

ORDINANCE NO. 124

AN ORDINANCE AMENDING CHAPTER 16, ARTICLE I OF THE CODE OF ORDINANCES OF THE CITY OF WHEELER, TEXAS, ENTITLED "STREETS, SIDEWALKS, AND OTHER PUBLIC AREAS", BY ABOLISHING SECTIONS 15-11 AND SUBSTITUTING THEREFOR THE FOLLOWING SECTIONS 15-11, BANNING VEHICLES, DISPLAYS, OR OTHER DEVICES, FROM A PORTION OF THE STREETS, AVENUES, AND PUBLIC PLACES WITHIN THE CITY OF WHEELER, TEXAS, FROM 12:00 O'CLOCK A.M. UNTIL 6:00 O'CLOCK A.M. ON ALL DAYS, AND ADDING SECTION 15-12 PROVIDING FOR A PENALTY.

WHEREAS, the City Council has determined that the change set forth below would be in the best interest of the citizens of the City of Wheeler, NOW, THEREFOR:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WHEELER:

THAT Sections 15-11 and 15-12 of Chapter 15 of the Code of Ordinances of the City of Wheeler, BE and are amended to read as follows:

"Section 15-11. Parking or obstruction of certain public places prohibited from 12:00 o'clock a.m. to 6:0'clock a.m. on all days.

It shall be unlawful for any person to park any motor vehicle upon or place any vehicle, display or other device on, portions of the hereinafter described streets, avenues, and public places in the City of Wheeler, Texas, between the hours of 12:00 o'clock a.m. and 6:00 o'clock a.m., said

portions of streets, avenues, and public places being described as follows, to-wit:

Being all of the streets, highways, avenues, and public places located in, on, or adjoining all of Block No. 21, as the same is numbered and designated upon the map and plan of the town of Wheeler, Texas, which is of record in Volume 16 on pages 385-388 in the Deed Records of the County Clerk of Wheeler County, Texas, and being further described as follows, to-wit:

BEGINNING at the Northeast property line of Block No. 21 of the map and plan of the town of Wheeler, Texas;

THENCE Westerly along the North property line of the said Block No. 21 to the Northwest corner of same, and including all public places adjoining said property;

THENCE Southerly along the West property line of the said Block No. 21 to the Southwest corner of said property, and including all public places adjoining same;

THENCE Easterly along the South boundary line of the said Block No. 21 to the Southeast corner of said property, and including all public places adjoining same;

THENCE Northerly along the East boundary line of the said Block No. 21 to the Northeast corner of said property, this being the place of BEGINNING, and including all public places adjoining same.

By way of additional description. the areas affected hereby and upon which parking or obstruction are controlled hereunder are described as all of the public places and parking areas in, on, or adjoining the Wheeler County Courthouse, and the grounds and curtilage thereof, and those portions of Oklahoma Street, also known as Highway 152; Main Street; Texas Street, or Alan L. Bean Boulevard, also known as U.S. Highway 83, which adjoin the said Wheeler County Courthouse, and the grounds and curtilage thereof.

Notwithstanding anything herein contained to the contrary, this ordinance shall not apply to law enforcement officers of the State of Texas or any political subdivision thereof, or the United States, while engaged in the pursuit of their lawful duties.

The following words when used in this ordinance shall have the meaning respectively ascribed to them in this section: _

A. PERSON--Every natural person, firm, partnership, association or corporation.

B. PARK--When prohibited means the standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading.

Section 15-12. Penalty.

Any person who violates any provision of this article is guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding \$200.00. Each day upon which any such violation occurs or continues, shall constitute a separate offense.

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

AND IT IS SO ORDERED

Passed by the Council on first reading this _____ day of _____, 1984

Passed by the Council on second reading this ___ of April, 1984

Passed by the Council on third reading this 16 of April, 1984

ATTEST:

Louis C. Stas
Mayor

Mildred Ramsey
Secretary