

ORDINANCE O-31-23

AN ORDINANCE OF THE CITY OF KAUFMAN, TEXAS, AMENDING CHAPTER 5, "BUSINESS REGULATIONS" OF THE CODE OF ORDINANCES OF THE CITY OF KAUFMAN TO ADD ARTICLE 5.10, "UNATTENDED DONATION BINS" TO REGULATE DONATION BINS IN THE CITY LIMITS; AND AMENDING ORDINANCE NO. O-02-07 AND CHAPTER 9A, "ZONING", OF THE CODE OF ORDINANCES OF THE CITY OF KAUFMAN, TO ADD THE USE "UNATTENDED DONATION BIN" TO CERTAIN ZONING DISTRICTS, AS SET FORTH IN CHART 3, "ACCESSORY & INCIDENTAL USES" OF SECTION 33.4, "USE REGULATIONS"; BY AMENDING SECTION 33.5 "DEFINITIONS" TO ADOPT A DEFINITION FOR "UNATTENDED DONATION BINS"; AND AMENDING SECTION 37, "ACCESSORY BUILDING AND USE REGULATIONS" TO ADD SUBSECTION 37.5, "REGULATIONS FOR UNATTENDED DONATION BINS"; PROVIDING FOR THE INCORPORATION OF PREMISES; PROVIDING AMENDMENTS; PROVIDING A CUMULATIVE REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE, AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED UPON EACH DAY DURING OR ON WHICH A VIOLATION OCCURS OR CONTINUES; AND PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

WHEREAS, the City of Kaufman (hereinafter referred to as "City") is a Home Rule Municipality acting under its Charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Texas Local Government Code; and

WHEREAS, the City has experienced a proliferation of unattended donation bins and their placement in parking spaces and landscaping areas, often without the property owner's permission and without contact information about the owner of the bin; and

WHEREAS, in May 2023, the City conducted a visual study of 17 existing unattended donation bins at 14 locations and their adverse secondary impacts, including the overflow of items and illegal dumping; and

WHEREAS, the proliferation of unattended donation bins contributes to visual clutter and in some areas have contributed to blight due to poor maintenance and the accumulation of debris, excess items, or oversized items, including mattresses; and

WHEREAS, the City Council acknowledges that the United States Supreme Court has recognized that charitable solicitations are protected speech under the First Amendment in the case *Village of Schaumburg v. Citizens for a Better Environment*,

444 U.S. 620, 100 Sc.D. 826 (1980) and that some of the unattended donation bins are a vehicle for protected charitable solicitations; and

WHEREAS, the City Council desires to regulate the placement, operation, and use of unattended donation bins located within the City to address adverse secondary impacts, including the accumulation of used, broken, or soiled items that constitute trash, rubbish, or junk; broken, unsightly, or dangerous bins; hazards to pedestrians, motor vehicle users, and others due to the placement of such bins; and negative impacts on property values and the health, safety, and welfare of the community; and

WHEREAS, the City Council has determined this Ordinance is narrowly tailored to serve a significant government interest to reduce and prevent blight for reasons of aesthetics, traffic and pedestrian safety, and property values; and

WHEREAS, having considered the proposed amendments and the appropriateness of the amendments, the City Council does hereby find that the amendments described herein are for the benefit of the health, safety, and welfare of the citizens of the City.

WHEREAS, at its regular meeting held on the 5th day of December, 2023, after providing public notice as required by State law, the Planning and Zoning Commission did hold a public hearing providing an opportunity to receive public input regarding proposed amendments to Chapter 5, "Business Regulations" and to Chapter 9A, "Zoning" of the Code of Ordinances and did consider and make a recommendation for approval the adoption of Article 5.10 of Chapter 5 and the amendment of Ordinance No. O-02-07 and Chapter 9A, "Zoning" of the Code of Ordinances of the City of Kaufman, to add the use "Unattended Donation Bin" to certain Zoning Districts; and

WHEREAS, at its regular meeting held on the 18th day of December, 2023, the City Council held a public hearing to provide an opportunity to receive public input regarding the proposed amendments to Chapter 5, "Business Regulations" and to the City's Comprehensive Zoning Ordinance, Ordinance No. O-02-07 and Chapter 9A, "Zoning" the City's Code of Ordinances, to regulate the use of Unattended Donation Bins within the City; and

WHEREAS, after determining that all legal requirements of notice and hearings were met, considering the recommendations of the Planning and Zoning Commission, providing the public an opportunity to provide input, and considering public input, the City Council determined that the proposed amendments to the Comprehensive Zoning Ordinance are consistent with the goals of set forth in the Comprehensive Plan of the City and would serve the best interest of the health and safety and substantially further the economic development and general welfare of the City.

