ORDINANCE NO. 4757

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING CHAPTER 2 OF THE MESQUITE CITY CODE, AS AMENDED, BY MAKING CERTAIN ADDITIONS AND DELETIONS IN SECTIONS 2-51 AND 2-53 BY PROVIDING A NEW DEFINITION FOR "VOTING PERIOD" AND UPDATING THE SIGN REGULATIONS AT POLLING PLACES DURING EARLY VOTING OR ON ELECTION DAY; PROVIDING A SAVING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF $2,000.00 FOR A PERSON VIOLATING A PROVISION OF THIS ORDINANCE GOVERNING FIRE SAFETY, ZONING, OR PUBLIC HEALTH AND SANITATION, AND A PENALTY NOT TO EXCEED $500.00 FOR ALL OTHER PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.

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

SECTION 1. That Chapter 2 of the Mesquite City Code, as amended, is amended by making certain additions and deletions in Sections 2-51 and 2-53 to read as follows, in all other respects said Code, Chapter and Sections to remain in full force and effect:

1. *Sec. 2-51.* Amend Section 2-51 by deleting the definition of "Voting Period" in its entirety and adding a new definition for "Voting Period" in Section 2-51 to read as follows:

> *Voting period* means the period beginning when polls are open for voting and ending when the polls are closed or when the last voter has voted, whichever is later. The voting period for election day voting and a runoff election shall be considered separate voting periods, provided that the respective voting period shall include early voting and any period between the early voting and the election immediately thereafter.

2. *Sec. 2-53.* Amend Section 2-53 by deleting Subsection 2-53(h) in its entirety and adding a new Subsection 2-53(h) to read as follows:

> (h) No sign stake shall exceed a 9 gauge diameter as defined by the American Wire Gauge Standard.

SECTION 2. That the Mesquite City Code, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

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, unless specifically provided otherwise by this ordinance or by state law, any person (as defined in Chapter 1, Section 1-2 of the Mesquite City Code, as amended) violating any of the provisions or terms of this ordinance governing fire safety, zoning, or public health and sanitation, shall be deemed to be guilty of a Class C Misdemeanor and, upon conviction, shall be subject to a fine not to exceed $2,000.00, and that any person (as defined in Chapter 1, Section 1-2 of the Mesquite City Code, as amended) violating any other provision of this ordinance shall be deemed to be guilty of a Class C Misdemeanor, and, upon conviction, shall be subject to a fine not to exceed $500.00. 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.

SECTION 5. That this ordinance shall take effect and be in force from and after five days after publication.

DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on the 3rd day of February 2020.

Bruce Archer
Mayor

ATTEST:

Sonja Land
City Secretary

APPROVED AS TO LEGAL FORM:

David L. Paschall
City Attorney