

00235B

ORDINANCE NO. 1206

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING ARTICLE 65.04 OF THE COMPREHENSIVE ZONING ORDINANCE OF 1973, DULY PASSED BY THE CITY COUNCIL ON SEPTEMBER 4, 1973, BY PROVIDING CERTAIN SETBACK REQUIREMENTS FOR SWIMMING POOLS AND PROVIDING FOR THE LOCATION OF PUMP AND FILTER INSTALLATIONS; BY PROVIDING A SEVERABILITY CLAUSE; BY PROVIDING FOR A PENALTY NOT TO EXCEED TWO HUNDRED DOLLARS (\$200.00) AND DECLARING AN EMERGENCY.

WHEREAS, a public hearing was conducted to consider amending the Swimming Pool Section of the Mesquite Zoning Ordinance; and

WHEREAS, the Commission recommended unanimously that the following revisions be submitted to the City Council for swimming pool requirements:

1. Swimming pool location at water's edge have a setback of five (5') feet from any property line.
2. Swimming pool location at water's edge setback ten (10') feet from the rear property line if no alley exists.
3. Pump and filter locations may be allowed anywhere in the required rear yard, but not in the required side yard.

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

SECTION 1. That Article 65.04 of the Comprehensive Zoning Ordinance of 1973, duly passed by the City Council on September 4, 1973, is hereby amended to read as follows; in all other respects

to remain in full force and effect:


65.04 Distance Requirements: The swimming pool may be located anywhere on the premises except in the required front yard except that there shall be a five (5') feet setback requirement from any property line and a ten (10') foot setback from the rear property line where there is no dedicated alley, measured from the water's edge, provided further that pump and filter installations shall be located behind the rear building line and within that portion of the yard other than the required side yard.

SECTION 2. Should any word, phrase, sentence, paragraph or section of this ordinance be held to be invalid or unconstitutional, the remaining provisions of this ordinance shall remain in full force and effect.

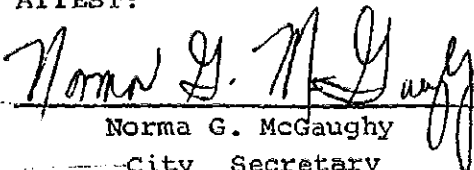
SECTION 3. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed to be guilty of a Class C Misdemeanor and upon conviction in the Municipal Court shall be subject to a fine not to exceed Two Hundred Dollars (\$200.00) for each offense.

SECTION 4. The fact that the present setback requirements are too restrictive to allow proper development of land in the City creates an urgency and an emergency for the preservation of the public health, safety and welfare and requires that this ordinance shall take effect immediately from and after its passage and publication of the caption as the law in such cases provides.

DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on the 19 day of August, A.D., 1974.


Jerry Sharp
Mayor Pro Tem

ATTEST:


Norma G. McGaughy
City Secretary

APPROVED AS TO FORM:

Elland Archer
City Attorney