

ORDINANCE NO. 2708

00043

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING SECTION 10-131 OF THE CODE OF THE CITY OF MESQUITE BY ESTABLISHING SPECIAL EXPENSE CHARGES FOR THE CUTTING OF VEGETATION AND REMOVAL OF OBSTRUCTIONS AND FOR THE CLEANING AND REMOVAL OF OBJECTIONABLE OR OTHER UNSIGHTLY MATTER UPON REAL PROPERTY WITHIN THE CITY; PROVIDING FOR A LIEN ON REAL PROPERTY; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY; AND DECLARING AN EFFECTIVE DATE THEREOF.

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

SECTION 1. The expenses incurred by the city pursuant to the correcting of conditions as set forth in this chapter shall be charged to and become a lien on the real estate or lot or lots upon which such expense is incurred. Such charges to be levied shall include special expense fees to defer all expense incurred by the city and shall be as follows:

- | | | |
|-----|---|----------------|
| (1) | Single residential lot
(with/without dwelling) | \$ 50.00/lot |
| (2) | Five [5] or more adjacent lots
(without dwelling) | \$ 10.00/lot * |
| (3) | Non-residential property
(Five [5] acres or less) | \$150.00 |
| (4) | Non-residential property
(Greater than five [5] acres) | \$250.00 ** |

* Lots without dwellings that can be contracted by the acre shall be charged the "non-residential" fee.

** An additional \$100.00 shall be charged for every additional ten [10] acres.

SECTION 2. In the event that there are obstructions such as rocks, trees, shrubs, bushes, excavations, foundations of demolished structures or other impediments, an additional charge can be levied, assessed and collected against such premises for the actual cost resulting from the additional expenses incurred therefrom.

SECTION 3. In the event that it becomes necessary for the city to go upon real property and do or cause to be done the work necessary to seek compliance with Sections 10-127 through 10-129, the actual expenses incurred plus fees shall be charged, levied, assessed and collected against such property.

SECTION 4. Should any word, phrase, sentence, paragraph, or section of this ordinance be held to be invalid or unconstitutional, the remaining provisions of this ordinance shall remain in full force and effect.

SECTION 5. Any person violating any provision of this ordinance shall be guilty of a misdemeanor and, upon conviction, subject to a fine as specified in Section 1-6 of the Code.

SECTION 6. This ordinance shall take effect January 1, 1991.

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DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on the 5th day of November, 1990.



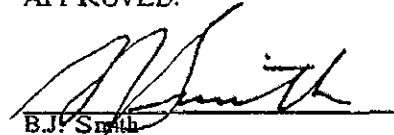
George A. Venner, Sr.
Mayor

ATTEST:

APPROVED:



Lynn Prugel
City Secretary



B.J. Smith
City Attorney