

ORDINANCE NO. 1795

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING SECTION 10-53 OF THE CODE OF THE CITY OF MESQUITE BY PROHIBITING THE PARKING OF CERTAIN COMMERCIAL VEHICLES IN CERTAIN ZONING DISTRICTS; BY PROVIDING FOR 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 10-53 of the Code of the City of Mesquite is hereby amended to read as follows, in all other respects said code to remain in full force and effect:

It shall be unlawful for any person or any owner to leave, park or stand any truck-tractor, road-tractor, semitrailer, bus, truck or trailer or any other commercial motor vehicle with a rate carrying capacity in excess of two (2) tons according to the manufacturer's classification, upon property within any area zoned as residential, and districts zoned "Office", "General Retail", "Service Station", "Light Commercial", "Commercial", "Central Business District" and those districts zoned "Planned Development" for uses other than "Industrial", according to the zoning ordinance of the City. This section shall not prevent the parking or standing of the above-described vehicles in such zoned area for the purpose of expeditiously loading and unloading passengers, freight or merchandise, but not otherwise, "and further provided that this ordinance shall not apply to parking of commercial vehicles at a lawfully zoned business establishment wherein such vehicles are utilized as an integral part of such lawfully zoned business such as vehicle sales and rental and delivery vehicles operated as a part of said lawfully zoned business".

Any person having obtained a permit from the City as provided herein may lawfully park such vehicles under such circumstances as may be provided in the terms of the permit.

SECTION 2. 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.

SECTION 3. That any person violating any of the provisions or terms of this ordinance shall be deemed 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.

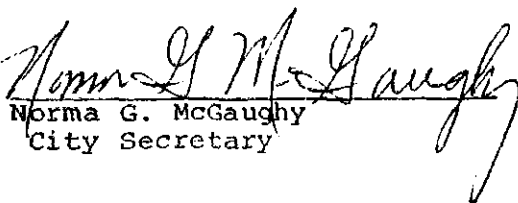
SECTION 4. The fact that the unrestricted parking of commercial vehicles in certain zoning districts creates an immediate danger and a hazard to the safety and the property of the people of the City of Mesquite creates an urgency and emergency for the preservation of the public health, safety, and welfare 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 19th day of July, A.D., 1982.


LEN GIBBENS
MAYOR

ATTEST:

APPROVED AS TO FORM:


Norma G. McGaughy
City Secretary

Elland Archer
City Attorney