CITY OF SANDY OAKS, TEXAS

ORDINANCE NO. 2026-287

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANDY OAKS, TEXAS, REGULATING THE OPERATION OF ALL-TERRAIN VEHICLES (ATVs), OFF-HIGHWAY VEHICLES (OHVs), DIRT BIKES, AND OTHER MOTORIZED RECREATIONAL VEHICLES ON CITY STREETS, CITY-OWNED PROPERTY, CITY EASEMENTS, DRAINAGE AREAS, RIGHTS-OF-WAY, CITY PARKS, CITY WALKING TRAILS, AND OTHER MUNICIPAL PROPERTY; PROVIDING STATUTORY REFERENCES AND AUTHORITY; PROVIDING DEFINITIONS; PROHIBITING CERTAIN OPERATIONS; PROVIDING EXCEPTIONS; AUTHORIZING SIGNAGE; PROVIDING FOR ENFORCEMENT; PROVIDING A PENALTY CLAUSE WITH A FINE NOT TO EXCEED $250.00 FOR VIOLATIONS HEREOF; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Sandy Oaks, Texas ("City"), is a Type A General Law municipality operating under the laws of the State of Texas; and

WHEREAS, pursuant to Texas Local Government Code Section 51.001 and Section 51.012, the City Council of the City of Sandy Oaks has the authority to adopt ordinances, rules, or police regulations not inconsistent with state law that are necessary or proper for the good government, peace, and order of the municipality, and to promote the public health, safety, and general welfare of the community; and

WHEREAS, pursuant to Texas Transportation Code Section 542.202, a municipality has the authority to regulate traffic and the operation of vehicles on highways and streets under its municipal jurisdiction; and

WHEREAS, under Chapter 551A of the Texas Transportation Code, the operation of unregistered off-highway vehicles on public roadways is prohibited except under narrow statutory exceptions, and Section 551A.054 specifically empowers local authorities to prohibit the operation of off-highway vehicles in the interest of safety; and

WHEREAS, the City owns, controls, and maintains properties, City easements, drainage areas, rights-of-way, parks, walking trails, and municipal facilities for public transit, utilities, drainage, pedestrian recreation, access, and municipal infrastructure; and

WHEREAS, the City Council has received numerous reports and complaints regarding the unauthorized operation of all-terrain vehicles, dirt bikes, utility terrain vehicles, and

other motorized recreational vehicles across City streets, rights-of-way, City easements, drainage areas, city walking trails, and public properties; and

WHEREAS, unauthorized operation of such vehicles damages sensitive municipal infrastructure and walking trails, accelerates soil erosion, creates dangerous traffic and pedestrian hazards, generates excessive noise disturbances in residential neighborhoods, and creates serious municipal liability concerns; and

WHEREAS, the City of Sandy Oaks Police Department and authorized peace officers are charged with protecting public safety, preserving peace, and enforcing municipal ordinances within the City; and

WHEREAS, the City Council finds that adopting clear, enforceable regulations governing the operation of such vehicles on municipal property, easements, parks, walking trails, and public ways is vital to preserving public safety, preventing property destruction, and safeguarding the peace and order of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SANDY OAKS, TEXAS:

SECTION 1. FINDINGS INCORPORATED

The findings set forth above are found to be true and correct and are hereby adopted and incorporated into the body of this Ordinance as if fully set forth herein.

SECTION 2. PURPOSE AND STATUTORY AUTHORITY

This Ordinance is enacted pursuant to Chapters 51 and 52 of the Texas Local Government Code and Chapters 542 and 551A of the Texas Transportation Code. The purpose of this Ordinance is to establish local traffic and property use regulations governing the operation of off-highway vehicles, dirt bikes, and motorized recreational vehicles within the territorial jurisdiction and property of the City of Sandy Oaks.

SECTION 3. DEFINITIONS

For the purposes of this Ordinance, the following words, terms, and phrases shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

All-Terrain Vehicle (ATV): Has the meaning assigned by Section 551A.001(1) of the Texas Transportation Code, being a motor vehicle that is equipped with a saddle or seat for the use of the rider (and passenger if designed by the manufacturer), designed to propel itself with three or more tires in contact with the ground, designed by the manufacturer for off-highway use, not designed primarily for farming or lawn care, and not more than 50 inches wide.

City: The City of Sandy Oaks, Texas, an incorporated Type A General Law municipality located in Bexar County, Texas.

