

ORDINANCE NO. 18-12
**AN ORDINANCE AMENDING CHAPTER 50 OF THE CODE OF ORDINANCES
OF THE CITY OF BROWNWOOD REGARDING THE OPERATION OF
VEHICLES AND MOTORIZED SPORT VEHICLES IN CITY PARKS;
PROVIDING PENALTIES FOR VIOLATIONS; PROVIDING A SEVERABILITY
CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, Chapter 50 of the Code of Ordinances contains rules and regulations regarding the use of City parks; and

WHEREAS, the City Council finds that the regulation of the use of vehicles and motorized sport vehicles in City parks promotes the safety and welfare of the visitors at City parks and the protection of City park property; and

WHEREAS, the City Council desires to enact this ordinance regulating the use of vehicles and motorized sport vehicles in City parks.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BROWNWOOD TEXAS, AS FOLLOWS:

Section One. Chapter 50, Article I., Section 50-1.- Definitions, is hereby amended, and Article III., Section 50-67, is hereby amended to read as follows:

“Sec. 50.1 – Definitions.

Vehicle shall mean any wheeled conveyance, whether motor-powered, animal-drawn or self-propelled. This term shall include any trailer in tow of any size, kind or description. This term shall not include baby carriages, bicycles and vehicles in the service of the City.

Motorized sport vehicle means any such vehicle propelled by a motor that can be ridden or driven, including three-wheelers, four-wheelers, motorcycles, motorbikes, go-carts and dune buggies. This definition does not prohibit motorized conveyances for City maintenance vehicles or handicapped persons, such as motorized wheelchairs.”

“Sec. 50-67. – Operation, standing or parking of vehicles.

It shall be unlawful for any person in a public park or recreation facility to:

(1) Drive any vehicle on any area other than the paved park roads (or designated park roads if not paved) or parking areas, or such areas as may, on occasion, be specifically designated as temporary areas.

(2) Park a vehicle any place other than on a designated parking area.

(3) Leave a vehicle standing or parked in established parking areas or elsewhere in the park during hours when the park areas are closed.

(4) Use any park area, including parking places, for the repair or cleaning of any vehicle, except in an emergency.

(5) violate any of the traffic laws of the State or any of the traffic ordinances of the City, all of which shall apply in full force and effect in all parks.

(6) fail to obey any traffic-control device indicating speed, direction of travel, caution, stopping, standing, parking or other instructions designed to promote traffic-control safety.

(7) drive or operate a vehicle at a speed in excess of the speed limit posted.

(8) operate a motorized sport vehicle, unless authorized by the City Manager, or authorized by the City Council in park areas specifically designated and marked by appropriate signage for such use. Motorcycles, legal for street use, and golf carts may be operated on paved park roads (or the designated park roads if not paved) only.”

Section Two. Miscellaneous.

(1) Penalty. Any person violating any part of this ordinance or failing to observe any provision of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be punished by a fine not exceeding five hundred dollars (\$500.00). Each occurrence of a violation of this ordinance shall be deemed a separate offense.

(2) Severability. It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, phrases and words of this ordinance are severable, and if any section, paragraph, sentence, clause, phrase or word(s) of this ordinance shall be declared unconstitutional or otherwise invalid, such unconstitutionality or invalidity shall not affect any of the remaining sections, paragraphs, sentences, clauses, phrases and words of this ordinance since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional or invalid portion of the ordinance.

(3) Effective Date. This ordinance shall become effective immediately upon its passage and publication as required by law.

PASSED AND APPROVED on First Reading this the 8th day of May, 2018.

PASSED AND APPROVED on Second Reading this the 22nd day of May, 2018.

PASSED AND APPROVED on Third/Final Reading this the 22nd day of May, 2018.

STEPHEN E. HAYNES, Mayor

ATTEST:

CHRISTI WYNN, City Secretary

APPROVED AS TO FORM:

PAT CHESSER, City Attorney