

ORDINANCE NO. O-2025-01
INTENTIONAL BURN-OUT ORDINANCE

AN ORDINANCE OF THE CITY OF STAGECOACH DECLARING CERTAIN ACTIONS AND CONDITIONS TO BE PROHIBITED; PROVIDING FOR A PENALTY NOT TO EXCEED \$500.00; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR THE PUBLICATION OF THE CAPTION THEREOF.

WHEREAS, the City of Stagecoach desires to adopt an ordinance prohibiting intentional burn-outs and unreasonable acceleration that disrupt the public welfare, property values, economy, and quality of life within the city limits of Stagecoach.

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

SECTION 1. Purpose.

No person shall accelerate any motor vehicle with an unnecessary exhibition of speed on any street, driveway or parking lot, whether public or private property, within the city, in such a manner that it could endanger person(s), animals or property within the City of Stagecoach.

SECTION 2. Definition.

Intentional Burn-Out is:

- the acceleration of a motor vehicle in such a manner that: (i) causes one or more of a vehicle's tires to lose traction on any street, driveway or parking lot, whether public or private property, within the city, on which the vehicle is traveling; and/or (ii) cause tire squeal. Prima facie evidence of Intentional Burnout shall be squealing or screeching sounds emitted by the tires, or the throwing of dirt by the tires of the vehicle, or both.

Exhibition of Acceleration is:

- Proceeding from a stopped position at a rate of acceleration that constitutes an unreasonable risk that the operator could lose control of the vehicle, could endanger person(s), animals or property or;
- While a motor vehicle is in motion, suddenly accelerating at a rate that could cause the operator to lose control of the vehicle, or could endanger person(s), animals or property

SECTION 3: Penalties.

A person who violates a provision of this Ordinance is guilty of a misdemeanor which is punishable by a fine not less than \$1.00 and not to exceed \$500.00. Each occurrence of violation shall constitute a separate offense. Property owners can be liable for nuisances that originate from their property even if the nuisance is created by someone other than the owner, such as a tenant or contractor.

SECTION 4. Repeal of Conflicting Ordinances.

All other ordinances or parts of ordinances conflicting with any of the provisions of this Ordinance are hereby repealed.

SECTION 5. Severability.

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 phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

SECTION 6. Publication.

The City Secretary is hereby authorized and directed to cause the publication of the descriptive caption and penalty clauses of this Ordinance as an alternative method of publication provided by law.


SECTION 7. Effective Date.

This Ordinance shall become effective as of March 15, 2025.

PASSED AND APPROVED this 18th day of February, 2025.


James Osteen
Mayor, City of Stagecoach

ATTEST:


Chance Garrett, City Secretary
(SEAL)

