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ORDINANCE NO. 1957

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING SECTION 13-9.02 OF THE CODE OF THE CITY OF MESQUITE MAKING IT A NUISANCE AND AN OFFENSE TO PERMIT HOUSE TRAILERS, MOBILE HOMES, MOTOR VEHICLES, TRUCKS, PASSENGER MOTOR VEHICLES, MOTOR HOMES, CAMPER CABINS, MOTORCYCLES, TRAILERS, BOATS, FARM MACHINERY, OR SIMILAR EQUIPMENT TO BE PARKED, STANDING OR STORED WITHIN THE FRONT YARD BETWEEN THE FRONT BUILDING LINE AND THE FRONT PROPERTY LINE, OR IN THE SIDE YARD OF CORNER LOTS BETWEEN THE SIDE BUILDING LINE AND THE SIDE PROPERTY LINE WHERE THE PROPERTY ABUTS A STREET OR PUBLIC RIGHT-OF-WAY OF PROPERTY ZONED FOR RESIDENTIAL, DUPLEX RESIDENTIAL OR APARTMENT DISTRICT USES WITHOUT BEING LOCATED ON A STANDARD DRIVEWAY APPROACH; PROVIDING FOR A TEMPORARY VARIANCE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY NOT TO EXCEED THE SUM OF TWO HUNDRED (\$200.00) DOLLARS FOR EACH OFFENSE AND DECLARING AN EFFECTIVE DATE OF IMPLEMENTATION.

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

SECTION 1. That Section 9.02 of Chapter 13, of the Code of the City of Mesquite, is hereby amended so as to hereafter provide as follows, in all other respects to remain in full force and effect

"SECTION 13-9.02. It shall be unlawful and an offense for owner, occupant, or person in charge of property zoned for residential or apartment district uses to permit the parking, standing or storing of house trailers, mobil homes, motor vehicles, trucks, passenger motor vehicles, motor homes, camper cabins, motorcycles, trailers, boats, farm machinery, or similar equipment within the front yard between the front building line and the front property line, or in the side yard of corner lots between the side building line and the side property line where the property abuts a street or public right-of-way without being located on a standard driveway approach or approved parking space. Standard driveway approach is defined as the paved driveway between the street or alley and the garage, carport, or required spaces on a lot, which is to be no wider than the width of the garage, carport or parking space which it serves, or twenty (20) feet, whichever is greater, or a paved circular driveway which is intended to facilitate easier access to the main entrance of the premises."

SECTION 2. A temporary permit for a variance from this section for a period of time not to exceed two (2) weeks may be obtained from the Chief of the Police Department upon presentation of

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evidence of necessity satisfactory to the Chief of Police.

SECTION 3. For the purposes of this ordinance the term "residential district" shall encompass all land actually used for residential purposes without regard to the title of the zoning district such as "Central Business District," "Mixed Use District" or "Planned Development District," including districts named in the future.

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.

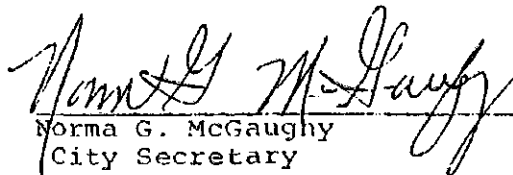
SECTION 5. Whereas, the fact that the ordinances of the City of Mesquite do not presently provide for the regulation of parking as described in Section 1 of this ordinance to protect the public interest, comfort, and general welfare of the City of Mesquite, creates an urgency and an emergency for the preservation of the public health, safety, and welfare and requires that this ordinance shall take effect immediately from 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 17th of October, A.D., 1983.

  
Mrs. Brunhilde Nystrom  
Mayor

ATTEST:

APPROVED AS TO FORM:

  
Norma G. McGaughy  
City Secretary

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Elland Archer  
City Attorney