

ORDINANCE NO. 25

AN ORDINANCE STATING POLICY FOR ESTABLISHMENT OF A ZONING ORDINANCE; DESIGNATING BUSINESS ZONING DISTRICTS AND RESIDENTIAL ZONING DISTRICTS; PROHIBITING CONSTRUCTION AND MODIFICATION OF EXISTING STRUCTURES OR USE FOR COMMERCIAL OR BUSINESS USE WITHIN RESIDENTIAL ZONING DISTRICT; DEFINING COMMERCIAL OR BUSINESS STRUCTURE OR USE; PROHIBITING ERECTION OF BARNS, LIVESTOCK SHEDS, FEEDLOTS, CORRALS, BULK PLANTS FOR STORAGE OF PETROLEUM PRODUCTS, STORAGE YARDS AND WRECKING LOTS; RESTRICTING USE AND OCCUPANCY OF RESIDENTIAL TRAILERS WITHOUT WATER AND SEWAGE FACILITIES; LIMITING MODIFICATION OF EXISTING FACILITIES; PROVIDING THAT THE ORDINANCE SHALL BE PROSPECTIVE IN NATURE; PROVIDING FOR THE ENFORCEMENT THEREOF; PROVIDING FOR BUILDING PERMITS ON CONSTRUCTION COSTING MORE THAN ONE THOUSAND DOLLARS.

Be it ordained by the Town Council of the Town of Ennis:

1. That in order to protect the health, safety and welfare of the residents of the Town of Ennis, the following zoning ordinance is adopted as a regulation of building use and building construction and property use within the town of Ennis, which said ordinance may be referred to as the Ennis Municipal Zoning Ordinance.

2. That there is hereby designated within the Town of Ennis a business zoning district, hereinafter referred to as A Zone described as follows:

Beginning at a point No. 1, which is found by beginning at the center of the intersection of Clark Avenue and Pearl Street in the Love Addition to the Town of Ennis, thence $00^{\circ} 15'$ East 134.5 feet; thence North $89^{\circ} 20'$ E. 30 feet; thence N. 262.5 feet, from point No. 1 due East 440 feet, more or less, to the State Highway right-of-way, thence S. $1^{\circ} 40'W$ along said State Highway right-of-way to the North line of the Hospital tract extended; thence N. $82^{\circ} 22'$ E to the N.E. corner of the Hospital Tract, thence S. $0^{\circ} 13' 30''$ W to the S.E. corner of said Hospital Tract; thence Southeasterly to N.W. Corner of Lot 4, Block 2, Home Addition to the Town of Ennis; thence Easterly to the N.E. Corner of Block 4 of the Home Addition thence Easterly to the N.W. corner of Block 1, Chowning Addition to the Town of Ennis; thence Easterly to the N.E. corner of Block 1 of said Chowning Addition thence Northerly to the N.W. corner of the L.J. Baker tract; thence East along the North side of the L.J. Baker tract to the N.E. corner of said tract; thence S. 162 feet, thence East 100 feet, thence South 160 feet, thence West 100 feet, thence South to the right-of-way line of the State Highway No. 1, also known as 287; thence Southwesterly along the North right-of-way

line of said State Highway to the West Bank of the Madison River, thence Southwesterly on a meander line along said West bank of the Madison River to a point due East of the S.E. corner of Lot 7, Block 3 of the Ennis Addition to the Town of Ennis; thence Westerly along the North line of Steffens Street to the S.E. corner of Lot 16, Block 1, High School Heights Addition to the Town of Ennis, thence Northerly to the N.E. corner of said Lot 16; thence Westerly to the N.E. corner of Lot 14, Block 1, High School Heights Addition to the Town of Ennis, thence Northerly to the S.E. corner of Lot 1, Block 1 of said addition thence Westerly to the S.W. corner of Lot 7 Block 1 of said addition; thence Northerly to the N.W. corner of the last mentioned lot; thence Northwesterly to the S.W. corner of Lot 6, Block 1, Love Addition to the Town of Ennis, thence N 0° 15' East 100 feet to the N.W. corner of Lot 6 aforesaid; thence N. 88° 40' E. 460 feet to the N.W. corner Lot 1, Block 6 Love Addition aforesaid; thence Northerly to the N.W. corner Lot 14 Block 6 of the Said Love Addition; thence Northerly to the place of beginning.

3. That all of the balance of the said Town of Ennis not included in Zone A shall be considered in a residential zoning district hereinafter referred to as B Zone.

4. No commercial or business structure shall hereafter be erected nor shall presently existing structures be modified, reconstructed, altered, enlarged or converted for commercial or business use or structures within Zone B within the said Town of Ennis.

5. Commercial or business structures or use shall include but be not limited to any establishment dealing with the general public which may be required to be licensed under the ordinances of this town or any manufacturing, processing, storage, warehousing plant or establishment or any facility rendering service or in any wise selling any product or service to the public.

6. There shall not be permitted to be erected within the limits of the Town of Ennis any barns, livestock sheds, feed lots, corrals other than a mere temporary holding pen, bulk plants for the storage of petroleum products, storage yards for heavy equipment or materials or automobile or equipment wrecking lots.

7. No residential trailers or mobile homes shall be situate upon

any lot or parcel of ground within the Town of Ennis and occupied by a person or persons unless the same shall be connected to the municipal water system of the Town of Ennis and shall have sewage facilities constructed and attached to said trailer of such a nature as will meet the minimum standards for sewage disposal facilities required by the State Board of Health of the State of Montana.

8. No building or structure shall be erected, converted, enlarged, reconstructed or structurally altered, nor shall any building or land be used for any purpose other than is permitted in the district or town in which the building or land is located.

9. This ordinance shall be deemed prospective in nature and shall not in any manner be taken to affect or alter any existing uses, provided, however, that nothing in this ordinance shall be taken to limit the power of the town of Ennis through its duly constituted officers from taking any action to abate legally or otherwise any nuisance which may presently exist or develop from existing facilities, structures, buildings, establishments or use.

10. Any person planning construction within the Town of Ennis either by way of original construction, remodeling, reconstruction, alteration, enlargement or conversion reasonably estimated to exceed the cost of one thousand dollars shall, before commencing such construction, obtain from the Clerk of the Town a building permit for which the clerk shall charge nothing, provided however, that at the time of issuance of such permit the Clerk shall deliver to the person seeking the permit a copy of this ordinance.

11. Any person including^a corporation or association which shall violate the requirements of this ordinance or in any way erect, construct, reconstruct, alter, repair, convert, maintain or use any

building structure or land in violation of this ordinance may, upon conviction thereof be fined in an amount not exceeding three hundred dollars or imprisoned for a period not to exceed three months.

12. The provisions herein set forth for enforcement of this ordinance shall not in any way limit the power of the Town or its duly constituted officers from instituting any appropriate action or proceedings to restrain, correct or abate violation of this ordinance and to prevent occupancy of such building on land or to prevent illegal act, conduct, business or use in and about such premises in conformity with Section 11-2708 RCM 1947 as amended.

Passed by the Council and approved by the Mayor this 24th day of June, 1963.

Harold Kelt
Mayor

ATTEST:

James Bratcher
Clerk