

ORDINANCE NO. 4059
Zoning Text Amendment No. 2009-4

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 DELETIONS UNDER SECTION 5-402(B) THEREBY AMENDING THE ATTENDANCE REQUIREMENTS FOR MEMBERS OF THE BOARD OF ADJUSTMENT; PROVIDING A REPEALER CLAUSE; AND PROVIDING A SEVERABILITY CLAUSE.

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 5-402(B)(6) in its entirety and adding a new Section 5-402(B)(6) to read as follows, said Ordinance in all other respects to remain in full force and effect:

6. *Attendance* Any member, including any alternate member, who has not attended more than 75 percent of the regularly scheduled meetings, without prior approval of the Chairman in the event of inability to attend, in any 12-month period shall automatically resign and cease to hold office, and the Council shall fill the vacancy for the unexpired term.

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of the City of Mesquite in conflict with the provisions of this ordinance, to the extent of such conflict are hereby repealed.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

DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas,
on the 8th of September, 2009.




John Monaco
Mayor

ATTEST:



Sonja Land
City Secretary

APPROVED:



B. J. Smith
City Attorney