ORDINANCE NUMBER 976

AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE CITY OF BURKBURNETT, TEXAS, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 75: GOLF CARTS AND OFF-HIGHWAY VEHICLES BY UPDATING A REFERENCE TO THE TEXAS TRANSPORTATION CODE DEFINITION OF GOLF CART; REPEALING OF ALL PORTIONS OF THE CODE OF ORDINANCES IN CONFLICT; PROVIDING AN OPEN MEETINGS CLAUSE; AND PROVIDING FOR RELATED MATTERS.

WHEREAS, in 2019, the Texas Legislature amended the Texas Transportation Code by, among other amendments, moving the definition of golf carts from Section 502.001 to Section 551.401; and

WHEREAS, the Board of Commissioners finds that it is in the best interest of the citizens and visitors to the City of Burkburnett to update the reference to the definition of golf cart in the Code of Ordinances.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF BURKBURNETT, TEXAS:

PART I: ENACTED

THAT the Code of Ordinances for the City of Burkburnett is hereby revised by amending Chapter 75: Golf Carts and Off-Highway Vehicles by updating the definition of Golf Cart in §75.01, which shall read as follow:

CHAPTER 75: GOLF CARTS AND OFF-HIGHWAY VEHICLES

SUBCHAPTER A: GOLF CARTS

§ 75.01 DEFINITIONS.

The following words, terms, and phrases, when used in this section shall have the meanings ascribed to them in this subchapter, except where the context clearly indicates a different meaning:

“Golf cart.” The meaning assigned by the Texas Transportation Code Section 551.0401, as it exists or may be amended and includes a motor vehicle designed by the manufacturer primarily for transporting persons on a golf course.

PART II: REPEALER

All ordinances or parts of ordinances in force when the provisions of this Ordinance become effective, which are inconsistent or are in conflict with the terms and provisions contained in this Ordinance, are hereby repealed only to the extent of any such conflict.
PART III: SEVERABILITY

It is hereby declared to be the intention of the Board of Commissioners that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance be 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 phrases, clauses, sentences, paragraphs or sections of this Ordinance, and the remainder of this Ordinance shall be enforced as written.

PART IV: COMPLIANCE WITH TEXAS OPEN MEETINGS ACT

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

PART V: EFFECTIVE DATE

This Ordinance shall be in force and effect from and after its approval.

PASSED AND APPROVED THIS 20TH DAY OF JULY 2020.

______________________________
Carl Law, Mayor

ATTEST:

______________________________
Margie Poole, City Clerk