

**TOWN OF BARTONVILLE  
ORDINANCE NO. 494-10**

**AN ORDINANCE AMENDING TOWN OF BARTONVILLE CODE OF ORDINANCES, BY AMENDING CHAPTER 12, ARTICLE 12.400, RACE AND RALLY EVENTS, SECTION 12.401, DEFINITIONS, AMENDING THE DEFINITION OF RACE AND RALLY; PROVIDING THAT THIS ORDINANCE IS CUMULATIVE OF ALL OTHER ORDINANCES; PROVIDING FOR SAVINGS; PROVIDING SEVERABILITY; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; PROVIDING FOR SAVINGS; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND NAMING AN EFFECTIVE DATE.**

**WHEREAS**, the Town Council of the Town of Bartonville has determined that it is in the best interest of the health, safety, and welfare of its citizens to amend Chapter 12, Article 12.400 of the Code of Ordinances of the Town of Bartonville, Texas as it relates to the definition of races and rallies:

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BARTONVILLE, TEXAS, THAT:**

**SECTION 1.  
INCORPORATION OF PREMISES**

The above and foregoing premises are true and correct and are incorporated herein and made a part hereof for all purposes.

**SECTION 2.**

The Code of Ordinances of the Town of Bartonville, Texas, be, and the same is, hereby amended by amending Chapter 12, Article 12.400, Section 12.401 Definitions, to amend the definition of race and rally, which shall read as follows:

**“ Sec. 12.401 Definitions.**

.....

Race means a contest of speed, as in running, riding, or driving including training with 10 or more participants.

*Rally*: A competition in which motorists, runners or bicyclists traverse public roads and/or right-of-ways under normal traffic regulations but with specified rules as to speed, time, and/or route, including training with 10 or more participants.

.....”

### **SECTION 3. CUMULATIVE CLAUSE**

This Ordinance shall be cumulative of all provisions of Ordinances of the Town of Bartonville, Texas 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with the provisions of such Ordinances, in which event the conflicting provisions of such Ordinances are hereby repealed.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. SAVINGS**

An offense committed before the effective date of this ordinance is governed by prior law and the provisions of the Town of Bartonville Code of Ordinances, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

### **SECTION 5. SEVERABILITY**

It is hereby declared to be the intention of the Town Council of The Town of Bartonville 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 should 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, since the same would have been enacted by the Town Council without incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph, or section.

### **SECTION 6. ENGROSSMENT AND ENROLLMENT**

The Town Secretary of the Town of Bartonville is hereby directed to engross and enroll this Ordinance by copying the exact Caption and the Effective Date clause in the minutes of the Town Council of the Town of Bartonville and by filing this Ordinance in the Ordinance records of the Town.

**SECTION 7.  
PUBLICATION**

The Town Secretary of the Town of Bartonville is hereby directed to publish in the Official Newspaper of the Town of Bartonville the Caption and the Effective Date of this Ordinance for two (2) days.

**SECTION 8  
EFFECTIVE DATE**

This Ordinance shall be in full force and effect upon passage and publication in the official newspaper.

**AND, IT IS SO ORDAINED.**

**PASSED AND APPROVED this the 15<sup>th</sup> day of June, 2010.**

APPROVED:

\_\_\_\_\_  
Ron Robertson, Mayor

(Seal)

ATTEST:

\_\_\_\_\_  
Debbie E. Millican, Town Administrator