

AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, AMENDING THE CITY OF PFLUGERVILLE, TEXAS CODE OF ORDINANCES, BY AMENDING TITLE VII TITLED TRAFFIC CODE, BY AMENDING CHAPTER 71 TITLED PARKING REGULATIONS, BY AMENDING SECTION 71.05 TITLED PARKING PROHIBITED IN CERTAIN DESIGNATED AREAS; PROVIDING A VIOLATION IS A MISDEMEANOR, 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 as that term is defined by Texas law;

WHEREAS, the City Council finds that conditions at along portions of Portchester Castle Path are not appropriate for street parking; and

WHEREAS, the City Council finds that it has the authority to restrict parking under the Texas Transportation Code;

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 (entitled "*Traffic Code*"), Chapter 71 (entitled "*Parking Regulations*"), Section 71.05 (entitled "*Parking Prohibited in Certain Designated Locations*") is hereby amended by deleting language that is stricken (~~stricken~~) and 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:

1) E. Oxford Dr. On the south side of Oxford Dr. from 230 ft. east of the centerline from its intersection with Dessau Rd. to a point 390 ft. east of the centerline of Dessau Rd.

2) Portchester Castle Path

a. On south side of Portchester Castle Path from a point 200 ft. west of its intersection with the centerline with Mammoth Cave Blvd. to a point 365 ft. east of its intersection with the centerline of Bandelier Dr.

b. On the east side of Portchester Castle Path from a point 300 ft. south of its intersection with the centerline of Obed River Dr..to a point 140 ft. north of its intersection with the centerline of Obed River Dr.

(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. Penalty. A violation of this ordinance after the Effective Date of this Ordinance shall be a misdemeanor as provided by Chapter 71, et seq.

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 _____ 2016.

CITY OF PFLUGERVILLE, TEXAS

By: _____
Jeff Coleman, Mayor

ATTEST:

Karen Thompson, City Secretary

APPROVED AS TO FORM:

George Hyde, City Attorney

DENTON NAVARRO ROCHA BERNAL HYDE & ZECH, PC