

CG 193

ORDINANCE NO. 2569

RECODIFICATION OF THE
1973 ZONING ORDINANCE
OF THE
CITY OF MESQUITE, TEXAS

AN ORDINANCE RECODIFYING AND RETITLING THE 1973 MESQUITE ZONING ORDINANCE AND DELETING ARTICLE 50 OF THE 1973 MESQUITE ZONING ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY; AND DECLARING AN EMERGENCY.

WHEREAS, on September 4, 1973, the City Council of the City of Mesquite, Texas, in accordance with State law, adopted the Mesquite Zoning Ordinance; and

WHEREAS, through administration and experience, the Planning & Zoning Commission has determined that the ordinance as adopted and including the amendments which have from time to time been made, no longer best serves its intended purposes due to the complexity of cross-references between articles, duplication, and conflicting provisions; and

WHEREAS, the Planning & Zoning Commission has studied reorganization of the ordinance and concluded that recodification and retitling of the regulations can increase the clarity and simplify the use of the ordinance; and

WHEREAS, Article 50, a use table no longer serves its intended purpose as it does not coincide with the written text, and should therefore, be deleted in its entirety; and

WHEREAS, the proposed recodification and retitling of the Zoning Ordinance and deletion of Article 50, makes no substantive changes in the regulations and in no manner affects either the Official Zoning Map, as amended, or the status of any nonconforming use.

WHEREAS, the Planning & Zoning Commission did give public notice and did hold public hearing regarding the proposed recodification and retitling and has recommended adoption; and

WHEREAS, the City Council did give public notice and did hold public hearing regarding the proposed recodification and retitling; and

WHEREAS, the City Council finds that the recodification and retitling will serve the public interest by providing clearer and simpler regulations;

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

SECTION 1. That the 1973 Mesquite Zoning Ordinance and its amendments be recodified and retitled as hereinafter exhibited and as specified and identified in Appendix A.

SECTION 2. That Article 50 of the 1973 Mesquite Zoning Ordinance be deleted in its entirety.

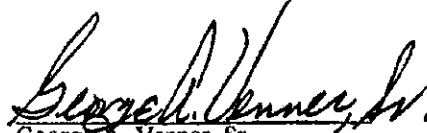
SECTION 3. That should any paragraph, sentence, subdivision, clause, phrase, or section of this ordinance be adjudged or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision hereof other than the part so decided to be invalid, illegal, or unconstitutional and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

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 Thousand (\$2000.00) Dollars for each offense.

SECTION 5. The fact that the present ordinances of the City of Mesquite are inadequate to protect the public interest, comfort, and general welfare of the City of Mesquite, creates an urgency and an 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, on the 21st day of November, 1988.


George A. Vanner, Sr.
Mayor

ATTEST:

APPROVED:


Lynn Prugel
City Secretary


B. J. Smith
City Attorney