

ORDINANCE # 2007 - 01

AN ORDINANCE TO PROTECT THE PUBLIC HEALTH AND PROMOTE THE PUBLIC WELFARE OF THE CITY OF WELLS, TEXAS, BY PROHIBITING UNREASONABLE ACCELERATION, ERRATIC DRIVING, AND EXHIBITION DRIVING; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

SECTION 1. UNREASONABLE ACCELERATION:

It shall be unlawful for any person to drive any motor vehicle using unreasonable acceleration upon any public highway, street, parking lot, alley, or other public property within the city limits of the City of Wells, Texas, except when an emergency creates the necessity for such operation.

Unreasonable acceleration of a motor vehicle is hereby defined as acceleration of a motor vehicle which unnecessarily breaks traction between a tire or tires and the driving surface, thereby causing a squealing or screeching sound by the tire or tires or the unnecessary throwing of sand or gravel by the tire or tires or both.

SECTION 2. ERRATIC DRIVING:

It shall be unlawful for any person to drive any motor vehicle upon any public highway, street, parking lot, alley, or other public property within the city limits of the City of Wells, Texas, at erratic or irregular and changing speeds so as to create a hazard to himself or other persons or property or so interfere with other traffic in the area.

SECTION 3. EXHIBITION DRIVING:

It shall be unlawful for any person to drive any motor vehicle upon any public highway, street, parking lot, alley, or other public property within the city limits of the City of Wells, Texas, which causes unnecessary engine noise or backfire.

SECTION 4. SEVERABILITY

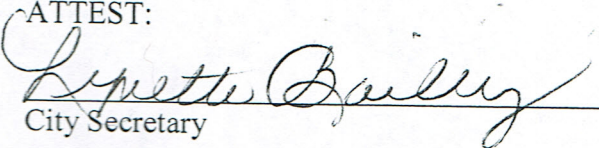
All other ordinances or parts of ordinances in conflict with this ordinance are hereby repealed. It is declared to be the intent of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this ordinance is declared invalid by the judgment or decree of a court of competent jurisdiction, the invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this ordinance since the City Council would have enacted them without the invalid portion.

SECTION 5. PENALTY:

Any person violating any of the provisions of this ordinance shall be punished by a fine not to exceed \$200.00, including court cost, for each conviction and each violation shall be deemed a separate offense. Since this ordinance has a penalty for violation, it shall become effective upon its publication in the newspaper.

PASSED AND APPROVED this 15th day of February 2007.

ATTEST:


City Secretary


Mayor