

ORDINANCE NO. 3573

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING THE MESQUITE SUBDIVISION ORDINANCE ADOPTED ON SEPTEMBER 4, 1973, BY DELETING ARTICLE V, SECTIONS B(8), H AND I IN THEIR ENTIRETY AND ADDING NEW SECTIONS H, I AND J(3) TO ARTICLE V THEREBY COMPLYING WITH THE REVISED ACCESS MANAGEMENT AND DRIVEWAY STANDARDS IN CHAPTER 15, SECTION 15-150 OF THE CODE OF THE CITY OF MESQUITE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY NOT TO EXCEED TWO THOUSAND (\$2,000.00) DOLLARS FOR EACH OFFENSE; AND DECLARING AN EMERGENCY.

WHEREAS, in order that the intended purposes of the Subdivision Ordinance are best served, it has been determined necessary to amend certain language of said ordinance; and

WHEREAS, the City Council did give public notice and did hold a public hearing regarding the proposed amendment.

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

SECTION 1. That the Mesquite Subdivision Ordinance adopted on September 4, 1973, be and the same is hereby amended by deleting Article V, Sections B(8), H and I in their entirety and adding new Sections H, I and J(3) to Article V to read as follows, said Ordinance and Article in all other respects to remain in full force and effect:

(1) Delete Section H in its entirety and add a new Section H to read as follows:

H. Driveways for ingress and egress.

(1) Access driveways to multifamily and nonresidential uses shall comply with Section 15-150, Access Management and Driveway Standards, of the Code of the City of Mesquite.

(2) Wherever possible, major driveway entrances into apartment, retail, commercial, church and industrial sites shall be aligned with similar drives on opposite sides of the street.

(2) Delete Section I in its entirety and add a new Section I to read as follows:

I. Median designs affecting driveway entrances.

The developer may be required to construct median openings and turn lanes in boulevard streets at major access driveways to insure adequate traffic control and safety at that intersection. The median openings and driveways should be provided in accordance with Section

15-150, Access Management and Driveway Standards, of the Code of the City of Mesquite.

(3) Add a new Section J(3) to read as follows:

J. Parking areas.

(3) Premises used as motor vehicle service stations or parking lots shall have six-inch raised curbs or other approved traffic barriers along the entire street frontage except at the driveway approaches and access walks. The curbs shall be placed so that automobile bumpers shall not extend over the sidewalk or public property.


SECTION 2. 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 3. 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.

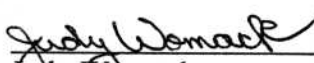
SECTION 4. That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be deemed to be guilty of a Class C Misdemeanor and upon conviction in the Municipal Court shall be punished by a fine not to exceed Two Thousand (\$2,000.00) Dollars for each offense.

SECTION 5. That to insure the intended purposes of the Subdivision Ordinance are best served, it has been determined necessary to amend certain language of said ordinance, creating an urgency and an emergency for the preservation of the public health, safety and welfare, and requiring 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 21st day of April, 2003.

  
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Mike Anderson  
Mayor

ATTEST:

  
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Judy Womack  
City Secretary

APPROVED:

  
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B. J. Smith  
City Attorney