

CITY OF HASLET

ORDINANCE NO. 016-2018

AN ORDINANCE OF THE CITY OF HASLET, TEXAS, ADDING A NEW SECTION 12.01.002 REGARDING DAMAGE TO ROADWAYS, AND A NEW SECTION 8.01.001 REGARDING DAMAGE TO PUBLIC PROPERTY, TO THE HASLET CODE OF ORDINANCES; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY FOR VIOLATIONS; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Haslet, Texas is a Type A general-law municipality located in Tarrant and Denton Counties, Texas, created in accordance with the provisions of Chapter 6 of the Local Government Code and operating pursuant to the enabling legislation of the State of Texas; and

WHEREAS, the City Council desires to adopt regulations making it an offense for a person to intentionally or negligently damage any street, road or right-of-way in the City, or to intentionally or negligently damage any other publicly owned property, such as park facilities or property, City owned buildings, or equipment; and

WHEREAS, while an individual may be civilly liable to the City for damage to City streets or public property, the City Council desires to add Sections 12.01.002 and 8.01.001 to the Code of Ordinances to prohibit such activity making it a misdemeanor offense upon conviction; and

WHEREAS, the City Council finds that prohibiting damage to City streets, right-of-way and other public property is necessary to the health, safety and welfare of the citizens and community.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HASLET, TEXAS:

SECTION 1.

Chapter 8 "Offenses and Nuisances" of the Code of Ordinances of the City of Haslet, Texas be and is hereby amended to add a new Section 8.01.001 "Damage to Public Property" to read as follows:

CHAPTER 8 OFFENSES AND NUISANCES

ARTICLE 8.01 GENERAL PROVISIONS

"Sec. 8.01.001 Damage to public property

A person commits an offense if the person negligently or intentionally injures or damages any City owned real property, public building or structure, or personal property or equipment. Any such person shall also be liable to the City for the cost of such injury or damage in a civil action.”

SECTION 2.

Chapter 12 “Traffic and Vehicles”, Article 12.01 “General Provisions” of the Code of Ordinances of the City of Haslet, Texas be and is hereby amended to add a new Section 12.01.002 “Damage to Streets or Right-of-Way” to read as follows:

CHAPTER 12 TRAFFIC AND VEHICLES

ARTICLE 12.01 GENERAL PROVISIONS

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“Sec. 12.01.002 Damage to streets or right-of-way

A person commits an offense if the person negligently or intentionally injures or damages any portion of any City street, park road, right-of-way, or roadway facility, structure, or improvements. Any such person shall also be liable to the City for the cost of such injury or damage in a civil action.”

SECTION 3.

This Ordinance shall be cumulative of all provisions of ordinances of the City of Haslet, Texas, as amended, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

SECTION 4.

It is hereby declared to be the intention 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 shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining, phrase, clauses, sentences, paragraphs or sections of this Ordinance since the same would have been enacted by the City Council without incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

SECTION 5.

Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this ordinance shall be fined not more than \$2000.00 for all violations involving zoning, fire safety, or public health and sanitation, including dumping or refuse, and shall be fined \$500.00 for all other violations of this

ordinance. Each day that a violation is permitted to exist shall constitute a separate offense.

SECTION 6.

The City Secretary of the City of Haslet is directed to publish the caption, penalty clause, and effective date of this Ordinance in the official newspaper of the City of Haslet, Texas, as authorized by Section 52.011 of the Texas Local Government Code.

SECTION 7.

This Ordinance shall be in full force and effect from and after its passage and publication as required by law, and it is so ordained.

PASSED AND APPROVED 6TH DAY OF AUGUST, 2018.



BOB GOLDEN, MAYOR

ATTEST:



DIANNA BUCHANAN, CITY SECRETARY

