

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, AMENDING THE CITY OF PFLUGERVILLE, TEXAS CODE OF ORDINANCES, BY AMENDING TITLE VII TRAFFIC CODE, CHAPTER 71 PARKING REGULATIONS, SECTION 71.05 PARKING PROHIBITED IN CERTAIN DESIGNATED AREAS BY ESTABLISHING AN ADDITIONAL NO PARKING ZONE ON 10th STREET; PROVIDING FOR A VIOLATION OF SECTION 71.05 AS A MISDEMEANOR AND A FINE 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 has determined that parking along 10th Street at its intersection with the residential compound located at 1200 10<sup>th</sup> Street is unsafe under the conditions found to exist taking into consideration the width and condition of pavement and other circumstances, as well as the usual traffic thereon; and

**WHEREAS**, the City has determined that it would promote public safety to establish an additional no parking zone as set forth herein below, which shall be effective when appropriate signs giving notice thereof are erected.

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" 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:

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12) 10th Street:

- a) On the northern side of 10th Street from its intersection with 1200 10<sup>th</sup> Street residential compound entrance/ exit for a distance of 290 ft, and 335 ft on the southern side of 10<sup>th</sup> Street downstream the entrance/ exit of the compound.

**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 Chapter 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 \_\_\_\_\_ 2022.

CITY OF PFLUGERVILLE, TEXAS

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

ATTEST:

\_\_\_\_\_  
Trista Evans, City Secretary

APPROVED AS TO FORM:

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