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

SECTION 1. INCORPORATION OF PREMISES. The above and foregoing premises are true and correct and are incorporated herein and made a part hereof for all purposes.

SECTION 2. AMENDMENTS.

2.01. Chapter 5, "Business Regulations" of the Code of Ordinances of the City of Kaufman is hereby amended to adopt Article 5.10, "Unattended Donation Bins" as set forth in Exhibit "A", a copy of which is attached hereto and incorporated herein, and all other sections and subsections of Chapter 5, "Business Regulations" not expressly amended hereby shall remain in full force and effect without amendment.

2.02. Ordinance No. O-02-07 and Chapter 9A, "Zoning Ordinance" of the Code of Ordinances of the City of Kaufman, Texas, collectively the City's Comprehensive Zoning Ordinance (hereinafter the "Zoning Ordinance") is hereby amended as follows:

A. Chart 3, "Accessory & Incidental Uses" of Section 33.4, "Use Regulations" of the Zoning Ordinance is hereby amended to add "Unattended Donation Bins" as a use authorized in designated zoning districts, to add a definition number and to add annotations as set forth in **Exhibit "B"**, a copy of which is attached hereto and incorporated herein, and all other sections and subsections of Section 33.4 and Chart 3 not expressly amended hereby shall remain in full force and effect without amendment.

B. Section 33.5, "Definitions" of the Zoning Ordinance is hereby amended to adopt the following definition for "Unattended Donation Bin", such definition being added in alphanumeric order, with all other definitions set forth in Section 33.5 renumbered as necessary, and all other terms defined in Section 33.5 not expressly amended hereby shall remain in full force and effect without amendment:

...

"DONATION BIN, UNATTENDED - Any bin or box located on a property outside of a building that accepts unwanted household items that is unstaffed and has no employee or representative of the operator present to accept donations or collect items."

...

C. Section 37, "Accessory Building and Use Regulations" of the Zoning Ordinance is hereby amended to adopt a new Section 37.5 "Regulations for Unattended Donation Bins" which shall be and read in its entirety as follows, and all other sections and subsections of Section 37 not expressly amended hereby shall remain in full force and effect without amendment:

...

"37.5. REGULATIONS FOR UNATTENDED DONATION BINS.

In addition to the requirements of this Chapter, Unattended Donation Bins shall be subject to the regulations outlined in Chapter 5, "Business Regulations" of the City's Code of Ordinances."

SECTION 3. CUMULATIVE REPEALER. This Ordinance shall be cumulative of all other Ordinances and shall not repeal any of the provisions of such Ordinances except for those instances where there are direct conflicts with the provisions of this Ordinance. Ordinances or parts thereof in force at the time this Ordinance shall take effect and that are inconsistent with this Ordinance are hereby repealed to the extent that they are inconsistent with this Ordinance. Provided however, that any complaint, action, claim, or lawsuit, which has been initiated or has arisen under or pursuant to such Ordinance on the date of adoption of this Ordinance shall continue to be governed by the provisions of that Ordinance and for that purpose the Ordinance shall remain in full force and effect.

SECTION 4. SEVERABILITY. If any section, subsection, clause, phrase or provision of this Ordinance, or any application thereof to any person or circumstance, shall to any extent be held by a court of competent jurisdiction to be invalid, void or unconstitutional, the remaining sections, subsections, clauses, phrases and provisions of this Ordinance, or any application thereof to any person or circumstance, shall remain in full force and effect and shall in no way be affected, impaired or invalidated.

SECTION 5. PENALTY. Any person who violates any provision of this Ordinance, upon conviction, shall be deemed guilty of a misdemeanor and shall be fined a sum not to exceed two thousand dollars (\$2,000.00) for each offense, and a separate offense shall be deemed committed upon each day during or on which a violation occurs or continues.

SECTION 6. PUBLICATION AND EFFECTIVE DATE. This Ordinance shall become effective immediately upon its passage and publication as required by law and Charter.

