

ORDINANCE NO. 2610

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING CHAPTER 5 OF THE CODE OF THE CITY OF MESQUITE BY ADDING A NEW ARTICLE VII, SECTION 5-64, PROVIDING FOR THE USE AND REGULATION OF TEMPORARY STORAGE VAULTS WHEN SPECIFIC CRITERIA IS MET; PROVIDING FOR A PENALTY NOT TO EXCEED TWO THOUSAND (\$2,000.00) DOLLARS FOR EACH VIOLATION OF THIS ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING AN EMERGENCY.

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

SECTION 1. That Chapter 5 of the Code of the City of Mesquite is hereby amended by adding a new Article VII - Temporary Structures, Section 5-64-Temporary Storage Vaults, to read as follows, said code and chapter in all other respects to remain in full force and effect.

ARTICLE VII
TEMPORARY STRUCTURES

Sec. 5-64. Temporary Storage Vaults.

The temporary placement of storage vaults shall be permitted on the site of a lawfully zoned business in any nonresidential zoning district, except the O-Office district, subject to the following conditions and requirements. The permanent placement of storage vaults shall be permitted where their placement is in compliance with the regulations governing outdoor storage.

For the purposes of this section, the term "storage vault" shall mean a vault, unit, or device designed and used specifically for storage, which is constructed of solid steel or metal construction and which is no larger than 8 1/2 feet in width, 22 feet in length, and 9 feet in height. This section shall not authorize the placement of trailers, trailers with wheels removed, export/shipping containers, or any other device designed and/or intended for transportation purposes or any modification of such device.

(a) *Permits Required:* It shall be unlawful for any person to place, permit, or use a storage vault upon any property within the City of Mesquite unless he has a valid permit issued by the office of the Building Inspector therefor, and is in compliance with all required conditions set forth in this section. Except a permit shall not be required when such vault complies with the regulations for outdoor storage.

(1) *Permit Fee:* The permit fee shall be \$35.00 per sixty (60) day period.

(2) *Sixty (60) Day Permits:* The Building Official may issue a total of two (2), sixty (60) day permits to a business within a calendar year to allow the placement of a storage vault, subject to compliance with the conditions and requirements stated below. Such permits may be combined to create one (1), one hundred twenty (120) day permit period.

(3) *Construction Permit:* The Building Official may issue a permit for the placement of a storage vault upon issuance of a building permit for the expansion of a permanent building or a permit for the repair/rehabilitation of a business which has had extensive damage. When a

building permit has been issued, the use of a storage vault may be authorized for the period of active construction on the site.

(b) *Required Conditions:* Storage vaults permitted pursuant to this section shall require compliance with the following requirements:

(1) *Location:* Storage vaults shall be located in an interior side or rear yard and on an improved surface of concrete or asphalt. No vault shall be permitted in a location which is nearer to a public street than the main building. No storage vault shall be placed so as to obstruct or eliminate any drive, fire lane, or required parking or loading space.

(2) *Electrical:* No electrical connections or any source of energy (such as self-contained power plants/generators) shall be permitted.

(3) *Number:* A maximum of one (1) vault per business shall be permitted, except in the following situations:

(a) *Shopping Centers/Multi-tenant Buildings:* On a shopping center or multi-tenant building site, the maximum number of vaults which may be permitted shall be one (1) vault for each 25,000 square feet of gross floor area in the shopping center. A vault must be located behind or beside the business for which it is permitted and not behind or beside any other business.

(b) *Large Businesses:* Businesses in excess of 50,000 square feet, whether freestanding or located in a shopping center, shall be permitted a maximum of two (2) vaults.

(4) *Signage:* No signage or advertising shall be permitted on a vault other than identification of the leasing firm, limited to name and telephone number, one time per side, using letters no larger than 3-inch.

(5) *Screening:* A solid, 6-foot high wood screening fence shall be provided around the vaults and shall be removed at the end of the permit period. Such screening shall not be required on the side of a vault which is against a building or when the vault is generally not visible from the surrounding streets and parking lots.

SECTION 2. That any person, firm, or corporation violating any of the provisions or terms of this ordinance shall be deemed guilty of a Class C misdemeanor and upon conviction in the Municipal Court shall be punished by a fine not to exceed Two thousand (\$2,000.00) dollars for each offense. This section is cumulative of all other penalties for violation of federal, state and local laws, rules, regulations and ordinances.


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. The fact that the present ordinances 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.

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DULY PASSED AND APPROVED by the City Council of the City of Mesquite, on the 3rd day of July, 1989.


George A. Venner, Sr.
Mayor

ATTEST:

APPROVED:


Lynn Prugel
City Secretary


B.J. Smith
City Attorney

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