City Easement: Any easement in which the City of Sandy Oaks holds property rights, maintenance responsibility, authority, or control for any public purpose, including but not limited to utility easements, drainage easements, access easements, conservation easements, or general municipal easements.

City-Owned Property: Any real property, facility, park, detention pond, right-of-way, or grounds owned, leased, operated, controlled, or maintained by the City.

City Park: Any park, playground, recreational area, green space, reservation, trail, open space, or other municipal facility owned, leased, operated, or maintained by the City of Sandy Oaks, Texas, and designated by the City Council for public use and recreation. This term specifically includes the Tom Rapino Park (formerly known as Sandy Oaks City Park), including all adjacent city-owned property, municipal easements, rights-of-way, parking lots, pavilions, sidewalks, and designated buffer zones surrounding the park premises.

City Walking Trail: Any designated walking trail, nature trail, pedestrian path, jogging path, or multi-use trail owned, operated, maintained, or controlled by the City, whether located within a City park, public easement, right-of-way, or other municipal property.

Dirt Bike: Any motorized two-wheeled motorcycle, minibike, or trail bike designed, manufactured, or modified primarily for off-road operation and not certified or equipped for legal highway operation under the Texas Transportation Code.

Motorized Recreational Vehicle: Any motor vehicle, regardless of the number of wheels or track system, designed or operated primarily for off-road recreation, utility, sport, or amusement, including but not limited to ATVs, OHVs, dirt bikes, minibikes, go-karts, golf carts, side-by-sides, Gators, Quads, 3-wheelers, 4-wheelers, amphibious machines, and homemade motorized contraptions.

Off-Highway Vehicle (OHV): Has the meaning assigned by Section 551A.001(1-d) of the Texas Transportation Code, including an all-terrain vehicle (ATV), recreational off-highway vehicle (ROV/side-by-side), sand rail, or utility vehicle (UTV).

Public Street or Roadway: The entire width between the boundary lines of every publicly maintained right-of-way, street, alley, avenue, or highway located within the corporate limits of the City.

Right-of-Way: The entire width of land dedicated, deeded, reserved, or used for public transit, drainage, utilities, sidewalks, curbs, easement, or roadway maintenance, including the unpaved shoulder or ditch adjoining any street or road.

SECTION 4. PROHIBITED OPERATION ON CITY PROPERTY, EASEMENTS, AND TRAILS

Except as expressly provided in Section 6 of this Ordinance, it shall be unlawful for any person to operate, ride, drive, or propel an ATV, OHV, dirt bike, or motorized recreational vehicle on or across:

1. Any City easement;
2. Any City-owned property or facility;
3. Any City walking trail, pedestrian path, nature path, or multi-use trail;
4. Any municipal drainage area, drainage channel, culvert, retention basin, or detention pond;
5. Any City park or playground; or
6. Any public right-of-way, parkway, alley, curb, sidewalk, or unpaved ditch.

SECTION 5. OPERATION ON PUBLIC STREETS AND ROADWAYS

A. Pursuant to Chapter 551A of the Texas Transportation Code, it shall be unlawful for any person to operate an unregistered off-highway vehicle, ATV, dirt bike, or motorized recreational vehicle upon any public street, roadway, or highway within the City, unless such vehicle and operator fully comply with all requirements under Texas state law, including but not limited to displaying a valid off-highway vehicle license plate, possessing a valid driver's license, carrying statutory proof of financial responsibility, and utilizing required safety equipment.

B. In accordance with Texas Transportation Code Section 551A.054, the City Council hereby declares that the operation of non-street-legal off-highway vehicles and dirt bikes on City streets presents an imminent traffic safety hazard, and such operation is prohibited except as explicitly authorized under Texas Transportation Code Sections 551A.056 (crossing an intersection) or 551A.057 (agricultural or utility operations).

SECTION 6. EXCEPTIONS

The provisions of this Ordinance shall not apply to:

1. **Emergency Personnel**: Peace officers, fire department personnel, emergency medical services (EMS), search and rescue, or other emergency responders in the performance of their official duties;
2. **City Employees and Officials**: City of Sandy Oaks personnel operating municipal equipment or vehicles in the course and scope of official City business, inspection, or maintenance;
3. **Public Utilities**: Authorized utility companies, franchised entities, or telecommunication providers performing legitimate maintenance, emergency repair, or construction work within designated easements;

4. **Authorized City Contractors**: Independent contractors or vendors operating under a current contract or written authorization approved by the City; or
5. **Special Events**: City-sponsored or City-approved civic events and parades authorized in writing by the City Administrator or City Council.