PASSED AND APPROVED this 18th day of December, 2023.




JEFF JORDAN
MAYOR

ATTEST:


JESSIE HANKS
CITY SECRETARY

APPROVED AS TO FORM:


PATRICIA A. ADAMS
CITY ATTORNEY

“Exhibit A” Article 5.10 – Unattended Donation Bins

“ARTICLE 5.10 - UNATTENDED DONATION BINS

Sec. 5.10.001. Purpose.

The purpose of these regulations is to promote the health, safety, and welfare of the public and protect the property rights of the owners of the parcels on which the unattended donation bins are located, by providing minimum blight-related performance standards for the operation of unattended donation bins, including establishing criteria to ensure that:

- (1) material is not allowed to accumulate outside of the unattended donation bins,
- (2) the unattended donation bins remain free of graffiti and blight,
- (3) the unattended donation bins are maintained in sanitary conditions,
- (4) the unattended donation bins are not placed without the approval of property owners, and
- (5) contact information is readily available so that the operators can be contacted if there are any blight-related questions or concerns.

This section regulates the size, number, placement, installation and maintenance of unattended donation bins, as is necessary to accomplish the foregoing purposes.

Sec. 5.10.002. Applicability.

The requirements of this article shall apply to all unattended donation bins regardless of whether the bin was placed prior to the effective date of these regulations. No previously placed unattached donation bins shall be granted any nonconforming rights under this article or the zoning ordinance, as amended.

Sec. 5.10.003. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Director means the director of development services.

Operator means a person or entity that utilizes and/or maintains an unattended donation bin to solicit donations or collections of household items in compliance with an unattended donation bin permit.

Permit holder is the name of the person on the permit.

Property means the real property on which an unattended donation bin is located or is proposed to be placed.

Property owner means the owner of the property, or its authorized agent or representative.

Unattended donation bin or bin means any bin or box located on a property outside of a building that accepts unwanted household items and that is unstaffed and has no employee or representative of the operator present to accept donations or collect items.

“Exhibit A” Article 5.10 – Unattended Donation Bins

Sec. 5.10.004. Joint and several liability for violations.

The property owner and Operator have joint and several liability for violations of this article, including fees, citations, civil actions, and/or legal remedies relating to an unattended donation bin. The property owner remains liable for any violation of duties imposed by this article even if the property owner has, by agreement, imposed on the operator the duty of complying with the provisions of this article.

Sec. 5.10.005. Permit and medallion required.

- (a) It shall be unlawful to place, operate, maintain, or allow an unattended donation bin without a permit issued by the city.
- (b) A separate permit shall be required for each unattended donation bin at each location.
- (c) It shall be unlawful to place, operate, maintain, or allow an unattended donation bin without a permit medallion sticker displayed at all times.

Sec. 5.10.006. Application Requirements.

Applicants for a permit shall file a written, sworn application with the city on a form provided by the city. All applications shall include:

- 1. A signed agreement stating that the property owner and operator will abide by the processes and requirements of this article;
- 2. A non-refundable application fee in the amount in the fee schedule;
- 3. A signed authorization from the property owner to allow placement of the unattended donation bin;
- 4. Proof of general liability insurance in a form acceptable to the city of at least \$1,000,000 covering any losses or claims due to the placement, operation, and maintenance of the unattended donation bin and naming the city as an additional insured, and such other additional insurance as the city may require, unless the director waives the requirement due to financial hardship of the non-profit operator;
- 5. For nonprofit operators, evidence that the nonprofit is recognized by the Internal Revenue Service as such, or for for-profit operators, proof of an active business tax certificate;
- 6. Proof of an active business tax certificate for the primary business on the property;
- 7. The name, address, email, website (if available), and telephone number of the operator and property owner, including 24-hour contact information;
- 8. Photographs of the property and adjacent properties;

“Exhibit A” Article 5.10 – Unattended Donation Bins

9. A site plan containing:
 - a. Location and dimensions of the property boundaries;
 - b. Location of all buildings on the Property;
 - c. Proposed unattended donation bin location;
 - d. Distance between the proposed unattended donation bin, property lines, and
 - e. buildings;
 - f. Location and dimensions of all existing and proposed driveways, garages, carports, parking spaces, maneuvering aisles, pavement, and striping/markings; and
 - g. And other site information requested by the Director.
10. Elevations showing the appearance, materials, and dimensions of the unattended donation bin, including the information required in this article to be placed on the permit medallion sticker.
11. A description and/or diagram of the proposed locking mechanism of the unattended donation bin.
12. A maintenance plan (including graffiti removal, pick-up schedule, and plans for litter and trash removal on and around the unattended donation bin) that is sufficient to prevent/eliminate concerns related to public health, safety, and welfare.
13. Any other reasonable information regarding time, place, and manner of the unattended donation bin operation, placement, and/or maintenance that the Director requires to evaluate the proposal consistent with the requirements of this Section.

