

ORDINANCE NO. 2539

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING SECTION 1-6 OF CHAPTER 1 OF THE CODE OF THE CITY OF MESQUITE AND SPECIFYING CERTAIN ORDINANCES GOVERNING FIRE SAFETY, ZONING, AND PUBLIC HEALTH AND SANITATION WHICH SHALL BE SUBJECT TO A \$2,000.00 FINE; AND ESTABLISHING A \$500 FINE FOR ALL OTHER CODE VIOLATIONS.

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

SECTION 1. That Section 1-6 of Chapter 1 of the Code of the City of Mesquite is hereby amended to read as follows, said code and chapter in all other respects to remain in full force and effect:

(a) Whenever in this Code or in any ordinance of the City an act is prohibited or is made or declared to be unlawful or an offense or a misdemeanor, or wherever in such Code or ordinance the doing of any act is required or the failure to do any act is declared to be unlawful, the violation of any such ordinance shall be punished by a fine not to exceed Two Thousand dollars (\$2,000.00) for violations of all such provisions that govern fire safety, zoning, or public health and sanitation, including the dumping of refuse. The offenses for which the foregoing maximum penalty may be imposed by the municipal court shall include, but not be limited to, the following:

1) Chapter 2A: Airports and Aircraft

All violations except those listed in Sections 2A-7, 2A-22, 2A-23, 2A-24, 2A-26, 2A-27, 2A-57, 2A-74, Article III, Division 1, and Article IV

2) Chapter 2B: Air Conditioning and Ventilating Code

All violations except those listed in Article II, Article III, and Article IV. Under Article IV those violations listed in Sections 2B-24 and 2B-26 shall also be deemed to be fire safety, zoning, public health and sanitation, including dumping of refuse.

3) Chapter 4: Animals, Fowl and Reptiles

All violations except those listed in Sections 4-4, 4-20, 4-46, 4-47, 4-48, 4-51, 4-53, 4-54, and 4-58.

4) Chapter 5: Buildings

All violations listed, including those listed in any provisions or amendments of the Uniform Building Code which have been adopted by the City.

5) Chapter 6A: Drainage and Flood Control

All violations listed.

6) Chapter 7: Electricity

All violations except those listed in Article II.

7) Chapter 8: Fire Protection and Prevention

All violations listed.

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8) Chapter 8A: Food Service Establishments

All violations listed.

9) Chapter 9: Garbage & Trash

All violations except those listed in Section 9-1B.

10) Chapter 9A.2: Housing

All violations except those listed in Sections 9A.2-23, 9A.2-24, 9A.2-26, 9A.2-30, 9A.2-32, and 9A.2-33, including those listed in any provisions or amendments of the Uniform Housing Code which have been adopted by the City.

11) Chapter 9B: Massage Parlors and Massage Establishments

All violations listed.

12) Chapter 11: Nuisances

All violations except those listed in Sections 11-4, 11-5, 11-8, 11-17, 11-18, 11-19, and 11-22.

13) Chapter 12: Nursing Homes and Convalescent Homes

All violations except those listed in Section 12-22.

14) Chapter 13: Offenses - Miscellaneous

Only those violations listed in Section 13-3.1, 13-3.2, 13-4.1, 13-4.2, 13-3.3, 13-7, 13-8.1, and 13-9.1

15) Chapter 14A: Plumbing

All violations except those listed in Article IV and Section 14A-7.

16) Chapter 18: Water, Gas and Sewage Disposal

All violations except those listed in Article I, Article II, Article III, and Article IV.

17) Chapter 19: Weeds, Brush, and Other Objectionable Matter

Only those violations listed in Section 19-3.

18) Appendix II: Subdivisions

All violations listed.

19) Appendix III: Zoning

All violations listed.

20) Appendix IV: Development Standards for Non-Residential Districts

All violations listed.

(b) Whenever in this Code or in any ordinance of the City not pertaining to fire safety, zoning, or public health and sanitation, or otherwise excluded from the penalty provision set forth in subpart (a) of this Section, an act is prohibited or is made or declared to be unlawful or an offense or a misdemeanor, or wherever in such Code or ordinance the doing of any act is required or the failure to do any act is declared to be unlawful, the violation of any such ordinance shall be punished by a fine not to exceed Five Hundred dollars (\$500.00) for violations of all such provisions.

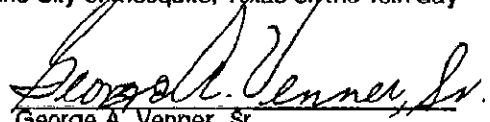
(c) Each day any violation of this Code or of any ordinance shall continue shall constitute a separate offense, unless some other time period is specified.

SECTION 2. The penalty provisions of any existing ordinance or Code section containing penalty provisions in conflict with this ordinance are hereby repealed, provided however, that all other portions of said ordinances or Code sections shall remain in full force and effect.

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.

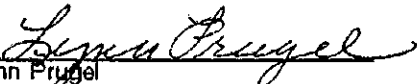
SECTION 4. That the present ordinances of the City of Mesquite do not provide for the maximum allowable penalty for violations of City ordinances creates an urgency and emergency for the preservation of the public health, safety, and welfare and requires that this ordinance shall take effect immediately from and after its passage and publication of said ordinance, as the law in such cases provides.

DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas on the 18th day of July, 1988.


George A. Venner, Sr.
Mayor

ATTEST:

APPROVED:


Lynn Prugel
City Secretary


Jonathan Graham
City Attorney

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