SECTION 7. ENFORCEMENT AND PEACE OFFICER POWERS

A. **Enforcing Authorities**: The provisions of this Ordinance shall be enforced by the City of Sandy Oaks Police Department and any licensed peace officer authorized under Texas law.

B. **Authority to Stop and Cite**: Any authorized peace officer having probable cause to believe that a violation of this Ordinance or the Texas Transportation Code has occurred within the territorial jurisdiction of the City is empowered to conduct traffic stops, issue citations, and file complaints in the Municipal Court of the City of Sandy Oaks.

C. **Authority to Impound**: Any peace officer is authorized to remove and impound any ATV, OHV, dirt bike, or motorized recreational vehicle operated in violation of this Ordinance if:

1. The vehicle is operated on a public street without legal registration or required safety equipment;
2. The vehicle is operated in a reckless or dangerous manner posing an imminent threat to life or property;
3. The operator lacks a valid driver's license or proof of financial responsibility; or
4. The vehicle is abandoned upon City property, rights-of-way, City easements, or City walking trails. The owner of any impounded vehicle shall be responsible for all reasonable towing, recovery, and storage fees as authorized by law.

D. **Interference Prohibited**: It shall be unlawful for any person to intentionally interfere with, resist, hinder, or obstruct any peace officer or City official in the lawful discharge of their duties under this Ordinance.

SECTION 8. SIGNAGE

The Mayor, City Administrator, City Maintenance Director, or designee is hereby authorized to erect and maintain regulatory signs at entrances to City property, City easements, City Parks, City walking trails, rights-of-way, and other areas where unauthorized motorized recreational vehicle use is prevalent. The absence of a sign shall not constitute a defense to prosecution under this Ordinance.

Signs may substantially display:

CITY OF SANDY OAKS
NO ATV / DIRT BIKE / OFF-ROAD VEHICLE USE
CITY PROPERTY / CITY EASEMENT
UNAUTHORIZED MOTORIZED VEHICLES PROHIBITED
VIOLATORS SUBJECT TO FINE

CIUDAD DE SANDY OAKS
NO SE PERMITEN ATVs / DIRT BIKES / MUEBLES DE OFF-ROAD
PROPIEDAD DE LA CIUDAD / EASEMENT DE LA CIUDAD
PROHIBIDO VEHÍCULOS CON MOTOR SIN PERMISO
VIOLADORES VAN A SER MULTADOS

SECTION 9. PENALTY

A. **Misdemeanor Offense**: Any person who violates any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than **TWO HUNDRED FIFTY DOLLARS AND NO/100 ($250.00)**.

B. **Separate Violations**: Each occurrence and each day that a violation of this Ordinance occurs or continues to exist shall be deemed a separate offense.

C. **Other Remedies**: The assessment or payment of a fine under this section does not preclude the City from seeking injunctive relief, civil remedies, or prosecution under other applicable local, county, or state laws, including Texas Penal Code Section 30.05 (Criminal Trespass) or Texas Transportation Code Chapter 551A.

SECTION 10. REPEAL OF CONFLICTING ORDINANCES

All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

SECTION 11. 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. If any phrase, clause, sentence, paragraph, or section of this Ordinance shall be declared unconstitutional or invalid by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality or invalidity 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 City Council without the incorporation in this Ordinance of any such unconstitutional or invalid portion.

SECTION 12. EFFECTIVE DATE

This Ordinance shall take effect immediately upon its passage, approval, and publication as required by Section 52.011 of the Texas Local Government Code.

SECTION 13. PUBLICATION

The City Secretary (or City Clerk) is hereby authorized and directed to publish the caption of this Ordinance, together with the penalty provision contained herein, in the official municipal newspaper in the manner and for the length of time prescribed by Section 52.011 of the Texas Local Government Code.

PASSED, APPROVED AND ADOPTED THIS 22 **DAY OF** October **, 2026.**

CITY OF SANDY OAKS, TEXAS

Michael J. Martinez Jr.
Mayor, City of Sandy Oaks, Texas

ATTEST:

Delma Doyal
City Secretary, City of Sandy Oaks, Texas