

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MELISSA, TEXAS, AMENDING MELISSA’S CODE OF ORDINANCES, ORDINANCE NO. 92-04, AS AMENDED, CHAPTER 10 (TRAFFIC CONTROL), ARTICLE 10.1100 (OPERATION OF GOLF CARTS ON PUBLIC STREETS), SECTION 10.1102 (GOLF CARTS PERMITTED AND RESTRICTED); MODIFYING REGULATIONS RELATING TO GOLF CARTS ON PUBLIC STREETS; PROVIDING A PENALTY CLAUSE WITH A MAXIMUM FINE OF \$500, SAVINGS/REPEALING CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE; AND PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.

WHEREAS, the City Council of the City of Melissa, Texas (“City Council”) finds that it would be advantageous and beneficial to the citizens of Melissa to amend the Code of Ordinances, Ordinance No. 92-04, as amended, Chapter 10 (Traffic Control), Article 10.1100 (Operation of Golf Carts on Public Streets), Section 10.1102 (Golf Carts Permitted and Restricted) for the purpose of modifying certain regulations relating to golf carts on public streets; and

WHEREAS, the City Council finds that the adoption of this Ordinance is necessary to protect the public health, safety and welfare.

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

SECTION 1: Findings Incorporated. The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

SECTION 2: Amendment to the Code of Ordinances, Chapter 10 (Traffic Control), Article 10.1100 (Operation of Golf Carts on Public Streets), Section 10.1102 (Golf Carts Permitted and Restricted). The Code of Ordinances is amended as follows¹:

“ARTICLE 10.1100 – OPERATION OF GOLF CARTS ON PUBLIC STREETS

...

§ 10.1102 – Golf Carts Permitted and Restricted

- (1) A person, other than Public Safety Personnel, may operate a golf cart on a public street, parking area and/or trafficway if the person obtains a permit and meets the following requirements:

¹ Deletions are evidenced by ~~striketrough~~; additions are underlined.

- (a) The maximum speed limit on the public street is thirty-five (35) miles per hour or less;
 - (b) The person has a valid driver's license;
 - (c) The person maintains current financial responsibility for the golf cart, as required of other passenger vehicles in Section 601.051 of the Texas Transportation Code;
 - (d) The person complies with all applicable federal, state and local laws and ordinances;
 - (e) The golf cart has the following equipment, which must continuously remain in good working and operational order:
 - (1) Two (2) headlamps;
 - (2) Two (2) taillamps;
 - (3) Side reflectors (two (2) front, amber in color and two (2) rear, red in color);
 - (4) Parking brake;
 - (5) Rearview mirror(s), capable of a clear, unobstructed view of at least two hundred feet (200') to the rear;
 - (6) Slow-moving vehicle emblem; and
 - (f) The equipment described herein meets the Texas and Federal Motor Vehicle Safety Standards, as they exist or may be amended; and
 - (g) While the golf cart is in motion, the driver and every passenger in a golf cart is seated in a seat designed to hold passengers. No person may stand or ride in the lap of the driver and/or other passenger of a golf cart while it is moving.
- (2) Notwithstanding any statement to the contrary in this Section, it is unlawful for a person, other than Public Safety Personnel, to operate a golf cart on Melissa Road from the western jurisdictional boundary of the City to the State Highway 5 intersection with Melissa Road.”

SECTION 3: Saving/Repealing. The Code of Ordinances shall remain in full force and effect, save and except as amended by this or any other ordinance. All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict, but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portions of said ordinances shall remain in full force and effect.

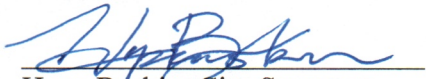
SECTION 4: Severability. Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional and/or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. The City Council hereby declares that it would have passed this Ordinance, and each section, subsection, sentence, clause and phrase thereof regardless of whether any one or more sections, subsections, sentences, clauses and/or phrases may be declared unconstitutional and/or invalid.

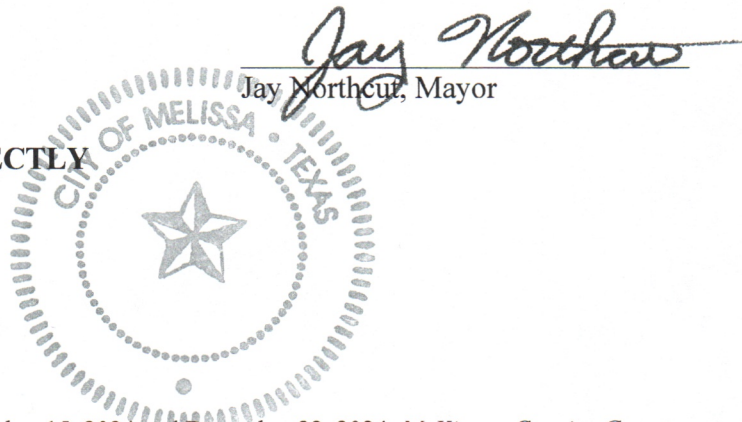
SECTION 5: Penalty. Any person, firm, entity or corporation violating any provision of this Ordinance, as it exists or may be amended, shall be deemed guilty of a misdemeanor, and on conviction thereof, shall be fined in an amount not exceeding FIVE HUNDRED AND 00/100 DOLLARS (\$500.00). Each continuing day's violation shall constitute a separate offense. The penal provisions imposed under this Ordinance shall not preclude Melissa from filing suit to enjoin the violation. Melissa retains all legal rights and remedies available to it pursuant to local, state and federal law.

SECTION 6: Effective Date. This Ordinance shall become effective from and after its adoption and publication as required by the City Charter and by law.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MELISSA, TEXAS on this 3rd day of December, 2024.

**ATTESTED TO AND CORRECTLY
RECORDED:**


Hope Baskin, City Secretary



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