

ORDINANCE NO. 3420

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING CHAPTER 9 OF THE CODE OF THE CITY OF MESQUITE BY ADDING A NEW SECTION 9-243(D) THEREBY ADDING LANGUAGE REGARDING THE PROHIBITION OF COMMERCIAL MOTOR VEHICLES OF CERTAIN SIZES AND WEIGHTS FROM CERTAIN STREETS DURING CERTAIN TIME PERIODS AND BY DELETING A PORTION OF SECTION 9-244(A) THEREBY DELETING LANGUAGE REGARDING DESIGNATED TRUCK ROUTES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; PROVIDING FOR A PENALTY NOT TO EXCEED TWO HUNDRED (\$200.00) DOLLARS FOR EACH OFFENSE; AND DECLARING AN EMERGENCY.

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

SECTION 1. That Chapter 9 of the Code of the City of Mesquite is hereby amended by adding a new Section 9-243(d) and by deleting a portion of Section 9-244(a) to read as follows, in all other respects said Code and Chapter to remain in full force and effect:

**MOTOR VEHICLES AND TRAFFIC**

**ARTICLE VII. COMMERCIAL VEHICLES**

(1) Amend by adding a new Section 9-243(d) to read as follows:

**Sec. 9-243. Same – Use required; exceptions.**

(d) *Commercial vehicles of certain sizes and weights prohibited from using certain streets during certain times.* When signs are erected giving notice thereof, no person shall operate a commercial vehicle that is more than thirty (30) feet in overall length or in excess of twenty-four thousand (24,000) pounds gross vehicle weight upon any of the following streets or parts of streets, except that such vehicles may be operated thereon for the purpose of delivering or picking up materials or merchandise and only by entering such street at the intersection nearest the destination of the vehicle and proceeding thereafter no further than the nearest intersection thereafter between the hours of 7:00 p.m. and 7:00 a.m.:

*Name of Street*

*Limits*

Gus Thomasson Road

From North Mesquite Drive to Towne Centre Drive

(2) Amend by deleting the following street and limits information from the list of designated streets in Section 9-244(a), in all other respects said Section to remain in full force and effect:

**Sec. 9-244. Same – Designated; signs and markings; designation of alternate routes during repair, etc.**

*Name of Street*

*Limits*

Gus Thomasson Road

Between the north city limit and U. S. Highway 80

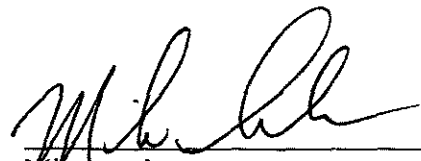
SECTION 2. That should any word, sentence, clause, paragraph or provision of this ordinance be held to be invalid or unconstitutional, the validity of the remaining provisions of this ordinance shall not be affected and shall remain in full force and effect.

SECTION 3. That all ordinances or portions thereof in conflict with the provisions of this ordinance, to the extent of such conflict, are hereby repealed. To the extent that such ordinances or portions thereof are not in conflict herewith, the same shall remain in full force and effect.


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 upon conviction in the Municipal Court shall be punishable by a fine not to exceed two hundred (\$200.00) dollars for each offense.

SECTION 5. That the present ordinances of the City of Mesquite are inadequate in providing for the proper regulation of commercial motor vehicles on City streets, 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 5th day of March, 2001.

  
\_\_\_\_\_  
Mike Anderson  
Mayor

ATTEST:

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

APPROVED:

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