

ORDINANCE NO. 2402

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS AMENDING CHAPTER 13 OF THE CODE OF THE CITY OF MESQUITE BY ADDING A NEW SECTION 13-22 REGULATING REMOVAL OF VEHICLES FROM PRIVATE PROPERTY BY PRIVATE WRECKER SERVICES; REQUIRING VEHICLES REMOVED FROM PRIVATE PROPERTY TO BE STORED OR IMPOUNDED ON A LOT WITHIN THE CITY; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR 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 13, of the Code of the City of Mesquite, is hereby amended by adding a new Section 13-22 so as to hereafter provide as follows, in all other respects to remain in full force and effect:

SECTION 13-22. Impoundment of vehicles towed from private property by private wrecker operators.

Impoundment within city limits. In the event the owner or person in charge of private property has authority to and does seek removal of a motor vehicle from such private property, such owner or person in charge is authorized to secure a private wrecker service of his choice, either a standard duty wrecker or a heavy duty wrecker, provided that when such vehicle is removed from such private property for storage or impoundment, such storage or impoundment shall be in or upon an impoundment or storage lot within the corporate city limits of the City of Mesquite. No private standard duty or heavy duty wrecker service is authorized to use the streets, highways, public thoroughfares or property of the City of Mesquite for transporting a private vehicle from private property at the direction of the owner or person in charge of such private property to any location outside the corporate limits of the City of Mesquite for storage or impoundment.

SECTION 2. 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 3. That any person, firm, or corporation violating any of the provisions or terms of this ordinance shall be deemed to be guilty of a Class C Misdemeanor and upon conviction in the Municipal Court shall be punished by a fine not to exceed Two Hundred (\$200.00) Dollars for each offense.

SECTION 4. The fact that the present ordinances of the City of Mesquite are inadequate to protect the health and welfare the inhabitants of the City of Mesquite creates an urgency and an emergency and necessitates that this ordinance become effective immediately from and after its date of passage and the publication of its caption as the law in such cases provides.

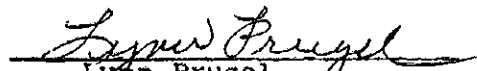
DULY PASSED AND APPROVED by the City of Mesquite, Texas, on the 16th day of March, A.D., 1987.



Mrs. Brunhilde Nystrom
Mayor

ATTEST:

APPROVED AS TO FORM:



Lynn Prugel
City Secretary

Elizabeth A. Lunday
Assistant City Attorney