

ORDINANCE NO. 659

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, PROHIBITING THE OPERATOR OF A MOTOR VEHICLE FROM DISREGARDING THE INSTRUCTIONS OF A POLICE OFFICER; PROHIBITING A MOTORIST FROM FLEEING FROM OR RACING A POLICE OFFICER TO PREVENT THE RECEIPT OF A TRAFFIC CITATION OR TICKET; PROVIDING FOR A PENALTY AND DECLARING AN EMERGENCY.

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

Section 1. No person operating a motor vehicle on the streets, alleys, public ways, thoroughfares, private roads open to the public, park drives or other places where vehicles travel, within the City shall flee from or seek to evade a police officer after having received an indication either by the blinking of red lights, the whistling of a siren or the motioning by the officer to the motorist to halt or to move to the side of the street or disobeying any other plain and unmistakable indication that the officer is attempting to stop the motorist, or for the purpose of preventing the receipt by the motorist of a traffic citation or ticket, or in an attempt to evade arrest.

Section 2. That the provisions of this ordinance or subsection shall be deemed cumulative of the provisions and regulations contained in the official Mesquite City Code, save and except, that where the provisions of this ordinance are inconsistent or in conflict with the provisions of the Mesquite City Code, then the provisions of this ordinance shall prevail.

Section 3. That any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined not to exceed the sum of \$200.00 for each offense, and each and every such violation shall constitute a separate offense.

Section 4. It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional or invalid by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional or invalid phrase, clause, sentence, paragraph or section.

Section 5. WHEREAS, it is the opinion of the City Council that recent occurrences on the streets of the City of Mesquite have endangered the lives of its citizens and their property and that public convenience and necessity requires the institution of more effective enforcement measures and that this ordinance creates an urgency and an emergency in the immediate preservation of the public peace, health, safety, comfort and general welfare and requires that this ordinance shall take effect immediately from and after the passage and it is accordingly so ordained.

DULY PASSED by the City Council of the City of Mesquite, Texas, this the 7 day of November, 1966.

George Bease  
Mayor

ATTEST:

Norm G. McGaughey  
City Secretary

APPROVED AS TO FORM:

H. Louis Nichol  
City Attorney