

ORDINANCE NO. 1923

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING SECTION 6A-10 OF THE CITY OF MESQUITE COMPREHENSIVE DRAINAGE ORDINANCE BY PROVIDING FOR VARIANCE TO THE ELEVATION OF THE FINISHED FLOOR LEVEL OF STRUCTURES ABOVE THE ONE HUNDRED (100) YEAR FLOOD LEVEL TO NOT LESS THAN THE ELEVATION OF SAID ONE HUNDRED (100) YEAR FLOOD LEVEL; 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 the following sections and subsections of Chapter 6A, Comprehensive Drainage Ordinance, is hereby amended to read as follows, in all other respects to remain in full force and effect:

1. Section 6A-10(f) is hereby amended to read as follows:

(f) Generally, variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed at the base flood level. As the lot size increases beyond one-half acre, the technical justification required for issuing the variance increases.

2. Section 6A-10 (i)(3) is hereby amended to read as follows:

(3) Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with a lowest finished floor elevation at the base flood level and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

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.

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SECTION 3. 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 upon conviction in the Municipal Court shall be punished by a fine not to exceed Two Hundred Dollars (\$200.00) for each offense.

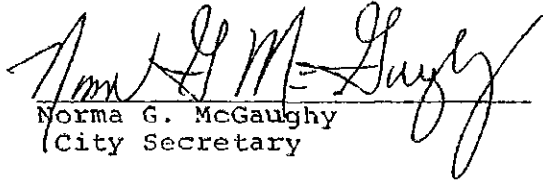
SECTION 4. The fact that the ordinances of the City of Mesquite do not adequately provide for flexibility in the requirements of maintaining a minimum floor level above the one hundred (100) year flood plain level creates an urgency and emergency for the preservation of the public health, safety, and 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 15th day of August, A.D., 1983.


MRS. BRUNHILDE NYSTROM
MAYOR

ATTEST:

APPROVED AS TO FORM:


Norma G. McGaughy
City Secretary

Elland Archer
City Attorney