ORDINANCE NO.

AN ORDINANCE OF THE CITY OF PFLUGERVILLE, AMENDING THE CITY OF PFLUGERVILLE, TEXAS CODE ORDINANCES TITLE VII TRAFFIC CODE. CHAPTER 71 PARKING REGULATIONS, SECTION 71.05 PARKING PROHIBITED IN CERTAIN DESIGNATED AREAS BY ADDING PROHIBITED PARKING FOR SPECIAL EVENTS; 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 **SHALL CUMULATIVE**; **ORDINANCE** BE 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 community-wide special events within the City limits are not conducive to on-street parking on streets adjacent or within the event locale during the days of the special events 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 special event through notice on its website and an approved schedule of special events on file in the City Secretary's office; 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.

* * * *

- (B) When signs are erected within temporary construction zones reading substantially, "no parking, tow-away zone," it shall hereafter be unlawful for any person to park or stand any vehicle or trailer on those parts of streets at any time. The City Secretary shall keep on file a schedule of temporary construction zones as approved by City Council.
- (C) When signs are erected on public streets specifically designated for parades or special events hosted by the City reading substantially, "no parking, tow-away zone," it shall hereafter be unlawful for any person to park or stand any vehicle or trailer on those parts of streets at any time. The City Secretary shall keep on file a schedule of special events with designated no parking, tow-away zones as approved by City Council.
- (D) The city manager or his designee is directed to cause to be towed away any vehicle found parked or standing in violation of this section; and the owner of such vehicle shall be civilly liable to the person doing such towing for the reasonable cost thereof.
- **Section 3. Severability.** If any provision of this Ordinance is illegal, invalid, or unenforceable under present or future laws, the remainder of this Ordinance will not be affected and, in lieu of each illegal, invalid, or unenforceable provision, a provision as similar in terms to the illegal, invalid, or unenforceable provision as is possible and is legal, valid, and enforceable will be added to this Ordinance.
- **Section 4. Repealer.** This ordinance shall be cumulative of all other ordinances of the City of Pflugerville, and this ordinance shall not operate to repeal or affect any other ordinances of the City of Pflugerville except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this ordinance, in which event such conflicting provisions, if any, are hereby repealed.
- **Section 5. Penalty**. A violation of this Ordinance shall be a Class C Misdemeanor with a fine amount not to exceed \$500.00, as provided in Section 71.99 of the City of Pflugerville Code of Ordinances.

Section 6. Effective Date. This Ordinance will take effect upon its adoption by the City Council in accordance with Section 3.15(d) of the City Charter.

PASSED AND APPROVED this _	day of 2024.
	CITY OF PFLUGERVILLE, TEXAS
	By:

ATTEST:

Trista Evans, City Secretary	
APPROVED AS TO FORM:	
Charles Zech, City Attorney DENTON NAVARRO RODRIGUEZ	