

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, AMENDING THE CITY OF PFLUGERVILLE, TEXAS CODE OF ORDINANCES TITLE VII TITLED TRAFFIC CODE, CHAPTER 71 TITLED PARKING REGULATIONS, SECTION 71.05 TITLED 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 \$200.00; 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 and Windermere subdivisions 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 (titled "*Traffic Code*"), Chapter 71 (titled "*Parking Regulations*"), Section 71.05 (titled "*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:

6) Heatherwilde and Windermere Subdivision Streets including:

- a) On the northern and southern sides and eastern and western sides of Blackthorn Drive from its intersection with Black Locust Drive to its intersection of Gravesend Road.
- b) On the northern and southern sides of Thackery Lane from its intersection with Blackthorn Drive to its intersection of Gower Street.
- c) On the eastern and western sides of Gravesend Road from its intersection with Black Locust Drive to its intersection of Isle of Man Road.
- d) On the eastern and western sides of Isle of Man Road from its intersection with Thackery Lane to its intersection of Gower Street.
- e) On the northern and southern sides of Isle of Man Circle from its intersection of Isle of Man Road to the circle's termini.
- f) On the eastern and western sides of Langland Road from its intersection with Thackery Lane to its intersection of Isle of Man Road.
- g) On the eastern and western sides of Gower Street from its intersection with Black Locust Drive to the Windermere Clubhouse Parking lot.
- h) On the northern and southern sides and eastern and western sides of Cactus Blossom Drive from its intersection with Black Locust Drive to its intersection of Heatherwilde Boulevard.
- i) On the eastern and western sides of Columbine Street from its north and south intersections with Cactus Blossom Drive.
- j) On the eastern and western sides of Ardisia Drive from its intersection with Black Locust Drive to its intersection of Cactus Blossom Drive.
- k) On the eastern and western sides of Simsbrook Drive from its intersection with Black Locust Drive to its intersection of Cactus Blossom Drive.
- l) On the eastern and western sides of Dashwood Creek Drive from its intersection with Black Locust Drive to its intersection of Cactus Blossom Drive.

(B) The City Manager or his designee is directed to cause to be towed away any vehicle found parked or standing in violation of Section 71.05 of this ordinance; 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. 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)(6) of this Ordinance shall be of no further force or effect.

PASSED AND APPROVED this _____ day of _____ 2018.

CITY OF PFLUGERVILLE, TEXAS

By: _____
Victor Gonzales, Mayor

ATTEST:

Karen Thompson, City Secretary

APPROVED AS TO FORM:

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