

ORDINANCE NO. 2405

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING CHAPTER 14B SECTIONS 14B-15, 14B-25 PARAGRAPH 1. AND 14B-35 OF THE CODE OF THE CITY OF MESQUITE, THEREBY ESTABLISHING A VARIANCE FEE FOR SIGN VARIANCES, AMENDING DIRECTIONAL REAL ESTATE SIGN REQUIREMENTS AND PROVIDING FOR REPLACEMENT OF CERTAIN OFF-SITE SIGN STRUCTURES AFTER A SEVEN (7) YEAR PERIOD; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY NOT TO EXCEED TWO HUNDRED (\$200.00) DOLLARS AND DECLARING AN EMERGENCY.

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

SECTION 1. That Chapter 14B Section 14B-15 1st Paragraph of the Code of the City of Mesquite, Texas is hereby amended to read as follows, and in all other respects to remain in full force and effect.

If it appears that the provisions of this chapter would work a manifest injustice or an unnecessary hardship, a person may appeal to the city council for a variance from the provisions of this chapter, except those outlined in section 14B-14. An application for variance from the requirements of this chapter shall be accompanied by a variance application fee in the amount of One Hundred (\$100.00) dollars. Such applications for variance may cover more than one sign, but shall apply to only one applicant and one location.

SECTION 2. That Chapter 14B Section 14B-25 Paragraph 1. is hereby amended to read as follows, and in all other respects to remain in full force and effect:

1. Permission shall be granted as a special privilege to home builders to erect temporary directional signs for weekend advertising. Signs shall not be placed earlier than 1:00 p.m. Friday and shall be removed no later than 1:00 p.m. Monday. No more than one (1) sign per builder shall be allowed at any location. A minimum of three hundred (300) feet shall be maintained between sign locations along a roadway. Signs must only direct traffic to projects located within the Mesquite city limits. Any sign which is placed in the median, or any sign which constitutes a traffic hazard shall be removed immediately. If signs are found in violation of this section, they will be picked up by the City of Mesquite forces and kept for redemption for a period of three (3) days. Thereafter, the signs will be destroyed. The fee

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for redeeming these signs shall be three (\$3.00) dollars per sign.

SECTION 3. That Chapter 14B Section 14B-35 is hereby amended to read as follows, and in all other respects to remain in full force and effect:

All signs and advertising structures shall be maintained in good and safe structural condition, shall be painted on all exterior parts, unless coated or made of rust resistable material, and shall be maintained in good condition of appearance. If, upon inspection by the building official, a sign is not found to conform to the above, written notice shall be given to the owner giving the owner (30) days to either put the sign in acceptance condition or remove the sign. All temporary signs supported by wooden structures shall require mandatory replacement every 7 years.

SECTION 4. That should any paragraph, sentence, subdivision, clause, phrase, section or provision 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 or provision so decided to be unconstitutional, illegal, or invalid and shall not affect the validity of the remainder of Chapter 14B or any other provision of the Code of the City of Mesquite.

SECTION 5. 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 (\$200.00) Dollars for each offense.

SECTION 6. The fact that the Code of the City of Mesquite does not provide adequate requirements for signs in the City of Mesquite creates an urgency and emergency and requires that this ordinance shall take effect immediately from its passage and publication as the law in such cases provides.

DULY PASSED AND APPROVED by the City of Mesquite, Texas, on the 16th day of March, A.D., 1987.

Mrs. Brunhilde Nystrom
Mrs. Brunhilde Nystrom
Mayor

ATTEST:

Lynn Prugel
Lynn Prugel
City Secretary

APPROVED AS TO FORM:

Elizabeth A. Lunday
Elizabeth A. Lunday
Assistant City Attorney