

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING CHAPTER XIII OF THE CODE OF THE CITY OF MESQUITE BY ADDING A NEW SECTION 13-20 MAKING IT UNLAWFUL FOR ANY PERSON TO OPERATE OR DRIVE A MOTOR VEHICLE ON ANY VACANT OR UNIMPROVED PROPERTY WITHIN SIX HUNDRED (600) FEET OF ANY DEVELOPED PROPERTY, EXCEPT ON DEDICATED PUBLIC STREETS AND/OR ALLEYS; AND PROVIDING CERTAIN DEFINITIONS AND PROVIDING FOR CERTAIN EXCEPTIONS; BY PROVIDING A SEVERABILITY CLAUSE; BY PROVIDING FOR A PENALTY NOT TO EXCEED TWO HUNDRED DOLLARS (\$200.00) FOR EACH OFFENSE; AND DECLARING AN EMERGENCY.

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

SECTION 1. Chapter 13 of the code of The City of Mesquite is hereby amended by adding a new section 13-20 to read as follows; in all other respects said code to remain in full force and effect:

It shall be unlawful for any person to operate or drive a motor vehicle on any vacant or unimproved property within six hundred (600) feet of any developed property, except on dedicated public streets and/or alleys.

SECTION 2. Definitions

1. Motor Vehicle. Shall mean, but not be limited to, automobiles, trucks, motorcycles, motor scooters, motorized bicycles, go carts, and all other vehicles powered and propelled by any type of self contained motor or engine and designed to be ridden or driven by a person.

2. Owner. Shall mean any party having a beneficial interest in said vacant or unimproved property, including but not limited to tenants in common, lienholder of record, holders of easements, leases, options or contracts for sale.

SECTION 3. Exceptions. The provisions of section 13-20 shall not apply to city-owned or school district-owned maintenance vehicles, or to vehicles engaged in authorized construction, repair, maintenance, or mowing work on any such vacant or unimproved property, or to viewing and/or inspection thereof by the owner or persons acting on behalf of the owner thereof, including prospective purchasers with the owners consent.

SECTION 4. Should any word, phrase, sentence, paragraph or section of this ordinance be held to be invalid or unconstitutional the remaining provisions of this ordinance shall remain in full force and effect.

SECTION 5. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed to be guilty of misdemeanor and upon conviction in the Municipal Court shall be subject to a fine not to exceed Two Hundred Dollars (\$200.00) for each offense.

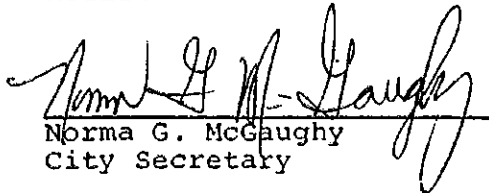
SECTION 6. The fact that no ordinance exists to regulate the operation of motor vehicles on vacant or unimproved property, and the need exists to protect the public interest, comfort, safety, and general welfare of the City, creates an urgency and emergency and requires that this ordinance shall take effect immediately from and after its passage and publication of said ordinance as the law in such cases provides.

DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on the 14th day of March, A.D., 1983.


MRS. BRUNHILDE NYSTROM
MAYOR

ATTEST:

APPROVED AS TO FORM:


Norma G. McGaughy
City Secretary

Elland Archer
City Attorney