

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, ADOPTING THE CITY OF MESQUITE ENGINEERING DESIGN MANUAL WHICH RELOCATES CERTAIN PROVISIONS OF THE MESQUITE CITY CODE TO THE MANUAL AND CREATES COMPREHENSIVE AND EASILY ACCESSED STANDARD ENGINEERING PRACTICES AND MINIMUM CRITERIA; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE NOT TO EXCEED \$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 DECLARING AN EFFECTIVE DATE.

WHEREAS, engineering requirements are located in several chapters of the Mesquite City Code and other documents; and

WHEREAS, the creation of this Engineering Design Manual facilitates and streamlines the permit review process for staff and applicants by relocating all applicable requirements to this Manual; and

WHEREAS, the City Council has reviewed the City of Mesquite Engineering Design Manual and finds it is in the best interest of the City to adopt the same.

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

SECTION 1. That the City of Mesquite Engineering Design Manual is incorporated herein by reference as if set forth in full and is hereby approved and adopted. A copy of the Manual shall be kept on file in the office of the City Secretary.

SECTION 2. That compliance with the requirements of the City of Mesquite Engineering Design Manual is required.

SECTION 3. 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or portions thereof in conflict with the provisions of this ordinance, to the extent of such conflict, are hereby repealed.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 4. 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 5. 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 6. 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 20th day of May 2019.

Stan Pickett
Mayor

ATTEST:

APPROVED:

Sonja Land
City Secretary



David L. Paschall
City Attorney