

## ORDINANCE NO. 1730

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS,  
AMENDING ARTICLE 73.013 OF THE COMPREHENSIVE  
ZONING ORDINANCE BY ESTABLISHING CERTAIN  
CRITERIA FOR USE OF BARBED WIRE IN ALL DISTRICTS;  
BY PROVIDING A SEVERABILITY CLAUSE; BY PROVIDING  
FOR 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 1. That Article 73.013 of the Comprehensive Zoning  
Ordinance is hereby amended to read as follows; in all other  
respects to remain in full force and effect:

Barbed Wire Fences. Fences or walls having wire or  
metal prongs, or cutting point or edges of any kind  
shall be prohibited except under the following  
circumstances and conditions:

1. Use of property-pasturing of livestock
2. Size of tract to be fenced-minimum/acre
3. Location - fenced pasture must be at least 300  
feet distant from nearest dwelling excluding  
the dwelling of the owner of tract to be fenced  
together with the conditions and circumstances  
provided in Chapter 5 of the City Code.

SECTION 2. 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 unconstitutive,  
illegal, or invalid and shall not affect the validity of the remainder  
of Article 73.013, or any other provision of the Code of the City  
of Mesquite.

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

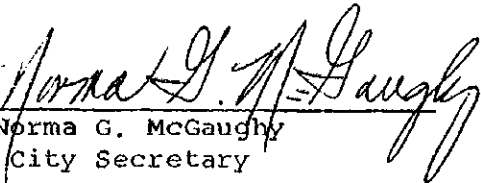
SECTION 4. The fact that the ordinances of the City of Mesquite  
do not adequately provide for use of barbed wire in all districts  
creates an urgency and an emergency and requires that this ordinance  
shall take effect immediately from and after its passage and  
publication of said ordinance, as the law in such cases provides.

DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on the 5th day of October, A.D., 1981.

  
B. J. SMITH  
MAYOR

ATTEST:

APPROVED AS TO FORM:

  
Norma G. McGaughy  
City Secretary

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Elland Archer  
City Attorney