

ORDINANCE NO. 1743

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, AMENDING ARTICLE 43.013A OF THE CODE OF THE CITY OF MESQUITE BY DELETING SECTIONS 43.013A THROUGH 43.016A, AND ADDING NEW SECTIONS 43.013A THROUGH 43.018A; BY PROVING FOR A SEVERABILITY CLAUSE; BY PROVIDING FOR A PENALTY NOT TO EXCEED TWO HUNDRED (\$200.00) DOLLARS 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 Article 43.013A of the Code of the City of Mesquite is hereby amended as follows, in all other respects to remain in full force and effect:

1. Deletions:

The following provisions of the code of the City of Mesquite are hereby deleted:

Section 43.013A, Code of the City of Mesquite
Section 43.014A, Code of the City of Mesquite
Section 43.015A, Code of the City of Mesquite
Section 43.016A, Code of the City of Mesquite

2. Additions:

Section 43.013A, Code of the City of the City of Mesquite, Indoor and Outdoor Commercial Recreation: (as provided in Article 43.002.)

Section 43.014A, Code of the City of Mesquite, Health Studios, Massage Parlors, Health Spas.

Section 43.015A, Code of the City of Mesquite, Private Clubs and Dancing (As provided in Article 43.003)

Section 43.016A, Code of the City of Mesquite, Contractor's Equipment and Storage Yard: Storage of equipment and materials used by contractors.

Section 43.017A, Code of the City of Mesquite, Miscellaneous: Secondhand stores, used furniture or rummage sales, roadside stands (in permanent structure only), airport, heliport landing field or pad, poultry hatchery, wholesale meat processing, electrical generating plant.

Section 43.018A, Code of the City of Mesquite, Heavy Millwork, Carting, Express and Hauling Establishments including Storage of Vehicles provided that:

1. Buildings required to be distant at least 100 feet from any residential district.
2. All yard activities and loading be distant at least 200 feet from any residential district.

Non-Permitted Uses: For clarity, the following heavy commercial uses are specifically noted as non-permitted. All other non-permitted uses are regulated as per other sections of this ordinance. Petroleum storage, sand and gravel sales and storage, are not allowed under permitted or conditional uses in the Commercial District.

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 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.

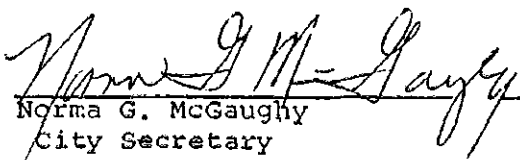
SECTION 4. The fact that the Code of the City of Mesquite, Texas, is inadequate for the necessary protection of the public comfort and general welfare creates an urgency and an emergency for the preservation of the public health, safety, and welfare and requires that this ordinance shall take effect immediately from its passage and publication as the law in such cases provide.

DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on the 16th day of November, A.D., 1981.


 B. J. SMITH
 MAYOR

ATTEST:

APPROVED AS TO FORM:


 Norma G. McGaughy
 City Secretary

Elland Archer
 City Attorney