECLARING AN EMERGENCY.

EMERGENCY ORDINANCE

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF TONKAWA:

Section I: Chapter 12 of the Tonkawa Municipal Code 2021 is hereby amended by a new subsection (13) to Section 12-282.1.B which shall read as follows:

SECTION 12-282 USES PERMITTED IN A C-2 COMMERCIAL BUSINESS DISTRICT.

Property and buildings in a C-2 Commercial Business District shall be used only for the following purposes:

- A. Any use permitted in C-1 Local Commercial District.
- B. Offices, retail stores and shops supplying medical, and hospital related professional and personal services to medical staff, patients and visitors and primarily for their convenience, as follows:
 - (1) Barber shop;
 - (2) Beauty shop;
 - (3) Book or stationery store;
 - (4) Drug store or fountain;
 - (5) Florist shop;
 - (6) Gift shop;
 - (7) Hotel
 - (8) Medical facility; provided, however, that this shall in no way be construed as permitting undertaking establishments and funeral homes;
 - (9) Newspaper or magazine sales;
 - (10) Optometrists' sales and service;
 - (11) Pharmacy; and
 - (12) Restaurant;

(13) Laboratories, whether for commercial, medical or educational research or any other lawful purpose, to include but not be limited to any laboratory or other commercial, medical or educational research facility licensed by the State of Oklahoma.

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 All ordinances or parts thereof which are inconsistent with this ordinance are hereby repealed.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rights acquired or liability incurred nor any cause or causes of action accrued or existing, under any act or ordinance repealed hereby.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. CODIFICATION. This ordinance shall be codified as shown in the Tonkawa Municipal Code 2021.

Section V. 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 section of the Tonkawa Municipal Code would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

Section VI. PENALTY. Any person who shall violate the provisions of this ordinance, by act or omission, shall be deemed guilty of an offense against the City and upon conviction thereof shall be punishable by a fine of not to exceed Two Hundred Dollars (\$200.00), and court costs and statutory penalty assessments. Each day of violation may be deemed a separate offense.

Section VII. EMERGENCY. In order to protect the health, safety and welfare of the general public of the City of Tonkawa, Oklahoma, and in order to adopt amendments to district regulations, after notice and public hearing, pertaining to permitted uses in the C-2 Commercial Business District; therefore, this ordinance shall become effective from and after its date of publication.

Approved and executed this 21st day of September 2021.



{Seal}

THE CITY OF TONKAWA, OKLAHOMA

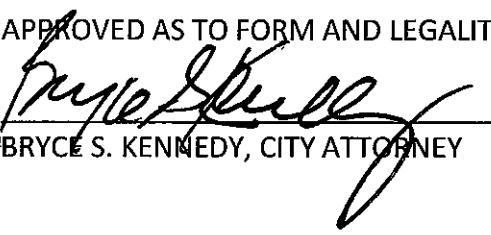
KENNETH W. SMITH, MAYOR

ATTEST:



NANCY SKIPPER, CITY CLERK

APPROVED AS TO FORM AND LEGALITY:



BRYCE S. KENNEDY, CITY ATTORNEY