

ORDINANCE NO. 3256

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING CHAPTER 10 OF THE CODE OF THE CITY OF MESQUITE, SPECIFICALLY BY ADDING SECTION 10-01 AUTHORIZING REGULATIONS ON MANAGEMENT, USE AND OPERATION OF CITY PROPERTY; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY NOT TO EXCEED FIVE HUNDRED (\$500.00) DOLLARS FOR EACH OCCURRENCE; 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, Texas is hereby amended by adding Section 10-01 to read as follows; in all other respects said Chapter and Code to remain in full force and effect.

Sec. 10-01. Management, use and operation of City-owned property.

- (a) - The city manager shall have full power and authority to establish such rules and regulations for the management, use and operation of any city-owned property whenever it is desirable or necessary for the preservation or protection of such property, provided such property is not specifically regulated pursuant to a duly adopted ordinance.
- (b) Where any one of such rules has been posted within the property so regulated, it shall be unlawful and an offense for any person to violate said rule.
- (c) Any police officer of the city shall have authority to arrest any person found on city-owned property who remains on such property in violation of any one of such rules which has been properly posted on the property.
- (d) For the purpose of this section, "city-owned property" includes, but is not limited to, the municipal parks, golf course, community centers, recreational and athletic facilities, activity center, city hall and municipal center, administrative buildings, shooting range, airport, libraries, historic facilities, exhibit hall, fire stations, service center, animal shelter, health clinic, arts center and any other property whether vacant or developed, together with all buildings, facilities and parking lots located in or on such property.

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 where rules have been promulgated pursuant to this ordinance, any person, firm, or corporation violating any of the provisions of such rules and thus the provisions and 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 five hundred (\$500.00) Dollars for each offense.

SECTION 4. That the present policy regulating the management, use and operation of city-owned property is inadequate to protect the public interest, comfort, and general welfare of the City of Mesquite which 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 AND APPROVED by the City Council of the City of Mesquite, Texas, on the 21st day of September, 1998.



Mike Anderson
Mayor

ATTEST:

APPROVED:



Ellen Williams
City Secretary



B.J. Smith
City Attorney