

ORDINANCE NO. 2007

(1175

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING ORDINANCE NUMBER 1957 (SECTION 13.9.02 OF THE CODE OF THE CITY OF MESQUITE) DULY PASSED BY THE CITY COUNCIL ON OCTOBER 17, 1983, A.D., BY PROVIDING AN AFFIRMATIVE DEFENSE FOR USE FOR PARKING CERTAIN IMPROVED SURFACE AREA OF LIKE KIND MATERIALS, i.e., CONCRETE AND CONCRETE; ASPHALT AND ASPHALT; GRAVEL AND GRAVEL; BUT PROHIBITING SOD OR SCRAP MATERIALS AND LIMITING THE AREA OF SUCH IMPROVED SURFACE; BY PROVIDING A SEVERABILITY CLAUSE; BY PROVIDING FOR A PENALTY NOT TO EXCEED THE SUM OF 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 Ordinance Number 1957 duly passed by the City Council on October 17, A.D., 1983 is hereby amended as follows, in all other respects to remain in full force and effect:

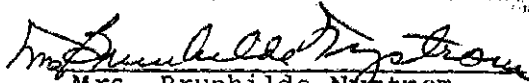
It shall be an affirmative defense that the improved surface used for parking was in existence at the time of passage of Ordinance Number 1957 (October 17, 1983) or has been added thereafter with materials of like kind, i.e., concrete and concrete; gravel and gravel; asphalt and asphalt AND the surface used for parking in existence at passage of Ordinance Number 1957 was and is materials of like kind and provided further that sod or scrap materials shall not be considered improved surface and provided further that any surface added after date of passage of Ordinance Number 1957 shall not exceed the area limitations of said Ordinance Number 1957.

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. 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

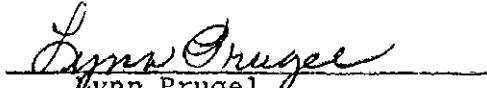
Court shall be punished by a fine not to exceed Two Hundred Dollars (\$200.00) for each offense.

DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on the 12th day of March, A.D., 1984.


Mrs. Brunhilde Nystrom
Mayor

ATTEST:

APPROVED AS TO FORM:


Lynn Prugel
City Secretary

Elland Archer
City Attorney