

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS AMENDING CHAPTER 10 OF THE CODE OF THE CITY OF MESQUITE BY ADDING SECTION 10-47.12 REGULATING THE OPERATION OF VEHICLES USING GASOLINE DISPENSING STATIONS; BY PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY NOT TO EXCEED TWO HUNDRED (\$200.00) DOLLARS FOR EACH OFFENSE; 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 be and is hereby amended to add Section 10-47.12 thereto as follows, in all other respects, to remain in full force and effect:

"Sec. 10-47.12. Operation of vehicles using gasoline dispensing stations.

It shall be unlawful and is hereby declared to be a nuisance for any person operating a motor vehicle upon a public street of the City of Mesquite to turn said vehicle into a gasoline dispensing station or to stop or stand said vehicle upon any public street in a line of vehicles enroute to such gasoline dispensing station except in compliance with the order promulgated by the Governor of the State of Texas relating to the "odd-even" license number assignment plan for the purchase of gasoline or for such motorists to break into a line of vehicles enroute to the gasoline dispensing facility of a service station.

Action shall be deemed in compliance with the aforesaid order of the Governor where motor vehicle operators operating vehicles with a license number ending in an even number attempts to purchase gasoline on an even day of the month and those operating vehicles bearing a license plate ending in an odd digit attempts to purchase gasoline on an odd day of the month with the exceptions relating to commercial vehicles, motorcycles and other vehicles as provided in the Governor's order.


Police Officers of the City are hereby authorized to issue such orders to motorists waiting in a line to purchase gasoline as may be necessary for the safety and well being of the public taking into consideration the traffic and other hazards then and there existing. Violation of such order shall constitute a misdemeanor punishable as provided in Vernon's Annotated Texas Statutes, Article 6701d."

SECTION 2. That any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction therefor, shall be subject to a fine not to exceed two hundred (\$200.00) dollars for each offense.

SECTION 3. That should any word, sentence, clause, paragraph or provision 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 or adjudged to be unconstitutional, illegal, or invalid and shall not affect the validity of any other provision of the Code of the City of Mesquite, Texas.

SECTION 4. The fact that present ordinances of the City of Mesquite regulating the operation of motor vehicles using gasoline dispensing stations are inadequate to accomplish the purposes creates 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 AND APPROVED by the City Council of the City of Mesquite, Texas, on the 2nd day of July, A.D., 1979.

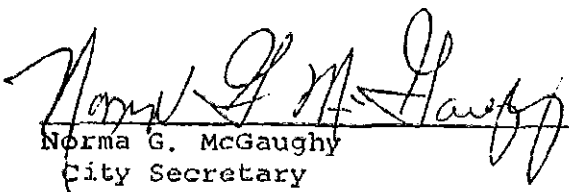


---

B. J. SMITH  
MAYOR

ATTEST:

APPROVED AS TO FORM:



---

Norma G. McGaughy  
City Secretary

---

Elland Archer  
City Attorney