ORDINANCE NO.

AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, AMENDING THE CITY OF PFLUGERVILLE, TEXAS CODE OF ORDINANCES TITLE VII TRAFFIC CODE, CHAPTER 71 PARKING REGULATIONS, SECTION 71.05 PARKING PROHIBITED IN CERTAIN DESIGNATED AREAS BY ADDING NO PARKING FOR TEMPORARY CONSTRUCTION ZONES; PROVIDING FOR A PENALTY FOR A VIOLATION OF CHAPTER 71 AS A CLASS C MISDEMEANOR AND A FINE IN AN AMOUNT NOT TO EXCEED \$500.00; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE; REPEALING ALL ORDINANCES TO THE EXTENT THEY ARE IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City Council finds the City of Pflugerville is a Texas Home-Rule Municipality and that the City has the exclusive control over and under the public highways, streets, and alleys within the City, as established by Texas Transportation Code, Section 311.001; and

WHEREAS, the City Council finds that CIP construction projects within the City limits are not conducive to on-street parking during construction activities and it is necessary to establish temporary no parking zones to protect the public health, safety and welfare; and

WHEREAS, the City Council finds that it is necessary to provide for these on-street temporary parking restrictions by general ordinance with specific street segments identified for each project through notice on its website; and

WHEREAS, the City Council finds that it has the authority to restrict parking under Texas law.

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

Section 1. Findings. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes and findings of fact.

Section 2. Amendment to Municipal Code of Ordinances. The City of Pflugerville, Texas Code of Ordinances, Title VII ("*Traffic Code*"), Chapter 71 ("*Parking Regulations*"), Section 71.05 ("*Parking Prohibited in Certain Designated Locations*") is hereby amended by adding language that is underlined (<u>underlined</u>) and revising language that is stricken through (<u>strikethrough</u>) as follows:

§ 71.05 PARKING PROHIBITED IN CERTAIN DESIGNATED LOCATIONS.

* * * *

<u>(B)</u>	When signs are erected within temporary construction zones reading substant
"no par	king, tow-away zone," it shall hereafter be unlawful for any person to park or
any veh	icle or trailer on those parts of streets at any time.
<u>(C)(B)</u>	The city manager or his designee is directed to cause to be towed away
	found parked or standing in violation of this section; and the owner of such ve
shall be	civilly liable to the person doing such towing for the reasonable cost thereof.
	tion 3. Severability. If any provision of this Ordinance is illegal, invalidable of the control
	ole under present or future laws, the remainder of this Ordinance will not be aff of each illegal, invalid, or unenforceable provision, a provision as similar in ter
the illegal,	invalid, or unenforceable provision as is possible and is legal, valid, and enforc
will be add	ed to this Ordinance.
Con	tion 4 Dancelon. This antinones shall be sumulative of all other antinoness.
	tion 4. Repealer. This ordinance shall be cumulative of all other ordinances of agerville, and this ordinance shall not operate to repeal or affect any other ordinance.
	of Pflugerville except insofar as the provisions thereof might be inconsistent
conflict wit are hereby i	h the provisions of this ordinance, in which event such conflicting provisions, it
nie nereej	
Sec	tion 5. Penalty. A violation of this Ordinance shall be a Class C Misdemeanor v
fine amoun	t not to exceed \$500.00, as provided in Section 71.99 of the City of Pflugerville
of Ordinano	es.
Sec	tion 6. Effective Date. This Ordinance will take effect upon its adoption by the
Council in	accordance with Section 3.15(d) of the City Charter.
PAS	SSED AND APPROVED this day of 2023.
	CITY OF PFLUGERVILLE, TEXAS
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	By:
ATTEST:	, , , , , , , , , , , , , , , , , , ,
	s, City Secretary

APPROVED AS TO FORM:

Charles Zech, City Attorney
DENTON NAVARRO ROCHA BERNAL & ZECH, PC