

ORDINANCE NO. 2009- 15

An ordinance amending Section 17-2 of the Victoria City Code to expand the areas vehicles are prohibited by including all City property, repealing all conflicting ordinances, providing for severability; providing for codification and savings; and declaring an effective date.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF VICTORIA, TEXAS:

1.

Section 17-2 of the Victoria City Code is amended to read as follows:

Sec. 17-2. Operation of vehicles.

It shall be unlawful for any person other than a person acting on behalf of the City to operate, drive, ride, park or propel any bicycle, electric bicycle, motorbike, minibike, motor assisted scooter, motorcycle, moped, pocket bike, minimotorbike, or motor vehicle (as defined in Texas Transportation Code, Title 7, Chapter 551) on all City property ~~within a public park or playground~~ except on public streets or along or upon parking areas designated by the City Manager or designee ~~director of parks and recreation, park drives, parkways or park boulevards.~~ There is Excepted from the provision of this section is electric personal assistive mobility devices in addition to the operation of a golf cart specifically on the grounds known as Riverside Golf Course and bicycles on the Hike & Bike Trail System.

2.

All parts of ordinances in conflict with this ordinance are repealed to the extent of such conflict.

3.

If any provision of this ordinance, or the application thereof to any person or circumstance, shall be held invalid or unconstitutional by a Court of competent jurisdiction, such invalidity shall not affect the other provisions, or application thereof, of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

4.

It is the intention of the City Council that this ordinance shall become a part of the Code of the City of Victoria, Texas, and it may be renumbered and codified therein accordingly. The Code of the City of Victoria, Texas, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

5.

This ordinance shall become effective 10 days after final passage and approval by the City Council of the City of Victoria, Texas.

PASSED FIRST READING, this the 19th day of May, 2009.

AYES: 7
NAYS: 0
ABSTENTIONS: 0

PASSED SECOND READING, this the 2nd day of June, 2009.

AYES: 6
NAYS: 0
ABSTENTIONS: 0

PASSED THIRD READING, this the 2nd day of June, 2009.

AYES: 6
NAYS: 0
ABSTENTIONS: 0

APPROVED AND ADOPTED, this the 2nd day of June, 2009.

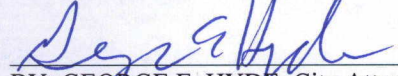
WILL ARMSTRONG, Mayor of the City of Victoria, Texas

ATTEST:


SCARLET SWOBODA, City Secretary



APPROVED AS TO LEGAL FORM:


BY: GEORGE E. HYDE, City Attorney
DENTON, NAVARRO, ROCHA & BERNAL, P.C.
Copies Sent: June 3, 2009

Distribution: Parks and Recreation
Police Department