

WHEREAS, the fact that present ordinances and state statutes fail to provide adequate regulation of traffic, both vehicular and pedestrian, in and around drive in restaurant premises; and,

WHEREAS, it is apparent that such adequate regulation be provided by ordinance; and such regulations have been submitted to the City Council for approval; and,

WHEREAS, the City Council is of the opinion that such regulations are necessary for the preservation of public safety; now, therefore,

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

Section 1: That The Code of The City of Abilene, Texas, 1957, as amended, be and is hereby further amended by adding thereto the following:

"CHAPTER 62

"DRIVE IN RESTAURANTS

"Section 1: Drive In Restaurant, within the meaning of this Code, shall be deemed to be any restaurant where meals, sandwiches, cold drinks, beverages, ice

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"Section 5: It shall be the duty of the restaurant operator to post on the premises in a conspicuous location one or more signs bearing the following language:

"CRUISING IN OR CONGREGATING AND LOTTERING OUTSIDE OF THE MOTOR VEHICLE IS UNLAWFUL. NO UNOCCUPIED VEHICLE MAY BE LEFT ON THESE PREMISES WITHOUT THE CONSENT OF THE RESTAURANT OPERATOR. "

"Section 6: That it is declared to be the intention and purpose of this ordinance not to repeal any other ordinance or ordinances now in effect applicable to premises such as drive in restaurants; it is expressly declared that the purpose of this ordinance is to make it cumulative with all other such applicable ordinances, provided, however, that in the event of any conflict in language between this ordinance and any other ordinance or ordinances applicable to drive in restaurants, the language of this ordinance shall prevail.

"Section 7: That 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 this ordinance are declared to be severable.

"Section 8: That 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."

PASSED ON FIRST READING this 8 day of July, 1965.

1965. PASSED ON SECOND AND FINAL READING this 22 day of July,

ATTEST:

MAYOR

CITY SECRETARY

APPROVED:

Les Cochran, Assistant City Attorney