

ORDINANCE NO. 2283

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING THE SUBDIVISION ORDINANCE BY PROVIDING FOR UNDERGROUND UTILITIES; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A FINE OF NOT MORE THAN 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 Subdivision Ordinance Article V, Subsection L, of the City of Mesquite is hereby amended so that a new paragraph (7) shall be added to Subsection L as follows:

(7) Underground utilities required

- (a) Site Plans and final plats approved after March 3, 1986 shall require all electrical, telephone and cable TV utility (lateral and/or service distribution) lines and wires to be placed underground in new residential (Single Family-Detached, Single Family-Attached, Multi-Family) subdivisions.
- (b) In case of special or unique circumstances, the City Planning and Zoning Commission may recommend to the City Manager's Office and Utility Company deviation from the ordinance but still adhere to the intent of the ordinance.
- (c) Where electrical service is to be placed underground, street lighting shall also be placed underground.
- (d) All electrical and telephone support equipment (transformers, amplifiers, switching devices, etc.) necessary for underground installations shall be pad mounted or placed underground.
- (e) The utility companies shall be responsible for developing administrative policies and cost reimbursement procedures for the installation and extension of underground utilities.
- (f) Any utility location that deviates from the City's Standard Specifications shall be approved by the City of Mesquite.
- (g) The electrical utility company can, at its discretion, plan overhead feeders and/or feeder laterals on perimeters of subdivisions or property. Feeders is defined as those high voltage supply lines, that

originate from sub-stations, used to distribute power throughout an area.

- (a) "Laterals" shall mean those electric lines that emanate from feeder line and used to distribute power to smaller areas of electric consumers. These electric lines are normally connected to a feeder line through a sectionalizing device such as a fuse or disconnect switch.

SECTION 2. 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 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 (\$200.00) Dollars for each offense.


SECTION 4. The fact that the present ordinances of the City of Mesquite are inadequate to protect the health, safety and welfare of 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 3rd day of March A.D., 1986.


Mrs. Brunhilde Nystrom
Mayor

ATTEST:

APPROVED AS TO FORM:


Lynn Prugel
City Secretary

Elland Archer
City Attorney