

ORDINANCE NO. 005-96

**AN ORDINANCE PROHIBITING THE USE AND RIDING OF BICYCLES, SKATE BOARDS, ROLLER BLADES AND ROLLER SKATES ON THE SIDEWALKS ABUTTING PORTIONS OF TEXAS STREET; PROVIDING PENALTIES; PROVIDING FOR ENFORCEMENT; PROVIDING FOR SEVERABILITY; REPEALING CONFLICTING ORDINANCES; PROVIDING AN OPEN MEETINGS CLAUSE AND AN EFFECTIVE DATE; AND PROVIDING FOR RELATED MATTERS.**

Whereas, the regulation and prohibition of the use and/or riding of bicycles, skate boards, roller blades and roller skates on the sidewalks abutting certain portions of Texas Street within the City of De Leon (the "City") is necessary for the public safety, protection of business enterprise and the economy;

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DE LEON, TEXAS, THAT:**

**Section 1. Texas Street.** The use and/or riding of bicycles, skate boards, roller blades and roller skates on any sidewalk abutting and/or adjacent to that portion of Texas Street extending from the railroad tracts on North Texas Street to Labadie Street on South Texas Street, is hereby prohibited. The name "Texas Street" as used in this ordinance shall mean and include both North Texas Street and South Texas Street.

**Section Two. Enforcement.** The Chief of Police and members of the Police Department, both regular and reserve officers, are directed to enforce this ordinance.

**Section Three. Penalties.** Any person convicted of violating any provision of this ordinance shall be guilty of a misdemeanor and shall be subject to a fine in an amount not to exceed Five Hundred dollars (\$500.00).

**Section Four. Repeal of Conflicting Ordinances.** All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

**Section Five. Severability.** If any provision of this ordinance or the application of any provision to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications hereof 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.

**Section Six. Open Meetings.** That it is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapt. 551, Loc. Gov't. Code.

Section Seven. Effective Date. This ordinance shall take effect ten (10) days after its publication as required by the City Charter.

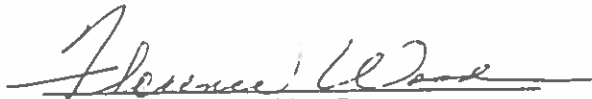
PASSED AND APPROVED on first reading the 10th day of September, 1996.

PASSED AND APPROVED on second reading the 24th day of September, 1996.

The City of De Leon, Texas

  
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Norma Jo Locke, Mayor

Attest:

  
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Florence Wood, City Secretary

Approved as to Form:

  
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Barney Knight, City Attorney

CERTIFICATION

I, Florence Wood, Secretary of the City of De Leon, Texas, hereby certify that the preamble to Ordinance No. 005-96 was published in the De Leon Free Press, 304 South Texas, De Leon, Texas, on the 3rd day of October, 1996, and shall take effect 10 days after such publication, effective date being the 14th day of October, 1996.

  
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Florence Wood, City Secretary