

ORDINANCE NO. 1577

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING CHAPTER 20 OF THE CODE OF THE CITY OF MESQUITE BY DELETING SECTION 10-55 AND ADDING A NEW SECTION 10-55 AND A NEW SECTION 10-55.1; BY PROHIBITING THE PARKING OR STANDING OF MOTOR VEHICLES UNDER CERTAIN CONDITIONS; BY PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY NOT TO EXCEED TWO HUNDRED DOLLARS (\$200.00); 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 is hereby amended as follows, in all other respects to remain in full force and effect:

Section 10-55 of the Code of the City of Mesquite is hereby deleted and a new section is substituted therefore as follows:

Section 10-55. Parking of Inoperable Vehicles

No person owning or having control of a motor vehicle shall suffer or permit same to be parked or standing unattended upon a public street, alley or any public place within the City for a continuous period of more than forty-eight (48) hours unless such vehicle shall be in currently operable condition and in a state of good repair.

For the purpose of the foregoing the term currently operable condition shall mean capable of being lawfully operated upon the streets and highways, being currently registered with proper plates displayed, currently inspected for safety as required by the State of Texas, and in current running condition without any repair such as inflating of tires or charging of battery.

For the purpose of such paragraph the term, state of good repair, shall mean an absence of such items as broken glasses, substantial body damage such as crushed fenders (as opposed to dents), crushed side body or rear body areas, missing body parts such as doors, hood, trunk deck, or fenders. All wheels shall be on the surface (not jacked or blocked up) and all tires inflated.

SECTION 2. A new section to be entitled Section 10.55.1 is hereby added as follows:

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SECTION 10-55.1. Motor vehicles not regularly used.

No person owning or having control of a motor vehicle not in regular use shall suffer or permit same to stand or be parked upon any public street or alley.

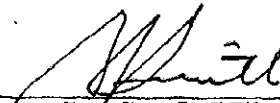
For the purpose of the foregoing paragraph the term "motor vehicle not in regular use" shall mean a motor vehicle not utilized for transportation for a continuous period of more than thirty days immediately preceeding the date of alleged violation or a motor vehicle habitually allowed to stand or be parked upon a public street or alley for a continuous period more than thirty days.

SECTION 3. That should any word, sentence, clause, paragraph, or provision of this ordinance be held to be invalid or unconstitutional the remaining provisions of this ordinance shall remain in full force and effect.

SECTION 4. That any person violating any provision of this ordinance shall upon conviction in the Municipal Court be subject to a fine not to exceed Two Hundred Dollars (\$200.00).

SECTION 5. The fact that the ordinances of the City of Mesquite, Texas, are inadequate to control the parking of motor vehicles on public streets within the City creates an urgency and an emergency and requires that this ordinance shall take effect immediately from and after its passage and the publication of said ordinance as the law and charter in such cases provides.

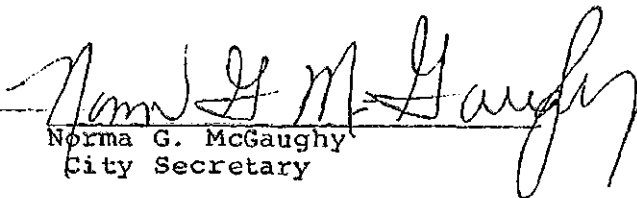
DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on the 3rd day of March, A.D., 1980.



B. J. SMITH
MAYOR

ATTEST:

APPROVED AS TO FORM:



Norma G. McGaughey
City Secretary

Elland Archer
City Attorney