Sec. 5.10.007. Permit expiration.

Permits issued under this article shall expire on January 1st of each year.

Sec. 5.10.008. Permit approval.

- (a) The director shall issue a permit for an unattended donation bin if, in addition to other requirements of the city, each of the following is true:
 - (1) The applicant has submitted a complete and accurate application accompanied by the applicable fee;
 - (2) There are no pending citations, unpaid fines, or unresolved violations or complaints related to any unattended donation bin managed by the proposed operator;
 - (3) All existing unpermitted unattended donation bins that are managed by the proposed operator have been removed;

“Exhibit A” Article 5.10 – Unattended Donation Bins

- (4) Any verified nuisance on the property has been abated, and any case of a complaint to the city regarding nuisances on the property has been closed;
and
 - (5) The application is consistent with all requirements of this article.
- (b) An application that does not contain all requested information or necessary information shall be deemed incomplete. An application remaining incomplete for ninety (90) days may be administratively denied by the director. The director shall notify the applicant of any deficiencies at least thirty (30) days prior to administrative denial. If the application remains incomplete after being given thirty (30) day notice, the director shall send written notice that the permit is denied. Application fees shall not be refunded.
- (c) In the event that the director denies the permit, the applicant may appeal the decision to the city council within ten (10) days of the date of the director’s decision. The city council shall

have the final authority to issue or deny a permit that had been denied by the director.

Sec. 5.10.009. Transfer of permit prohibited.

No permit issued under the provision of this article shall be transferred and the authority a permit confers shall be conferred only to the permit holder named on the permit.

Sec. 5.10.010. Location restrictions.

- (a) Unattended donation bins shall be permitted to be placed on real property in the “C” Commercial, “HC” Highway Commercial, and “LI” Light Industrial zoning districts on parking lots designed for more than 100 parking spaces maintained by a business in operation. Only one donation box will be allowed in a shared parking lot for more than one business.
- (b) No unattended donation bin shall be located within 1,000 feet of any other existing unattended donation bin. In the case of a shopping center or office development that consists of multiple platted lots, the director shall treat the shopping center or office development as if it is one contiguous lot.
- (c) No unattended donation bin shall be located with 500 feet of a property zoned for residential uses.

Sec. 5.10.011. Operation requirements.

Unattended donation bins shall be subject to the following operational requirements:

- (1) Unattended donation bins are prohibited within any required building setback, landscaping, buffer yard, easements, public right-of-way or within thirty (30) feet of a right-of-way, floodplain, driveway, required parking or loading spaces, fire lanes, visibility triangle, or within ten (10) feet of any property line.

