

ORDINANCE NO. 2487

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING SECTION 15-43 OF THE CODE OF THE CITY OF MESQUITE RELATING TO RESIDENTIAL DRIVEWAY APPROACHES; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY NOT TO EXCEED 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 Section 15-43 of the Code of the City of Mesquite is hereby amended as follows, in all other respects to remain in full force and effect:

A. *That Section 15-43 (1) Residential driveway approaches is hereby deleted.*

B. That a new Section 15-43 (1) Residential driveway approaches is hereby added to read as follows:

1. Residential driveway approaches. Residential driveway approaches shall comply with the following standards:
 - (a) *Limitation of one (1) alley approach per lot.*
 - (b) *Circular driveway approaches are allowed in front yards only with a twenty (20) foot separation between approaches, and furthermore driveway width shall be limited to the width of the approach serving it.*
 - (c) Width of driveway approach. Residential driveway approaches shall not be less than ten (10) feet nor more than thirty (30) feet in width measured at the property line.
 - (d) Radius. Residential driveway approaches shall be constructed with the return curbs having a rolled face disappearing at the sidewalk and joining the street curb with a five-foot minimum radius, except that on major thoroughfares the minimum radius shall be ten (10) feet.
 - (e) Sidewalk to be removed. Where the residential driveway approach is designed to cross an existing sidewalk, the sidewalk included in the driveway approach area shall be removed and reconstructed as a driveway approach.
 - (f) Curb and gutter to be removed. Where a driveway approach is to be constructed at a location where there exists a curb and gutter, such curb and gutter shall be removed to the nearest construction joint, the steel exposed and tied into the new steel. The driveway approach shall extend to the back side of the existing or future sidewalk.

SECTION 2. That all ordinances, or portions thereof, of the City of Mesquite in conflict with the provisions of this ordinance, to the extent of such conflict are hereby repealed. To the extent that such ordinances or portions thereof are not in conflict herewith, the same shall remain in full force and effect.

SECTION 3. 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 any other ordinance of the City of Mesquite.

SECTION 4. The fact that the present ordinances of the City of Mesquite are inadequate to protect the health 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 16th day of November, A.D., 1987.

George A. Venner, Sr.
George A. Venner, Sr.
Mayor

ATTEST:

Lynn Prugel
Lynn Prugel
City Secretary

APPROVED:

Jonathan Graham by E.A.L.
Jonathan Graham
City Attorney