ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF UNIVERSITY PARK, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE CITY OF UNIVERSITY PARK, CHAPTER 12, ARTICLE 12.01, SECTION 12.01.011 TO REGULATE THE USE OF MOTOR-ASSISTED SCOOTERS; PROVIDING EXCEPTIONS; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO HUNDRED DOLLARS ($200.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council has determined that in the interest of safety motor-assisted scooters should be prohibited from operating on a public street, highway or sidewalk in the City, with certain exceptions and conditions; Now Therefore,

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

SECTION 1. That Chapter 12 "Traffic and Vehicles", Section 12.01.011, Code of Ordinances, City of University Park, Texas, is amended in part as follows:

"CHAPTER 12 TRAFFIC AND VEHICLES

…

Sec. 12.01.011 Motor-assisted scooters prohibited on street or sidewalk; Exceptions

(a) <u>Prohibition.</u> Subject to the exceptions provided in this section, it shall be unlawful and an offense for any person to drive or operate a motor-assisted scooter on a public street, highway or sidewalk in the City.

(b) <u>Definitions.</u> ….

(c) <u>Exceptions.</u> The prohibition of subsection (a) above shall not apply to:

(1) A person eighteen (18) years of age or older,
(2) Wearing a safety helmet, and
(3) Operating a motor-assisted scooter in a permitted area.

For purposes of this subsection (c), "permitted area" shall mean:

(i)   On the street or sidewalks on both sides of Airline Road, from Binkley Avenue to Daniel Street;
(ii)   On the street or sidewalks on both sides of SMU Boulevard;
(iii)   On the street or sidewalks on both sides of Bush Avenue;
(iv)   On the sidewalk only, on the East side of Hillcrest Avenue, from Daniel Avenue to the South City limits;

(v)   On the sidewalk only, on the South side of Daniel Avenue, from Hillcrest Avenue to Airline Road; and,

(vi)   On the sidewalks on both sides of Daniel Avenue, from Airline Road to Durham Street."

SECTION 2. All ordinances of the City of University Park in conflict with the provisions of this ordinance are hereby repealed.

SECTION 3. Should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance or the Code of Ordinances, as amended hereby, be adjudged or held unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision thereof, other than the part so declared to be invalid, illegal or unconstitutional and shall not affect the validity of the Code of Ordinances.

SECTION 4. Any person, firm or corporation violating any of the provisions of this ordinance or the Code of Ordinances as amended hereby shall be deemed guilty of a misdemeanor and, upon conviction in the municipal court of the City of University Park, shall be fined in an amount not to exceed the sum of two hundred dollars ($200.00) for each offense.

SECTION 5. That this ordinance shall take effect after the publication of the caption, as the law and Charter in such cases provide.

DULY PASSED by the City Council of the City of University Park, Texas, on the 4th day of December 2018.

APPROVED:

_____
OLIN LANE JR., MAYOR

ATTEST:

                              _____
                              CHRISTINE GREEN, CITY SECRETARY

APPROVED AS TO FORM:

_____
CITY ATTORNEY
(RLD/11-15-18/104403)

ORDINANCE NO. _____

        AN ORDINANCE OF THE CITY OF UNIVERSITY PARK, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE CITY OF UNIVERSITY PARK, CHAPTER 12, ARTICLE 12.01, SECTION 12.01.011 TO REGULATE THE USE OF MOTOR-ASSISTED SCOOTERS; PROVIDING EXCEPTIONS; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO HUNDRED DOLLARS ($200.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

        DULY PASSED by the City Council of the City of University Park, Texas, on the 4th day of

December 2018.

                         APPROVED:

                         _____

                         MAYOR

                         ATTEST:

                         _____

                         CITY SECRETARY