

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING ARTICLE 83.042 OF THE ZONING ORDINANCE OF 1973 BY ESTABLISHING AN APPLICATION FEE OF SEVENTY-FIVE DOLLARS (\$75.00) PLUS TWO DOLLARS (\$2.00) PER ACRE FOR EACH ACRE IN EXCESS OF TEN (10) ACRES IS ESTABLISHED FOR PROCESSING THE ZONING APPLICATION CHANGE AND NOTIFICATION, INCLUDING SUCH ADDITIONAL CITIZEN NOTIFICATION AS MAY BE DETERMINED; BY PROVIDING FOR A SEVERABILITY CLAUSE; BY PROVIDING FOR A PENALTY CLAUSE NOT TO EXCEED TWO HUNDRED DOLLARS (\$200.00) FOR EACH OFFENSE; AND DECLARING AN EMERGENCY.

WHEREAS, it has been determined that additional notification of proposed zoning changes is necessary to adequately inform citizens of such action and additional costs may be incurred thereby;

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

SECTION 1. That Article 83.042 of the Zoning Ordinance of the City of Mesquite, Appendix III to the Code of the City of Mesquite is hereby amended to read as follows, said article and the zoning ordinance as a whole, in all other respects, to remain in full force and effect:

83.042. A fee of seventy-five dollars (\$75.00) plus two dollars (\$2.00) per acre for each acre in excess of ten (10) acres is established for processing the zoning application change and notification, including such additional citizen notification as may be determined.

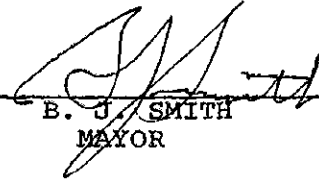
SECTION 2. That all ordinances, or portions thereof, of the City of Mesquite in conflict with the provisions of this ordinance, to the extent of such conflict are hereby repealed. To the extent that such ordinances or portions thereof not in conflict herewith, the same shall remain in full force and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

SECTION 3. That should any paragraph, sentence, subdivision, clause, phrase, or section 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 Comprehensive Zoning Ordinance as a whole.

SECTION 4. That any person, firm, or corporation violating any of the provisions or terms of this ordinance shall be deemed to be guilty of a Class C misdemeanor and subject to the same penalty as provided for in the comprehensive Zoning Ordinance of 1973, of the City of Mesquite, and upon conviction in the Municipal Court shall be punished by a fine not to exceed Two Hundred Dollars (\$200.00) for each offense.

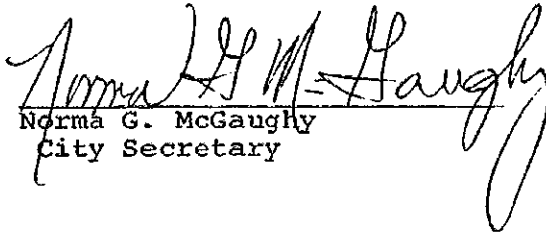
SECTION 5. The fact that the present zoning application fee is inadequate to defray the cost of adequate notice to citizens of proposed zoning changes creates an urgency and emergency for the preservation of the public health, safety, and welfare and requires that this ordinance shall take effect immediately from and after its passage and publication of said ordinance, as the law in such cases provides.

DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on the 18 day of July , A.D., 1977.

  
B. J. SMITH  
MAYOR

ATTEST:

APPROVED AS TO FORM:

  
Norma G. McGaughy  
City Secretary

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Elland Archer  
City Attorney