

## ORDINANCE NO. 283-91

AN ORDINANCE AMENDING ORDINANCE NO. 268-90 PROHIBITING THE OPERATION OF ANY MOTOR VEHICLE ON CITY OWNED PARK PROPERTY, UTILITY EASEMENTS, OR PRIVATELY OWNED PROPERTY WITHOUT THE CURRENT WRITTEN CONSENT OF THE OWNER; CONTAINING A SEVERABILITY CLAUSE, A PENALTY CLAUSE AND PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WILLOW PARK, TEXAS:

### I.

Ordinance No. 268-90 is hereby amended and Paragraph I of said ordinance shall be amended to read as follows:

“It shall be unlawful for any person to operate a moped, motor scooter, motorcycle, or dunebuggy or off street motor vehicle of any type on City owned Park property, utility easements or privately owned property without having in said operator's possession current written permission from the owner of said property permitting said operator to do so. No noxious or offensive activity, which shall include but shall not be limited to: dust, smoke, noise, be conducted or maintained on any such tract if such activity may be or become annoyance or nuisance to the neighborhood. Any such activity between the hours 10:00 p.m. and 7:00 a.m. will be considered to be prima facie evidence of a nuisance and an offense.

### II.

Should any section, clause or provision of this ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this ordinance as a whole or any part thereof, other than the part so declared to be invalid.

### III.

Any person, firm or corporation that violates, disobeys, neglects or refuses to comply with, or that resists the enforcement of, any of the provisions of this ordinance will be fined not less than TEN DOLLARS (\$10.00), nor more than TWO HUNDRED DOLLARS (\$200.00) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense and shall be punishable as such.

### IV.

The City may also bring suit for injunction against any person, firm or corporation

that shall violate or threaten to violate any of the provisions of this ordinance, in order to prevent a continued violation of such threatened violation.

V.

This ordinance shall be in full force and effect from and after the date of its passage and publication as required by law.

PASSED AND ADOPTED this the 15th day of January, 1991

APPROVED:

Sharon Riley Suarez

SHARON SUAREZ, Mayor

ATTEST:

Kathy Mitchell

CITY SECRETARY

APPROVED

Walter W. Leonard

WALTER W. LEONARD, CITY ATTORNEY