

ORDINANCE NO. 778

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AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS AMENDING APPENDIX III OF THE CITY CODE OF THE CITY OF MESQUITE, THE SAME BEING THE COMPREHENSIVE ZONING ORDINANCE OF SAID CITY, HAVING BEEN DULY ENACTED BY THE CITY COUNCIL OF THE CITY OF MESQUITE ON THE 17th DAY OF AUGUST, 1964, BY AMENDING THE FOLLOWING ARTICLES AND SECTIONS OF SAID APPENDIX III; TO WIT: PARAGRAPH 10, SECTION 3, OF ARTICLE V; PARAGRAPH 10, OF SECTION 3, OF ARTICLE VI; PARAGRAPH 10, SECTION 3, OF ARTICLE VII; PARAGRAPH 9, SECTION 3, OF ARTICLE VIII; PARAGRAPH 9, SECTION 3, OF ARTICLE IX; PARAGRAPH 6, SECTION 3, OF ARTICLE X; PARAGRAPH 6, SECTION 3, OF ARTICLE XI; PARAGRAPH 5, SECTION 3, OF ARTICLE XII; AND PARAGRAPH 6, SECTION 3, OF ARTICLE XIII; SO AS TO DELETE THEREFROM ANY EXCEPTIONS TO THE CONSTRUCTION OF ANY MAIN BUILDINGS NOT IN COMPLIANCE WITH THE FIRE-RESISTANT CONSTRUCTION REQUIREMENTS AS SET FORTH IN THE BUILDING CODE OF THE CITY OF MESQUITE; BY REPEALING ALL ORDINANCES IN CONFLICT WITH THE PROVISIONS HEREOF; BY SPECIFICALLY RETAINING IN FULL FORCE AND EFFECT ALL PROVISIONS OF APPENDIX III, THE SAME BEING THE 1964 ZONING ORDINANCE OF THE CITY OF MESQUITE, NOT HEREIN REPEALED BY AMENDMENT; BY PROVIDING A SEVERABILITY CLAUSE; BY PROVIDING A PENALTY NOT TO EXCEED TWO HUNDRED DOLLARS (\$200.00); AND DECLARING AN EMERGENCY.

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

SECTION I. Exceptions to Fire-Resistant Construction Deleted

That the following articles and sections of Appendix III of the City Code of the City of Mesquite, Texas, the same being the 1964 Zoning Ordinance of said city, be, and the same are hereby amended to read as follows; to wit:

A. Paragraph 10, Section 3, Article V

"Exterior Fire-Resistant Construction.

All main buildings shall be of exterior fire-resistant construction (by definition, exterior fire-resistant construction is construction having at least seventy-five per cent of the exterior walls constructed of brick, stone, concrete block or other masonry or materials of equal characteristics, in accordance with the Building Code of the City of Mesquite)."

B. Paragraph 10, Section 3, Article VI

"Exterior Fire-Resistant Construction.

All main buildings shall be of exterior fire-resistant construction (by definition, exterior fire-resistant construction is construction having at least seventy-five per cent of the exterior walls constructed of brick, stone, concrete block or other masonry or materials of equal characteristics, in accordance with the Building Code of the City of Mesquite)."

C. Paragraph 10, Section 3, Article VII

"Exterior Fire-Resistant Construction.

All main buildings shall be of exterior fire-resistant construction (by definition, exterior fire-resistant construction is construction having at least seventy-five per cent of the exterior walls constructed of brick, stone, concrete block or other masonry or materials of equal characteristics, in accordance with the Building Code of the City of Mesquite)."

D. Paragraph 9, Section 3, Article VIII

"Exterior Fire-Resistant Construction.

All main buildings shall be of exterior fire-resistant construction (by definition, exterior fire-resistant construction is construction having at least seventy-five per cent of the exterior walls constructed of brick, stone, concrete block or other masonry or materials of equal characteristics, in accordance with the Building Code of the City of Mesquite)."

E. Paragraph 9, Section 3, Article IX

"Exterior Fire-Resistant Construction.

