

ORDINANCE NO. 3908
Zoning Text Amendment No. 2007-7

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 DELETING SECTION 5-401(C)(3) IN ITS ENTIRETY AND ADDING NEW SECTIONS 5-401(C)(3) AND 5-401(C)(7); THEREBY LOWERING THE NUMBER OF MEMBERS REQUIRED FOR A QUORUM AND ADDING A PROVISION ON TRAINING AND COMPETENCY FOR PLANNING AND ZONING COMMISSION MEMBERS; PROVIDING A REPEALER CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; 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 a public hearing 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 deleting Section 5-401(C)(3) in its entirety and adding new Sections 5-401(C)(3) and 5-401(C)(7) to read as follows, said Ordinance in all other respects to remain in full force and effect:

(1) *Section 5-401(C)(3).* Amend by deleting the section in its entirety and adding a new Section 5-401(C)(3) to read as follows:

3. ***Quorum*** Four members of the Commission shall constitute a quorum to transact any business.

(2) *Section 5-401(C)(7).* Amend by adding a new Section 5-401(C)(7) to read as follows:

7. ***Training & Competency*** As a condition of membership on the Commission, the members shall participate in such training and education as may be required by law or ordinance. From time to time, the Community Development Director shall provide additional training and education opportunities for the members of the Commission in order to maintain and improve their knowledge and competence in matters pertaining to the Commission.

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of the City of Mesquite in conflict with the provisions of this ordinance, to the extent of such conflict are hereby repealed.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 5th of November, 2007.



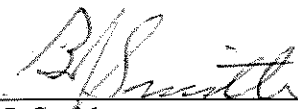
John Monaco
Mayor

ATTEST:

APPROVED:



Judy Womack
City Secretary



B. J. Smith
City Attorney