“Exhibit A” Article 5.10 – Unattended Donation Bins

- (2) Unattended donation bins shall be placed to facilitate drop-off and pick-up of items in the bin. The donation unattended donation bin(s) shall be of the type that are enclosed by use of a receiving door and locked so that the contents of the bin(s) may not be accessed by anyone other than those responsible for the retrieval of the contents.
- (3) Placement of unattended donation bins shall not interfere with:
 - (a) building ingress and egress;
 - (b) required handicapped accessibility routes;
 - (c) trash enclosure areas or access to trash bins/trash enclosures;
 - (d) functioning exhaust, ventilation, or fire extinguishing systems; or
 - (e) any other requirements that may have been imposed as part of the site plan approval for the building on the property.
- (4) An unattended donation bin shall be placed no more than ten (10) feet from a continually operating light source of at least one (1) foot- candle.
- (5) Parking shall be provided for persons accessing the unattended donation bin.
- (6) Items collected shall be limited to nonfood items that can be placed in the collection bin through the opening and shall not be left outside of the bin.
- (7) The premises of all adjacent streets, sidewalks and alleys and all sidewalks and alleys within one hundred (100) feet shall be inspected regularly for the purpose of removing any litter found thereon.
- (8) Minimum physical attributes:
 - (1) Be fabricated of durable and waterproof materials;
 - (2) Be placed on a durable pad site with a metal tray capable of catching any leaked or seeping materials;
 - (3) Not exceed 175 cubic feet in size or six feet, six inches in height.
 - (4) Not be electrically or hydraulically powered or otherwise mechanized;
 - (5) Not be a fixture of the Property or considered an improvement to real property; and
 - (6) Have one color that is not high-intensity or fluorescent, including associated signage.
- (9) Minimum screening requirements:
 - (a) Each unattended donation bin shall be screened from the view of the public on three (3) sides, or if located on a corner of a lot, on a minimum of two (2) sides whereby the screening blocks the view from the adjacent streets;
 - (b) Minimum screening shall consist of a six-foot (6) wood fence, or comparable materials upon prior approval of the director;
 - (c) All screening should be conducted to prevent the storage or placement of donations outside the unattended donation bin, with the screening fence itself being no more than two (2) feet from the screened unattended donation bin; and
 - (d) Screening shall be maintained in vertical and good condition, with no rotted or missing slats or boards.
- (10) Include following information conspicuously displayed on at least two-inch type visible from the front and sides of the unattended donation bin:
 - (a) The name, address, 24-hour telephone number, and, if applicable, the internet web address and email address of the property owner and operator;

“Exhibit A” Article 5.10 – Unattended Donation Bins

- (b) Address and parcel number of the property;
 - (c) Instructions on the process to register a complaint regarding the unattended donation bin to the city;
 - (d) The type of items that may be deposited;
 - (e) A notice stating that no material shall be left outside the unattended donation bin;
 - (f) The pickup schedule for the unattended donation bin; and
 - (g) The permit medallion sticker from the city.
- (11) Comply with any required disclosures under State law in accordance with such laws.

Sec. 5.10.012. Maintenance and upkeep.

- (a) The visual and structural integrity of an unattended donation bin shall be maintained continuously. The thirty (30) foot perimeter around the bin shall be free of any donated items, litter, debris, or other materials.
- (b) All unattended donation bins shall be maintained and in good working order. Items to be repaired, removed, and/or abated include, but are not limited to, graffiti, removed or damaged signs and notifications, peeling paint, rust, and broken collection operating mechanisms.
- (c) Each unattended donation bin must be serviced not less than once weekly between 7:00 a.m. and 7:00 p.m. on weekdays and 10:00 a.m. and 6:00 p.m. on weekends. Servicing shall include maintenance of the container, the removal of collected material, and the abatement of graffiti, litter or other nuisance condition prohibited by this code.
- (d) Unattended donation bins cannot be used for the collection of solid waste or any hazardous materials.

Sec. 5.10.013. Revocation of permit.

- (a) Any permit issued hereunder may be revoked by the director if the permit holder (1) has received three (3) citations for violation of this article within a twelve (12) month time period, (2) has knowingly made a false material statement in the application, or (3) otherwise becomes disqualified for the issuance of a permit under the terms of this article. The unattended donation bin shall be immediately removed upon permit revocation.
- (b) Notice of the revocation shall be given to the permit holder in writing, with the reasons for the revocation specified in the notice, served either by personal service or by certified United States mail to their last known address. The revocation shall become effective the day following personal service or if mailed, three (3) days from the date of mailing.
- (c) The permit holder shall have ten (10) days from the date of the revocation notice in which to file a written notice with the Director of their appeal from the revocation. The Director shall provide for a hearing on the appeal not later than thirty (30) days after the notice of the appeal is filed. The City Council shall hold a hearing on the appeal within 30 days. The city council's decision is final.
- (d) A timely filed appeal of revocation pursuant to this Section shall stay the

“Exhibit A” Article 5.10 – Unattended Donation Bins

revocation until said revocation is finalized by the city council.

