

ORDINANCE NO. 3107  
File No. ZO 96-4

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING THE MESQUITE ZONING ORDINANCE DULY ADOPTED ON SEPTEMBER 4, 1973 AND RECODIFIED ON NOVEMBER 21, 1988 SO AS TO DELETE SECTION 5-402B.2 AND BY ADOPTING A NEW REVISED SECTION 5-402B.2: ALTERNATE MEMBERS; REPEALING ALL ORDINANCES IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY AND DECLARING AN EMERGENCY.

WHEREAS, through administration and experience, the Planning and Zoning Commission has determined that it is necessary to revise certain regulations so that the intended purposes of the Zoning Ordinance are best served; and

WHEREAS, the City Council did give public notice and did hold public hearings regarding the proposed amendment;

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

SECTION 1. That the Mesquite Zoning Ordinance, adopted on September 4, 1973, and recodified on November 21, 1988, be and the same is hereby amended as follows, said Ordinance in all other respects to remain in full force and effect:

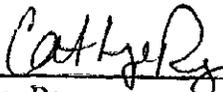
- a. Delete the existing Section 5-402B.2 in its entirety and adopt a new revised Section 5-402B.2 to read as follows:
  - 2. *Alternate Members: The Council shall appoint at least 2, but no more than 4, alternate Board members to serve in the absence of regular members. An alternate member serves for the same period as a regular member and is subject to removal in the same manner. When more than 2 alternates are appointed, the additional members shall be known as reserve alternates and shall not be subject to the attendance requirements set out below.*

SECTION 2. 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 of the provisions hereof other than the part so decided to be invalid, illegal, or unconstitutional and shall not affect the validity of the Zoning Ordinance as a whole.

SECTION 3. That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be guilty of a Class C Misdemeanor and subject to the same penalty as provided for in the Mesquite Zoning Ordinance, as amended, and upon conviction in the Municipal Court shall be punished by a fine not to exceed (\$2,000.00) Dollars for each offense.

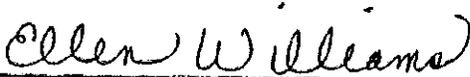
SECTION 4. The fact that the present ordinances of the City of Mesquite are inadequate to protect the public interest, comfort, and general welfare of the City of Mesquite, creates an urgency and an emergency for the preservation of the public health, safety, and welfare and requires that this ordinance 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, Texas on the 16th day of September, 1996.

  
\_\_\_\_\_  
Cathye Ray  
Mayor

ATTEST:

APPROVED:

  
\_\_\_\_\_  
Ellen Williams  
City Secretary

  
\_\_\_\_\_  
B.J. Smith  
City Attorney