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ORDINANCE NO. 906

AN ORDINANCE AMENDING CHAPTER 10 OF THE CODE OF THE CITY OF MESQUITE, TEXAS, BY PROHIBITING THE PARKING OR STANDING OF MOTOR VEHICLES OR OTHER VEHICLES ON A STREET MEDIAN; BY PROHIBITING THE CROSSING OF A STREET MEDIAN BY A MOTOR VEHICLE OR OTHER VEHICLE; BY PROVIDING CERTAIN DEFINITIONS; BY PROVIDING A SEVERABILITY CLAUSE; BY PROVIDING A PENALTY NOT TO EXCEED TWO HUNDRED (\$200.00) DOLLARS; AND DECLARING AN EMERGENCY.

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

SECTION 1. That Chapter 10 of the Code of the City of Mesquite, Texas, be and the same is hereby amended by providing a new section to be known as Section 10-44A to read as follows; in all other respects to remain in full force and effect:

Section 10-44A. Crossing a Street Median Area.

No person shall drive or operate a motor vehicle or other vehicle upon or across a median area dividing the traveled portions of a divided street in the City of Mesquite except at paved crossings or paved cross-over areas.

SECTION 2. That Chapter 10 of the Code of the City of Mesquite, Texas, be and the same is hereby amended by providing a new section to be known as Section 10-48A to read as follows; in all other respects to remain in full force and effect:

Section 10-48A. Standing or Parking Upon a Street Median.

No person shall park or stand a motor vehicle or other vehicle upon a street median area dividing the traveled portions of a divided street in the City of Mesquite.

SECTION 3. That Chapter 10 of the Code of the City of Mesquite, Texas, Section 10-1 "Definitions" is hereby amended to add the following; in all other respects to remain in full force and effect:

Street Median Defined. For the purpose of Sections 10-44A and 10-48A a street median is defined as that area or space situated between the traveled portions of a divided street, whether raised, depressed, or neither, and whether enclosed by a curb or unenclosed by curb if unpaved.

Paved Crossings or Cross-over Defined. For the purpose of Sections 10-44A and 10-48A a paved crossing or cross-over shall mean that portion of the median area within the traveled portion of an intersecting street commonly referred to as an intersection; and such paved areas between intersections connecting the two traveled portions of the street not separated by a curb or raised area.

SECTION 4. That should any paragraph, sentence, subdivision, clause, phrase, or section of this ordinance be adjudged or 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 Code of the City of Mesquite as a whole.

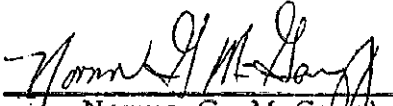
SECTION 5. That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be guilty of a misdemeanor and upon conviction shall be punished by a fine not to exceed Two Hundred (\$200.00) Dollars.

SECTION 6. The fact that there is no ordinance prohibiting the parking, standing, and crossing of street medians in the City of Mesquite and that the same creates a hazard to the safety of lives and property of the inhabitants of the City constitutes an urgency and an emergency for the preservation of the public health, safety and welfare of its citizens and requires that this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance, as the law in such cases provides.

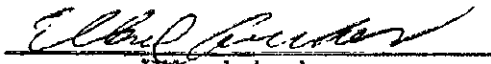
DULY PASSED by the City Council of the City of Mesquite, Texas, on the 7th day of December, A.D., 1970.


George Boyce
Mayor

ATTEST:


Norma G. McGaughy
City Secretary

APPROVED AS TO FORM:


Elland Archer
City Attorney