

ORDINANCE NO. 1993

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HIGHLAND PARK, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE TOWN OF HIGHLAND PARK, **DESIGNATING THE 5100 AND 5300 BLOCKS OF SEWANEE AVENUE AS RESIDENT-ONLY PARKING**; PERMITTING PARKING IN CERTAIN AREAS BY PERMIT ONLY; PROVIDING FOR INCORPORATION INTO THE CODE OF ORDINANCES; PROVIDING A PENALTY CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Highland Park, Texas (the "Town"), is a Home Rule municipality having full powers of self-government and may enact ordinances relative to its citizens' health, safety, and welfare that are not inconsistent with the Constitution and laws of the State; and

WHEREAS, Section 311.001 of the Texas Transportation Code provides that a home-rule municipality has exclusive control over and under the public highways, streets, and alleys of the municipality; and

WHEREAS, Section 545.302 of the Texas Transportation Code prohibits stopping, standing, or parking in certain areas, including areas where an official sign prohibits stopping, standing, or parking; and

WHEREAS, the Town has determined that it is a necessity to regulate activities as provided for herein to safeguard the public; and

WHEREAS, Section 12.07.149 of the Code of Ordinances includes the process for designating a resident-only parking area; and

WHEREAS, the Town is in receipt of a Petition to designate the 5100 and 5300 blocks of Sewanee Avenue as resident-only parking; and

WHEREAS, the Petition and the associated ballots are hereby deemed to meet the requirements of the Ordinance and any defect in same; and

WHEREAS, the Town of Highland Park is authorized by law to adopt the provisions contained herein, and has complied with all the prerequisites necessary for the passage of this ordinance; and

WHEREAS, all statutory and constitutional requirements for the passage of this ordinance have been adhered to, including but not limited to the Open Meetings Act; and

WHEREAS, the purpose of this ordinance is to improve traffic conditions caused by the use of residential streets for parking by persons other than residents and to protect the safety of all persons in such residential areas; and

WHEREAS, the purpose of this ordinance is to promote the public health, safety, and general welfare of the citizens of the Town of Highland Park;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF HIGHLAND PARK, TEXAS:

SECTION 1. That, all findings contained hereinabove are found to be true and correct and are incorporated herein by reference as if copied in their entirety.

SECTION 2. That, the 5100 block of Sewanee Avenue is designated as a Resident-Only Parking Zone between the hours of 5:00 a.m. and 6:00 p.m., Monday thru Friday.

SECTION 3. That, the 5300 block of Sewanee Avenue is designated as a Resident-Only Parking Zone between the hours of 5:00 a.m. and 6:00 p.m., Monday thru Friday

SECTION 4. That, all ordinances or any parts thereof in conflict with the terms of this ordinance shall be and hereby are deemed repealed and of no force or effect.

SECTION 5. That, this ordinance shall be deemed to be incorporated into the Code of Ordinances of the Town of Highland Park, Texas.

SECTION 6. That, the penalty provision of Chapter 1, Section 1.01.009 of the Code of Ordinances of the Town of Highland Park is hereby adopted for this ordinance.

SECTION 7. That, if any section, subsection, sentence, clause or phrase of this ordinance shall for any reason be held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance.

SECTION 8. That, the fact that the present ordinances and regulations of the Town of Highland Park, Texas are inadequate to properly safeguard the health, safety, morals, peace and general welfare of the inhabitants of the Town of Highland Park, Texas, creates an emergency for the immediate preservation of the public business, property, health, safety and general welfare of the public which requires that this ordinance shall become effective from and after the date of its passage, and it is accordingly so ordained.

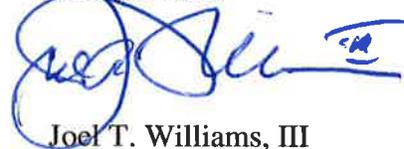
PASSED AND APPROVED on this 25th day of April, 2016.

APPROVED AS TO FORM AND LEGALITY:



Matthew C. G. Boyle  
Town Attorney

APPROVED:



Joel T. Williams, III  
Mayor

ATTEST:



Gayle Kirby  
Town Secretary