

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS GRANTING A SPECIAL EXCEPTION TO THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF MESQUITE BY PERMITTING PERSONS WHOSE HOMES WERE DESTROYED OR RENDERED UNINHABITABLE BY THE DECEMBER 13, 1984 TORNADO TO PLACE MOBILE HOMES ON THE PREMISES FOR A PERIOD NOT TO EXCEED NINE MONTHS; 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:

WHEREAS, the City of Mesquite is empowered under Article 1175, V.A.C.S. Sub-section 34 and the final clause of Sub-section 26 to enforce all ordinances necessary to protect health, life and property; to abate all nuisances and to preserve and enforce the good government, order and security of the City and its inhabitants, and

WHEREAS, the City was struck by a devastating tornado that damaged and destroyed homes and left inhabitants homeless; and

WHEREAS, the Comprehensive Zoning Ordinance restricts mobile homes to certain districts;

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

SECTION 1. That a special exception is hereby made to the Comprehensive Zoning Ordinance regulating mobile homes as follows:

1. Those persons whose homes were destroyed or rendered uninhabitable by the December 13, 1984 tornado may temporarily place mobile homes on such property for the purpose of temporary residence while rebuilding and repairing said home for the following periods:
 - (a) From date of this ordinance (January 21, 1985) to April 21, 1985.
 - (b) Upon the securing of a building permit for reconstruction or repair of home on location, an additional period of six (6) months from April 21, 1985 to October 21, 1985; provided however, that a party obtaining a permit shall proceed in good faith to complete repairs or construction.

CC-226

2. When the home being repaired or reconstructed shall be re-occupied permission to occupy and retain the mobile home on the premises shall cease. As of October 21, 1985, whether or not repairs or construction is completed such permission shall cease.


SECTION 2. That the special exception to the Comprehensive Zoning Ordinance granted herein shall expire and become null and void as of midnight, October 21, 1985.

SECTION 3. That should any word, sentence, clause, paragraph or provision of this ordinance be held to be invalid or unconstitutional the remaining provisions of this ordinance shall remain in full force and effect.

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. The fact that the present ordinances of the City of Mesquite are inadequate to protect the health and welfare the inhabitants of the City of Mesquite creates an urgency and an emergency and necessitates that this ordinance become effective immediately from and after its date of passage and the publication of its caption as the law in such cases provides.

DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on the 21st day of January, A.D., 1985.


Mrs. Brunhilde Nystrom
Mayor

ATTEST:

APPROVED AS TO FORM:


Lynn Prugel
City Secretary

Elland Archer
City Attorney