

ORDINANCE NO. 3818

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING CHAPTER 15.5 OF THE CODE OF THE CITY OF MESQUITE BY DELETING THE FIRST PARAGRAPH IN SECTION 15.5-9 IN ITS ENTIRETY AND ADDING A NEW FIRST PARAGRAPH IN SECTION 15.5-9 THEREBY AMENDING THE MINIMUM CLEARANCE OF ANY OVERHANGING PORTION OVER SIDEWALK, STREETS AND ALLEYS; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY NOT TO EXCEED FIVE HUNDRED (\$500.00) DOLLARS FOR EACH OFFENSE; AND DECLARING AN EFFECTIVE DATE THEREOF.

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

SECTION 1. That Chapter 15.5 of the Code of the City of Mesquite is hereby amended by deleting the first paragraph in Section 15.5-9 in its entirety and adding a new first paragraph in Section 15.5-9 to read as follows, in all other respects said Code, Chapter and Section to remain in full force and effect:

Sec. 15.5-9. Pruning to prevent obstructions.

It shall be the duty of the person owning or occupying real property which borders a public street, alley or sidewalk to prune the trees located on said property in such a manner that they will not obstruct or shade the streetlights, obstruct the passage of pedestrians, obstruct vision of traffic signs or obstruct the view of any street or alley intersection. The minimum clearance of any overhanging portion thereof shall be 10 feet over sidewalks and 14 feet over all streets and alleys.


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or portions thereof in conflict with the provisions of this ordinance, to the extent of such conflict, are hereby repealed.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 remaining provisions of this ordinance 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 Five Hundred (\$500.00) Dollars for each offense.

SECTION 5. That this ordinance shall take effect immediately from and after its passage.

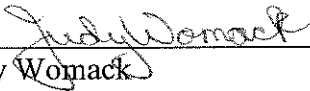
DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on the 5th day of September, 2006.



Mike Anderson
Mayor

ATTEST:

APPROVED:



Judy Womack
City Secretary



B. J. Smith
City Attorney