

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 ADDITIONAL TEMPORARY NO PARKING ZONES REQUIRED BY CONSTRUCTION; 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;

**WHEREAS**, the City Council finds that upcoming construction along the streets in the Heatherwilde subdivision are not conducive to on street parking during construction activities and it is necessary to establish additional no parking zones to protect the public health, safety and welfare; and

**WHEREAS**, the City Council finds that it has the authority to restrict parking under the 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 (underlined) as follows:

**§ 71.05        PARKING PROHIBITED IN CERTAIN DESIGNATED LOCATIONS.**

(A)    When signs are erected in the following locations reading substantially, "No Parking, Tow-Away Zone," it shall hereafter be unlawful for any person to park or stand any vehicle or trailer on the following parts of streets at any time, including but not limited to Sundays and holidays:

13) Heatherwilde Subdivision Streets including:

- a) On the northern and southern sides and eastern and western sides of Sweetwood Song Drive from its intersection with Gazania Drive to its intersection with Heatherwilde Boulevard.
- b) On the northern and southern sides and eastern and western sides of Acanthus Street from its intersection with Pfennig Lane to its intersection with Sweetwood Song Drive.
- c) On the northern and southern sides and eastern and western sides of Laurelleaf Drive from its intersection with Pfennig Lane to its intersection with Sweetwood Song Drive.
- d) On the northern and southern sides and eastern and western sides of Gazania Drive from its intersection with Pfennig Lane to its intersection with Sweetwood Song Drive.
- e) On the northern and southern sides and eastern and western sides of Houghmont Drive from its intersection with Pfennig Lane to its intersection with Sweetwood Song Drive.

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. The amended no parking zones established herein will automatically terminate upon completion of construction and removal of the temporary “No Parking, Tow-Away Zone” signs consistent with the same, at which time Section 71.05(A)(11) of this Ordinance shall be of no further force or effect.

PASSED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_ 2020.

CITY OF PFLUGERVILLE, TEXAS

By: \_\_\_\_\_  
Victor Gonzales, Mayor

ATTEST:

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Karen Thompson, City Secretary

APPROVED AS TO FORM:

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