

ORDINANCE NO. 354

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS ADOPTING THE PROVISIONS OF THE FIRE PREVENTION CODE 1960 EDITION AS RECOMMENDED BY THE NATIONAL BOARD OF FIRE UNDERWRITERS; DELETING THEREFROM SECTIONS 1.3, 1.4, 1.5, 1.6, 1.7 and 1.8: ADOPTING APPENDIX "A" THEREOF: PROVIDING FOR A PENALTY NOT TO EXCEED \$200.00 FOR EACH OFFENSE: AND DECLARING AN EMERGENCY.

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

Section 1. Adoption of Fire Prevention Code - There is hereby adopted by the City of Mesquite, Texas for the purpose of prescribing regulations governing conditions hazardous to life, and property, from fire or explosion the Fire Prevention Code, 1960 Edition, as recommended by the National Board of Fire Underwriters, with the exception of such Sections thereof as are hereinafter deleted, modified or amended, and the same is hereby adopted and incorporated herein the same as if fully set out at length and from the date of which this ordinance shall take effect the provisions thereof shall be controlling within the corporate limits of the City of Mesquite, Texas.

Section 2. Deletion - Sections 1.3, 1.4, 1.5, 1.6, 1.7 and 1.8 of the Fire Prevention Code, 1960 Edition, are hereby deleted and are of no force and effect.

Section 3. Amendment to the Code. - The Fire Prevention Code, 1960 Edition, is hereby amended by adding thereto Appendix "A", which will be a part of the Code for all purposes.

Section 4. Definitions -

(a) Wherever the word "municipality" is used in the Fire Prevention Code it shall be held to mean the City of Mesquite, Texas.

(b) Wherever the term "corporation counsel" is used in the Fire Prevention Code it shall be held to mean the attorney for the City of Mesquite, Texas.

(c) Wherever the words "Chief of the Bureau of Fire Prevention" are used in the Fire Prevention Code they shall be held to mean the Fire Chief.

(d) Wherever the "Bureau of Fire Prevention" is used in the Fire Prevention Code it shall be held to mean the Fire Department.

Section 5. Validity - Should any word, phrase, sentence, paragraph or section of this ordinance, or of the Fire Prevention Code, as adopted herein, shall be held to be void or unconstitutional, the remaining provisions of this ordinance and of the Fire Prevention Code shall remain in full force and effect.

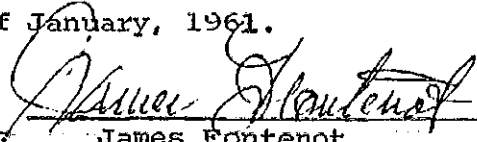
Section 6. Savings Clause - Nothing in this ordinance or in this Code as hereby adopted shall be construed to affect any litigation or proceedings now pending in any court, or any rights acquired or liability incurred, nor any cause or causes of action accrued or existing under any act or ordinance repealed hereby, nor shall any right or remedy of any character be lost impaired or affected by this ordinance.

Section 7. Penalty - Any person, firm or corporation violating any of the provisions of this ordinance or the Fire Prevention Code shall be deemed to be guilty of a misdemeanor and upon conviction in the Corporation Court shall be subject to a fine not to exceed Two Hundred Dollars (\$200.00) for each offense, and each and every day such violation continues shall constitute a separate offense.

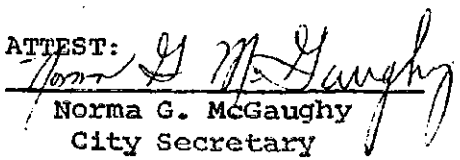
Section 8. Repeal of Conflicting Ordinances - All former ordinances or parts thereof which may conflict or are inconsistent with the provisions of this ordinance or of the Code as hereby adopted are hereby repealed.

Section 9. Emergency Clause - The fact that at the present time there is no ordinance of the City of Mesquite, Texas, adopting the 1960 Edition of the Fire Prevention Code, as recommended by the National Board of Fire Underwriters prescribing regulations governing conditions hazardous to the life and property from fire or explosion within the City of Mesquite, Texas creates an urgency and an emergency for the immediate preservation of the public business, property, health or safety and requires that this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

DULY PASSED on the 16th day of January, 1961.


James Fontenot
Mayor

ATTEST:


Norma G. McGaughy
City Secretary