

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, ESTABLISHING A PROCEDURE AND A RIGHT OF APPEAL FOR VARIANCE REQUESTS FOR SIGNS IN THE CITY WHERE VARIANCES HAVE BEEN PREVIOUSLY APPROVED BY THE CITY COUNCIL; BY PROVIDING A SEVERABILITY CLAUSE; BY PROVIDING FOR A PENALTY NOT TO EXCEED TWO HUNDRED DOLLARS (\$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. That Section 14B-15 of the Code of the City of Mesquite, a provision of the City of Mesquite Sign Ordinance is hereby amended as follows, in all other respects to remain in full force and effect:

The following paragraph is added to Section 14B-15:

"Provided, however, that where a variance is granted by the City Council for a fixed time subject to expiration or extension upon review at the end of such period, application for extension shall be made to the Chief Building Inspector who may grant an extension for a like period and for successive like periods, upon determination that substantially the same conditions exist as existed upon the initial approval by the City Council. Should the Chief Building Inspector reject such application, which rejection shall be in writing and specify the reasons therefor, the applicant may then present his request to the Council within thirty (30) days and the City Council shall determine the matter as in the case of initial requests."

SECTION 2. That all ordinances, or portions thereof, of the City of Mesquite in conflict with the provisions of this ordinance, to the extent of such conflict are hereby repealed. To the extent that such ordinances or portions thereof not in conflict herewith, the same shall remain in full force and effect.

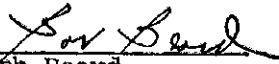
SECTION 3. That should any paragraph, sentence, subdivision, clause, phrase, section or provision of this ordinance be adjudged or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision hereof other than the part so decided to be invalid, illegal, or unconstitutional and shall not affect the validity of the remainder of Section 14B-15, or any other provision of the Code of the City of Mesquite.

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SECTION 4. That any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction in the Municipal Court shall be punished by a fine not to exceed Two Hundred Dollars (\$200.00) for each offense.

SECTION 5. The fact that the present ordinances of the City of Mesquite are inadequate in establishing a procedure and a right of appeal for variance requests for signs in the City of Mesquite, creates an urgency and an emergency and in 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 said ordinance, as the law and charter in such cases provides.

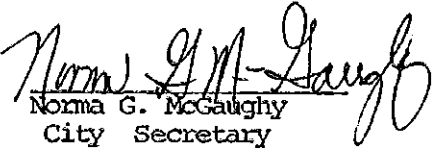
DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on the 2nd day of February, A.D., 1976.



Bob Beard
Mayor

ATTEST:

APPROVED AS TO FORM:



Norma G. McGaughey
City Secretary

Elland Archer
City Attorney