

Ordinance # 1159

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AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 18 OF THE CODE OF THE CITY OF ABILENE, TEXAS, 1957, BY ADDING THERETO SECTION 54(a) PROHIBITING THE OPERATING, MANIPULATING, OR FLYING OF MODEL AIRPLANES IN CITY PARKS EXCEPT IN AREAS DESIGNATED BY THE DIRECTOR OF PARKS AND PUBLIC RECREATION DEPARTMENT, AND SECTION 54(b) PROHIBITING THE HITTING OF GOLF BALLS IN CITY PARKS EXCEPT IN AREAS DESIGNATED BY THE DIRECTOR OF PARKS AND PUBLIC RECREATION; PROVIDING A PENALTY; PROVIDING A SEVERABILITY CLAUSE; AND CALLING A PUBLIC HEARING.

WHEREAS, the public parks of the City of Abilene, Texas, are presently being used for the flying of model airplanes and practicing golf, and the Board of Commissioners is aware of the possible dangers to persons and property arising out of said uses of the parks, and is of the opinion that it is necessary in the public interest that these activities be confined to designated areas for the safety of the public; now, therefore,

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF ABILENE, TEXAS:

Section 1: That Chapter 18, Miscellaneous Offenses, of The Code of The City of Abilene, Texas, 1957, be, and the same is hereby, amended by adding Section 54(a) and Section 54(b), which shall hereafter read as follows:

"Sec. 18-54(a). No person shall operate, manipulate or fly, or cause to be operated, manipulated, or flown, any model airplane with a motor drive propeller in the public parks of the City of Abilene, except in areas designated for such activity by the Director of Parks and Public Recreation.

"Sec. 18-54(b) No person shall hit or drive a golf ball, or in any manner cause a golf ball to be hit or driven, in the public parks of the City of Abilene, except in areas designated for such activity by the Director of Parks and Public Recreation, "

Section 2: Any person, firm or corporation violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than Two Hundred Dollars (\$200. 00). Each such violation which shall continue or be permitted to continue shall be deemed a separate offense.

Section 3: If any provision of this ordinance or the application thereof to any person or circumstance shall be held invalid, such invalidity shall not affect the provision or application of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of the ordinance are

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declared to be severable.

PASSED ON FIRST READING this 8th day of March, A. D. 1962.

After said passage, a notice of time and place, where and when said ordinance would be given a public hearing and considered for final passage was published in the Abilene Reporter-News, a daily newspaper of general circulation in the City of Abilene, said publication being on the 13th day of March, 1962, the same being more than one (1) week prior to the time designated for said hearing. After such opportunity for the public to be heard, said ordinance was passed on second and final reading.

PASSED ON SECOND AND FINAL READING this 22nd day of March, A. D. 1962.

ATTEST:

Bilda Jean Markin
CITY SECRETARY

Russell Day
MAYOR *Pro Tem*

APPROVED AS TO FORM:

John W Davidson
JOHN W. DAVIDSON
Corporation Counsel

