

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, REVISING THE RESTRICTED COMMERCIAL VEHICLE PARKING IN THE TRUCK PARKING AREA AT AN EXISTING HOTEL LOCATED AT 140 COMMERCE WAY SUBJECT TO CERTAIN STIPULATIONS; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY NOT TO EXCEED FIVE HUNDRED (\$500.00) DOLLARS FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE THEREOF.

WHEREAS, Section 9-169(g) of the Mesquite Code of Ordinances authorizes commercial vehicle to be parked in a truck parking area at a motel or hotel within the City, but only with specific approval for truck parking by the City Council; and

WHEREAS, required notice has been given and a public hearing has been held to allow adjoining owners and other interested parties an opportunity to be heard; and

WHEREAS, the City Council has evaluated: (1) the purpose and justification for the requested truck parking area; (2) the location of the property and proposed parking area in relationship to existing, proposed and potential uses in the area; and (3) the ability to reasonably accommodate truck parking and maneuvering on the site and other factors affecting on-site circulation and off-site impact; and

WHEREAS, the City Council makes the following findings based upon the evidence and testimony presented: (1) the applicant's existing parking lot can support and accommodate the use and maneuvering of trucks; (2) truck traffic will not greatly impact the area; and (3) the required number of spaces for passenger vehicles will continue to be met.

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

SECTION 1. That the City Council of the City of Mesquite hereby adopts and incorporates into this ordinance the recitals (whereas clauses) set forth herein as the legislative and administrative findings and intent of the City Council.

SECTION 2. That the City Council approves the application for truck parking area at the Days Inn Hotel located at 140 Commerce Way and more fully described as being in the Grand Junction Replat, Block 2, Lot 2R, subject to the following stipulations:

- (1) Truck parking shall be limited to registered hotel guests only.
- (2) Truck parking shall be limited to a maximum of six designated truck spaces. No other trucks shall be parked on the premises.
- (3) Compliance with the site plan provided as attached Exhibit "A" is required.

- (4) Compliance with all other development standards for parking lots and access is required.
- (5) Approval of and compliance with a full site plan for the site and proposed improvements is required.

SECTION 3. That staff shall inform the City Council of violations of the requirements of this ordinance so the City Council may consider amendment or repeal of this ordinance and the discretionary authorization provided herein.

SECTION 4. 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 5. 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 6. 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 7. 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 6th day of March, 2017.

---

Stan Pickett  
Mayor

ATTEST:

APPROVED:



---

Sonja Land  
City Secretary

---

B. J. Smith  
City Attorney

# Exhibit A

