

ORDINANCE NO. 19-04

AN ORDINANCE OF THE CITY OF SOUTH PADRE ISLAND, TEXAS AMENDING CHAPTER 18, TRAFFIC, SECTION 18-30, GOLF CARTS TO INCLUDE ADDED LANGUAGE IN SECTION 18-30(D)(8) TO DETERMIN AND CONTROL THE ACCEPTABLE LEVEL OF NOISE THAT IS EMITTED FROM GOLF CARTS; PROVIDING FOR PENALTY FOR VIOLATION; PROVIDING FOR CUMULATIVE AND CONFLICTS AND SEVERABILITY CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the streets and other public roadways within the City, the Act entitled “Uniform Act Regulating Traffic on Highways” contained in Article 6701d, V.A.C.S. and the rules for safe driving issued by the State Department of Public Safety, shall be in full force and effect in the City; and

WHEREAS, the use of motorized carts, commonly referred to as golf carts, is permitted for the enjoyment of its residents and visitors in the city limits of South Padre Island; and

WHEREAS, the City Council is tasked with finding ways to reduce the noise level emitted from golf carts to an acceptable level, and

WHEREAS, the City Council finds that the provisions of this ordinance are in the interest of the health, safety and welfare of the City.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF SOUTH PADRE ISLAND, TEXAS.

Section one. Chapter 18 Section 18-30(D) “Operation Regulations” is amended to include added language in Section 18-30(D)

Section two. Chapter 18 Section 18-30(D)(8) is hereby added to determine and control the acceptable level of noise that is emitted from golf carts during all operations. The highest decibel reading during night time hours accepted in the residential districts is 68 decibels at a distance of thirty feet from the golf cart. Sixty eight (68) decibels will be the highest level of noise permitted from golf carts during operation at all time and any location.

Section three. Penalty. Violation of this ordinance shall be a Class C misdemeanor and upon conviction for such violation, the defendant shall be subject to a fine not less than \$1.00 and not more than \$500.00.

Section four. Cumulative and Conflicts. This Ordinance shall be cumulative of all provisions of ordinances of the City of South Padre Island, Texas, except where the provisions of the Ordinance are in direct conflict with the provisions of such ordinances, in which event the

conflicting provisions of such ordinances are hereby repealed. Any and all previous versions of this Ordinance to the extent that they are in conflict herewith are repealed.


Section five. Severability. It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

Section six. Publication. The City Secretary is authorized and directed to publish a caption of this ordinance.

Section seven. Effective Date. This Ordinance shall become effective immediately upon its passage, approval, and publication as provided by law.

PASSED AND APPROVED ON FIRST READING THIS THE 20th DAY OF February 2019.

PASSED AND APPROVED ON SECOND READING THIS THE 6th DAY OF March 2019.



Dennis Stahl, Mayor

ATTEST:


Susan Hill, City Secretary