- (e) If the revocation is affirmed by the city council, the operator shall remove the unattended donation bin no later than 48 hours after said decision. Upon expiration of the 48-hour period, the unattended donation bin shall be subject to immediate impoundment by the city without further notice. Any unattended donation bin impounded by the city shall be released to the operator upon payment of all applicable impoundment and storage fees. Storage fees are \$25.00 per day.
- (f) In the event the permit is revoked, no additional permits shall be issued to such person or entity within one (1) year of the date revocation.
- (g) In the event that any operator has two (2) or more permits revoked within a twelve (12) month period, then all permits issued to such person or entity shall be revoked, and all unattended donation bins operated by such person or entity shall be removed.

Sec. 5.10.014. Enforcement, violations and penalties.

- (a) Any person who violates any provision of this article is guilty of a misdemeanor which, upon conviction, shall be punishable by a fine not to exceed five hundred dollars (\$500.00). However, a fine for the violation of a provision of this article that governs fire safety, zoning, or public health and sanitation, including dumping or refuse, may not exceed two thousand dollars (\$2,000.00). Each day that an unmitigated violation of this article is committed, continued, or permitted shall constitute a separate, punishable offense. A violation of this article includes, but is not limited to:
 - (1) Unpermitted placement of an unattended donation bin;
 - (2) Failure to service or maintain an unattended donation bin as required under this article; or
 - (3) Placing an unattended donation bin on the premises of another person without that person's consent.
- (b) Nothing in this article shall preclude the city's pursuit of any and all other remedies allowed under civil and criminal statutes, and in equity, to address conditions which are treated in this article, under the theory of public nuisance or public health and safety. Neither shall the city be required, nor prohibited, to issue criminal citations before, after, or during any proceeding prescribed in this article. Specifically, in addition to provisions of this article, the city asserts full authority to exercise its right to remedies under all provisions of the V.T.C.A., Local Government Code, including, but not limited to, Chapter 54, Subchapter B, Municipal Health and Safety Ordinances, in prosecution of civil suits for enforcement, injunctive relief, and civil penalties to remedy conditions of public concern described in this article.”

“Exhibit B” Amendment to Zoning Ordinance, Section 33.4, “Use Regulations”

SECTION 33.4 - USE CHARTS

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CHART - 3
CITY OF KAUFMAN, TEXAS
ZONING ORDINANCE

* Must follow Sec. 33.1.B

Legend for Interpreting Schedule of Uses

	Designates use prohibited in Districted indicated
P	Designates use permitted in District indicated
S	Designates use requires a Specific Use Permit
TU	Designates use requires a Temporary Use Permit

ACCESSORY & INCIDENTAL USES	Definition	AO	SF-20	SF-10	SF-8	SF-6	TH	MF-1	MF-2	MH	O	LR	R	CBD	C	LI	HC	WSC
Accessory bldg. - commercial (business or industry) ▶▶▶▶	2										P	P	P		P	P	P	
Accessory building - residential	1	P	P	P	P	P	P	P	P	P								P
Caretaker's or guard's residence	31 20 0	P	P					P	P	P	S	S	S	S	P	P	P	
Donation Bin, Unattended* ▶▶▶▶	##														P	P	P	
* Festivals, carnivals or special events	32 15 6										T U	T U	T U	T U	T U	T U	T U	
Garage/accessory dwelling	81	P	S															
Home occupation	90	P	P	P	P	P	P	P	P	P								
Off-street parking ▶▶	14 7	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
On-street parking (subject to no parking ordinances)	14 9	P	P	P	P	P	P	P	P	P				P				
Outside display of retail goods (no overnight display)	15 0											S	P	S	P	P	P	P
Outside sidewalk displays of retail goods, merchandise or materials (with no overnight display) ▶▶▶	15 1													S				

“Exhibit B” Amendment to Zoning Ordinance, Section 33.4, “Use Regulations”

Seasonal and temporary uses	14 3 19 9	T U										T U	T U		T U	T U	T U	
Seasonal and temporary uses (CBD only) ►	19 9													T U				
Temporary classrooms for church or school	22 7	T U	T U	T U	T U	T U	T U	T U	T U	T U	T U	T U	T U	T U	T U	T U	T U	
Temporary field office or construction yard or office	22 6	T U	T U	T U	T U	T U	T U	T U	T U	T U	T U	T U	T U	T U	T U	T U	T U	
Wedding receptions in residential districts	25 0	T U	T U	T U	T U	T U	T U	T U	T U	T U								

*Subject to annual permitting requirements and the regulations outlined in Chapter 5, “Business Regulations”, of the City’s Code of Ordinances