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ORDINANCE NO. 1011

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING CHAPTER 10 OF THE CODE OF THE CITY OF MESQUITE BY ADDING A NEW SECTION 10-16.1, ESTABLISHING CERTAIN PRESUMPTIONS OF OWNERSHIP OF VEHICLES; BY PROVIDING A SEVERABILITY CLAUSE AND DECLARING AN EMERGENCY.

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

SECTION 1. That Chapter 10, Code of the City of Mesquite, is hereby amended by adding a new Section 10-16.1 to read as follows, in all other respects to remain in full force and effect:

"Section 10-16.1 Presumptions

"In cases in which the operator of a motor vehicle involved in an accident shall fail to stop and furnish his name and address or other information required under Article 670ld, Vernon's Annotated Civil Statutes, Sections 38 through 42, the Chief of Police or such person as he may designate may obtain information as to the registered owner of such vehicle and upon trial such evidence of ownership shall create a prima facie presumption that such registered owner was the operator of such vehicle at the time of such accident, but such presumption may be rebutted as in other cases."

SECTION 2. 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 or the Code of the City of Mesquite as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal, or unconstitutional.

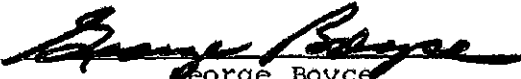
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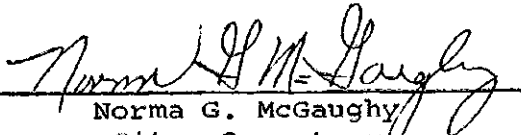
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SECTION 3. Whereas, the passage of this ordinance is necessary in order to protect the public interest, comfort, and general welfare of the City of Mesquite, and creates an urgency and an emergency for the preservation of the public health, safety, and welfare and requires that this ordinance shall take effect immediately from and after its passage and publication of said ordinance, as the law in such cases provides.

DULY PASSED by the City Council of the City of Mesquite, Texas, on the 21st day of February, A.D., 1972.


George Boyce
Mayor

ATTEST:


Norma G. McGaughy
City Secretary

APPROVED AS TO FORM:

Elland Archer
City Attorney