

ORDINANCE NO. 230

AN ORDINANCE AMENDING THE CITY OF WHEELER, TEXAS CODE OF ORDINANCES AND SETTING FORTH RULES, REGULATIONS AND REQUIREMENTS RELATED TO THE PROHIBITION OF PARKING VEHICLES ON CERTAIN PORTIONS OF 6TH STREET, PROVIDING A PENALTY FOR VIOLATING SUCH ORDINANCE, AND PROVIDING AN EFFECTIVE DATE FOR SUCH ORDINANCE.

WHEREAS, the City Council for the City of Wheeler, Texas has jurisdiction under the constitution and laws of the State of Texas to set the set forth ordinances governing the Health and Safety of persons and property within the corporate limits of the City of Friona, Texas;

WHEREAS, section 542.202(2) of the Texas Transportation Code authorizes local authorities to regulate the stopping, standing, and parking of a vehicle;

WHEREAS, the City Council of the City of Wheeler, Texas has determined that parking vehicles on certain portions of 6th Street presents a particular danger to the safety and welfare of pedestrians and the traveling public and deems it necessary and advisable to establish thereon a "No Parking Anytime" zone as described below;

WHEREAS, the City Council for the City of Wheeler, Texas now wishes to adopt an ordinance setting forth rules, regulations and requirements related to the prohibition of parking vehicles on certain portions of 6th Street, providing a penalty for violating such ordinance, and providing an effective date for such Ordinance.

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

SECTION 1. That the findings contained in the preamble of this Ordinance are determined to be true and correct and are hereby adopted as a part of this Ordinance.

SECTION 2. That the Code of Ordinances is hereby amended to read as follows:

Sec. 2.00.001 Parking Vehicles on certain streets prohibited

(a) Definitions.

Parking. The standing of a vehicle, whether occupied or not, other than a temporary stopping of such vehicle for the purpose of, and while actually engaged in, loading or unloading passengers or merchandise, or any involuntary stopping of the vehicle by reason of cause beyond the control of the occupant of the vehicle.

Vehicle. Every device or machine in, upon, or by which any person or property may be carried, transported, drawn, or propelled in any manner upon any public street, alley or highway.

(b) Establishment. The city hereby establishes and designates a "No Parking Anytime" zone along 6th Street between Main Street and the Alley of said street.

(c) Violations. It shall be unlawful to park any vehicle along said roadway in the "No Parking Anytime" zone as designated, established and marked as such.

(d) Evidence of legality. Such designation, establishment or marking shall be prima facie evidence of the existence and legality of such zone.

(e) Penalty. An offense under this section is punishable by a fine of not less than twenty-five dollars (\$25.00) nor more than five hundred dollars (\$500.00). Each continuing day of each violation shall be deemed a separate offense for which a separate fine may be assessed.

SECTION 3. That this Ordinance shall be effective and in full force from and after its passage and the publication of the caption, as the law in such cases provides.

SECTION 4. That all other terms and provisions of the Friona Code of Ordinances not in conflict herewith and not hereby amended shall remain in full force and effect.

SECTION 5. That the passage of this Ordinance shall repeal any wording of any existing ordinance that is in conflict with the wording of this Ordinance.

PASSED AND APPROVED this _____ day of August, 2014.

CITY OF WHEELER, TEXAS

By: Bob McCain
Bob McCain, Mayor

ATTEST:

Claudine Finsterwald
Claudine Finsterwald, City Secretary