All main buildings shall be of exterior fire-resistant construction (by definition, exterior fire-resistant construction is construction having at least seventy-five per cent of the exterior walls constructed of brick, stone, concrete block or other masonry or materials of equal characteristics, in accordance with the Building Code of the City of Mesquite)."

F. Paragraph 6, Section 3, Article X

"Exterior Fire-Resistant Construction.

All main buildings shall be of exterior fire-resistant construction (by definition, exterior fire-resistant construction is construction having one hundred per cent of the exterior walls constructed of brick, stone, concrete block or other masonry or materials of equal characteristics, in accordance with the Building Code of the City of Mesquite)."

G. Paragraph 6, Section 3, Article XI

"Exterior Fire-Resistant Construction.

All main buildings shall be of exterior fire-resistant construction (by definition, exterior fire-resistant construction is construction having one hundred per cent of the exterior walls constructed of brick, stone, concrete block or other masonry or materials of equal characteristics, including Butler or Delta steel type buildings, in accordance with the Building Code of the City of Mesquite)."

H. Paragraph 5, Section 3, Article XII

"Exterior Fire Resistant Construction.

All main buildings shall be of exterior fire-resistant construction (by definition, exterior fire-resistant construction is construction having one hundred per cent of the exterior walls constructed of brick, stone, concrete block or other masonry or materials of equal characteristics, including Butler or Delta steel type buildings, in accordance with the Building Code of the City of Mesquite)."

I. Paragraph 6, Section 3, Article XIII

"Exterior Fire-Resistant Construction.

All main buildings shall be of exterior fire-resistant construction (by definition, exterior fire-resistant construction is construction having one hundred per cent of the exterior walls constructed of brick, stone, concrete block or other masonry or materials of equal characteristics, including Butler or Delta Steel type

buildings, in accordance with the Building Code of the City of Mesquite)."

SECTION II. Repeal of Conflicting Ordinances

That all ordinances of the City of Mesquite that are in conflict with the provisions of this Ordinance shall be, and the same are, hereby repealed.

SECTION III. Retention of Non-Conflicting Ordinances

That all ordinances of the City of Mesquite and of the 1964 Zoning Ordinance not repealed by the provisions hereof shall, and the same are hereby declared to, remain in full force and effect.

SECTION IV. Severability

That if any section, paragraph, subdivision, clause, phrase or provision of this ordinance shall be adjudged invalid or held unconstitutional, the same shall not affect the validity of this ordinance, as a whole, nor any provisions of the 1964 Zoning Ordinance, or any provision hereof other than the part so decided to be invalid or unconstitutional.


SECTION V. Penalty

That any person or corporation who shall violate any of the provisions of this ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be fined in an amount not to exceed two hundred dollars (\$200.00); further providing that each day a building remains in existence in violation of the provisions hereof shall constitute a separate offense.

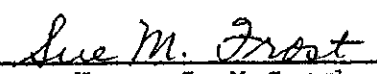
SECTION VI. Emergency

The fact that the present Zoning Ordinances of the City of Mesquite are inadequate to properly safeguard the public welfare, health, peace and safety creates an urgency and an emergency and requires that this ordinance become effective immediately upon its passage and publication of the caption of such ordinance, as the law in such cases provides, and it is accordingly so ordained.

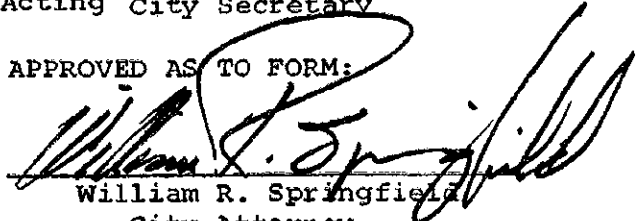
DULY PASSED by the City Council of the City of Mesquite, Texas
on this the 20 day of
January, 1969.


George Boyce
Mayor

ATTEST:


~~Norma G. McGaughey~~ Sue M. Frost
Acting City Secretary

APPROVED AS TO FORM:


William R. Springfield
City Attorney

