

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING CHAPTER 13 OF THE CODE OF THE CITY OF MESQUITE, TEXAS, AS AMENDED, BY DELETING SECTION 13-72(13)(d) IN ITS ENTIRETY, DELETING OBSOLETE LANGUAGE AND ADDING A NEW SECTION 13-72(13)(d) THEREBY DECLARING A PROHIBITED SIGN TYPE WITHIN THE RESTAURANT ROW AREA AS A CONFORMING SIGN; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY NOT TO EXCEED FIVE HUNDRED (\$500.00) DOLLARS FOR EACH OFFENSE; AND DECLARING AN EMERGENCY.

WHEREAS, on July 21, 2008, the City Council adopted an amendment to the Mesquite Sign Ordinance prohibiting new pole signs; and

WHEREAS, on the date of adoption, each parcel in the area known as Restaurant Row had a legally erected pole sign, and it was the intent of the City Council at that time to authorize the maintenance and continuation of these signs; and

WHEREAS, due to the unique character of the restaurant row area, the roadway design and the topography, the City Council finds that these signs should be authorized and not be subject to removal; and

WHEREAS, the Mesquite City Council desires to clarify the conforming status of the pole signs located along Restaurant Row.

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

SECTION 1. That Chapter 13 of the Code of the City of Mesquite, Texas, as amended, is hereby amended by deleting Section 13-72(13)(d) in its entirety and adding a new Section 13-72(13)(d) to read as follows, in all other respects said Code, Chapter and Section to remain in full force and effect:

- (d) Pole signs, provided that a pole sign existing as of July 21, 2008, on a parcel greater than one acre abutting both Interstate Highway 635 and Towne Crossing Boulevard shall be deemed conforming and may continue without enlargement or expansion.

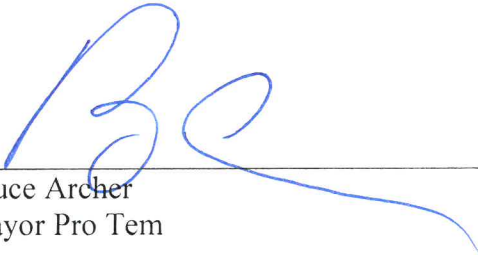
SECTION 2. That all ordinances or portions thereof in conflict with the provisions of this ordinance, to the extent of such conflict, are hereby repealed. To the extent that such ordinances or portions thereof are not in conflict herewith, the same shall remain in full force and effect.

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 (as defined in Chapter 1, Section 1-2 of the Code of the City of Mesquite, Texas, as amended) violating any of the provisions or terms of this ordinance shall be deemed to be guilty of a Class C Misdemeanor and upon conviction thereof, shall be subject to a fine not to exceed Five Hundred (\$500.00) Dollars for each offense, provided, however, if the maximum penalty provided for by this ordinance for an offense is greater than the maximum penalty provided for the same offense under the laws of the State of Texas, the maximum penalty for violation of this ordinance for such offense shall be the maximum penalty provided by the laws of the State of Texas. Each day or portion of a day any violation of this ordinance continues shall constitute a separate offense.

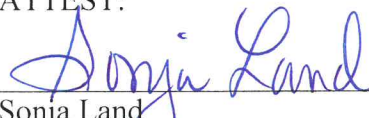
SECTION 5. That this ordinance shall take effect and be in force from and after five days after publication provided that for any complete sign permit application pending on the effective date of this ordinance in the application shall be governed by the provisions of Chapter 13 in effect on the date that the application was filed, unless the applicant elects in writing to apply all the terms of this ordinance to said application.

DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on the 21st day of November, 2016.



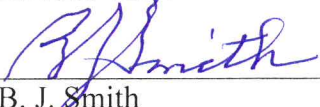
Bruce Archer
Mayor Pro Tem

ATTEST:



Sonja Land
City Secretary

APPROVED:



B. J. Smith
City Attorney