

STATE OF TEXAS

Ordinance No. \_\_\_\_\_

CITY OF SEGUIN

**AN ORDINANCE OF THE SEGUIN CITY COUNCIL AMENDING THE SEGUIN CODE OF ORDINANCES CHAPTER 74, PARKS, ARTICLE III, USE REGULATIONS TO RESTRICT MOTORIZED VEHICLES ON PARK TRAILS; PROVIDING FOR PUBLICATION OF THIS ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE; AND AUTHORIZING CITY STAFF TO PREPARE THIS ORDINANCE FOR SUBMISSION AS A SUPPLEMENT TO THE CODE OF ORDINANCES**

**WHEREAS**, as part of the City's park system, several trails are being constructed, including the Walnut Branch Hike and Bike Trail; and

**WHEREAS**, trails such as the Walnut Branch Hike and Bike Trail are wide enough that persons are able to drive motor vehicles; and

**WHEREAS**, these trails are designed for pedestrian and bike use, not for motor vehicles.

**NOW THEREFORE BE IT ORDAINED** by the City Council of Seguin, Texas:

**SECTION ONE.** The Seguin Code of Ordinances, Chapter 46, Environment, Article VII, Junked, Wrecked or Dismantled Vehicles, is amended as follows (underlining indicates added text, ~~strikethrough~~ indicates deleted text):

Sec. 74-57. - Motor vehicles.

(a) It shall be unlawful for any operator to drive any motor-driven vehicle into, along, or across any grassy area of a public park, playground, trail system or public recreation area which is owned, operated, or maintained by the City, except upon public roadways and parking lots maintained by the city for the operation of such vehicles. No motor drive vehicle shall be driven upon any hike-bike trail, footpath or footbridge spanning a creek or stream located therein. For the purposes of this section wheel chairs and motorized bicycles and scooters with motors smaller than 3 H.P shall not be considered as a motor driven vehicle. It is unlawful for any operator of a motor vehicle to park or drive within or upon any part of a park except in designated roadways. This subsection shall not apply to any areas specifically designated and marked for parking purposes by order of the director of parks and recreation. This prohibition does not apply to the use of golf carts in designated areas of the Max Starcke Golf Course.

(b) It is unlawful to remove or relocate any barrier or other device erected for the purpose of controlling motor vehicle traffic.

(c) It is unlawful to leave or park a vehicle in any park between the hours of 11:00 p.m. and 7:00 a.m. of the following day, except by city employees in the course of their employment.

(d) Motor driven vehicle restrictions shall not apply to city owned vehicles being used strictly for emergencies or for the purpose of loading or unloading freight therein or in the construction,

maintenance or repair of such public parks, public playgrounds, trail systems or public recreation areas owned or maintained by the City.

(e d) All other requirements of this Code shall apply to all roadways in all parks.

**SECTION TWO.** If any word, phrase, clause, sentence, or paragraph of this ordinance is held to be unconstitutional or invalid by a court of competent jurisdiction, the other provisions of this ordinance will continue in force if they can be given effect without the invalid portion.

**SECTION THREE.** All ordinances and resolution or parts of ordinances or resolutions in conflict with this ordinance are repealed.

**SECTION FOUR.** City staff is authorized to prepare this Ordinance for submission as a supplement to the Seguin Code of Ordinances and published in a newspaper of general circulation.

**SECTION FIVE.** This ordinance shall be effective upon ten (10) days following passage on second reading.

**PASSED AND APPROVED** on first reading on the 17th day of March, 2015.

**PASSED, APPROVED AND ADOPTED** on second reading on the 23rd day of March, 2015.

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DON KEIL  
Mayor

ATTEST:

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Thalia Stautzenberger  
City Secretary