

ORDINANCE NO. 3848
Zoning Text Amendment No. 2007-2

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING THE MESQUITE ZONING ORDINANCE ADOPTED ON SEPTEMBER 4, 1973, AND RECODIFIED ON NOVEMBER 21, 1988, BY PROVIDING CERTAIN ADDITIONS AND DELETIONS TO SECTION 3-203 REGARDING SPECIAL CONDITIONS FOR STANDARD INDUSTRIAL CLASSIFICATION (SIC) 074 AND 075, VETERINARY SERVICES/ANIMAL HOSPITALS/OTHER ANIMAL SERVICES AND SIC 5999 PET SHOPS; 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 EFFECTIVE DATE THEREOF.

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

WHEREAS, the Planning and Zoning Commission did give public notice and did hold public hearings regarding proposed revisions and has recommended amendment of the 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 Zoning ordinance adopted on September 4, 1973, and recodified on November 21, 1988, be and the same is hereby amended by providing amendments to Section 3-203 regarding the special conditions for Standard Industrial Classification (SIC) 074 and 075, Veterinary Services/Animal Hospitals/Other Animal Services, and SIC 5999 Pet Shops, to read as follows, said Ordinance in all other respects to remain in full force and effect:

- A. *SIC 074 and 075 Veterinary Services/Animal Hospital/Other Animal Services.* Amend by deleting the wording under Section (a) in its entirety and adding a new Section (a) to read as follows:

Indoor Services to Household Pets, except where grooming is the primary use (Veterinary Services, Animal Hospitals, Training, Breeding and Indoor Boarding).

- B. *SIC 074 and 075 Veterinary Services/Animal Hospital/Other Animal Services-Special Conditions.* Amend by deleting the wording under Section (a) Special Conditions in its entirety and adding a new Section (a) Special Conditions to read as follows:

Prohibits outdoor kennels. Requires building to be at least 100 feet from any property line in a residential district. See City Code for kennel requirements.

- C. *SIC 074 and 075 Veterinary Services/Animal Hospital/Other Animals Services – Grooming – Household Pets - Special Conditions.* Amend by deleting the wording under Section (b) Special Conditions in its entirety and adding a new Section (b) Special Conditions to read as follows:

Prohibits keeping animals overnight.

- D. *SIC 5999 Pet Shops.* Amend by deleting the wording under Section (d) Special Conditions in its entirety and adding a new Section (d) Special Conditions to read as follows:

Permits only boarding of animals for sale.

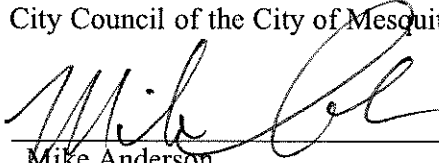
SECTION 2. That all ordinances, or portions thereof, of the City of Mesquite in conflict with the provisions of this ordinance, to the extent of such conflict are hereby repealed. To the extent that such ordinances or portions thereof not in conflict herewith, the same shall remain in full force and effect.

SECTION 3. That should any word, sentence, clause, paragraph, phrase or section of this ordinance be held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision hereof other than the part so decided to be invalid, illegal or unconstitutional and shall not affect the validity of the Mesquite Zoning Ordinance as a whole.

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 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 Two Thousand (\$2,000.00) Dollars for each offense.

SECTION 5. That this ordinance shall be effective immediately from and after its passage.

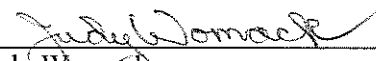
DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on the 2nd day of January, 2007.



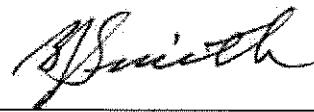
 Mike Anderson
 Mayor

ATTEST:

APPROVED:



 Judy Womack
 City Secretary



 B. J. Smith
 City Attorney