ORDINANCE NO. 2512

AN ORDINANCE OF THE CITY OF CARROLLTON, TEXAS ADDING SECTION 71.050 TO THE CARROLLTON CITY CODE RELATING TO WASTE MATERIALS CAUSED BY VEHICLES; PROVIDING THAT A CULPABLE MENTAL STATE IS NOT REQUIRED FOR COMMITTING AN OFFENSE THEREUNDER; PROVIDING FOR SAVINGS, REPEAL, SEVERABILITY, AND AN EFFECTIVE DATE. VIOLATIONS OF THIS ORDINANCE CARRY A PENALTY NOT TO EXCEED \$500 PER DAY. BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CARROLLTON, TEXAS:

Section 1.

That Section 71.050 is added to Chapter 71, <u>Traffic Rules</u>, of Title VII, <u>Traffic Code</u>, of the Carrollton Code of Ordinances, to read as follows:

§ 71.050 WASTE MATERIALS CAUSED BY VEHICLES PROHIBITED

- (A) No person may drive or move any truck or other vehicle within the City, the wheels or tires of which deposit in any street, highway, alley, or other public place, mud, dirt, sticky substances, litter, or foreign matter of any kind.
- (B) Neither allegation nor evidence of a culpable mental state is required for the proof of an offense defined by this section.
- (C) It is an affirmative defense to prosecution under this section that the driver of the vehicle which deposited the mud, dirt, sticky substances, litter, or foreign matter of any kind, or any agent of the driver, removed such material from the street, highway, alley, or other public place within thirty (30) minutes of depositing same.

Section 2.

That, save and except as amended by this ordinance, Title VII of the Carrollton City Code shall remain in full force and effect.

Section 3.

That all ordinances or parts of ordinances in conflict with this ordinance are specifically repealed.

Section 4.

That the provisions of this ordinance are severable in accordance with Section 10.07 of the Carrollton City Code.

Section 5.

	That this ordinance shall become effective from and after its passage as permitted by
law.	

PASSED AND APPROVED this the 16th day of MAY, 2000.

CITY OF CARROLLTON, TEXAS

Milburn R. Gravley, Mayor

ATTEST:

Pamela Schmidt, City Secretar

APPROVED AS TO FORM:

Clayton Hytchins, City Attorney