



ORDINANCE NO. 233

AN ORDINANCE OF THE CITY OF UHLAND, TEXAS ESTABLISHING “NO-PARKING-TOW-AWAY”, “NO-STANDING” AND “NO-STOPPING” ZONES ON PORTIONS OF STATE HIGHWAY 21 (SH 21) WITHIN THE INCORPORATED CITY LIMITS OF THE CITY OF UHLAND, TEXAS; AUTHORIZING AND DIRECTING THE PLACEMENT OF OFFICIAL SIGNS AND TRAFFIC CONTROL DEVICES NOTIFYING THE PUBLIC OF THE ZONES; AND PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT; SHORT TITLE; ENFORCEMENT BY FINE, NOT TO EXCEED FIVE-HUNDRED DOLLARS (\$500.00), AND AUTHORIZATION TO TOW AND IMPOUND; REPEALER; SEVERABILITY; EFFECTIVE DATE; AND PROPER NOTICE AND MEETING.

WHEREAS, the City of Uhlend, Texas has the authority under Chapter 311 of the Texas Transportation Code (“the Code”) to regulate streets of the municipality; and

WHEREAS, the City of Uhlend, Texas has the authority under Subchapter B of Chapter 542 of the Code to regulate stopping, standing or parking of vehicles; and

WHEREAS, the city of Uhlend hereby determines that parking vehicles along certain portions of SH 21 within the incorporated City limits of the City of Uhlend, Texas presents a particular danger to the safety and welfare of pedestrians and the traveling public; and

WHEREAS, the City of Uhlend hereby determines it is necessary to establish “No-Parking-Tow-Away”, “No-Standing” And “No-Stopping” zones along certain portions of SH 21 within the incorporated City limits of the City of Uhlend, Texas to protect the safety and welfare of pedestrians and the traveling public; and

WHEREAS, the City of Uhlend hereby authorizes and directs the placement of official signs and traffic control devices to notify the public of the zones;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF UHLAND, TEXAS:

1. Findings of Fact

The foregoing recitals are incorporated into this Ordinance by reference as findings of fact as if expressly set forth herein.

2. Short Title

This Ordinance and the regulations herein shall be known as the: "SH 21 No-Parking-Tow-Away, No-Stopping and No-Standing Zones" Ordinance.

3. No Parking, Stopping or Standing

Except when necessary to avoid collision with other traffic, vehicular or pedestrian, or to be in compliance with other laws or the directions of a law enforcement officer, a traffic or parking controller, or an official traffic-control device, it shall be unlawful for any person to stop, stand or park a vehicle along certain portions of SH 21 within the incorporated City limits of the City of Uhland, Texas as prohibited hereunder this Ordinance and identified by signage or other traffic control device.

4. Signage and Traffic-Control Devices

"No-Parking-Tow-Away", "No-Stopping", and "No-Standing" signage or other like traffic control devices shall be placed, as necessary, along SH 21 within the incorporated City limits of the City of Uhland, Texas to notify the public of the zones along certain portions of SH 21 within the incorporated City limits of the City of Uhland in which stopping, standing or parking a vehicle is prohibited under this Ordinance. See Exhibit "A" for authorized locations of signage or other traffic control device placement and zone locations.

5. Enforcement

This Ordinance may be enforced by issuance of citation, towing and impoundment of offending vehicle or both. Enforcement hereunder shall not require the pleading or proving of any culpable mental state.

A. Violation Punishable by Fine

Any person who violates any provision of this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine not to exceed five-hundred dollars (\$500.00). Each day of a violation shall be considered a separate offence.

B. Authorization to Tow

Any offending vehicle shall be towed and impounded at the owner's expense.

6. Repealer

All ordinances, resolutions, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance, are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated, herein.

7. Severability

Should any section, paragraph, clause or provision of this Ordinance be deemed invalid, unconstitutional, or unenforceable by a court of law or administrative agency, with jurisdiction over the matter, such determination shall not affect any other portion of this Ordinance.

8. Effective date

This Ordinance shall be effective as provide by law.

9. Proper Notice & Meeting

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551, and notice was provided as required by Chapter 52 of the Texas Local Government Code.

PASSED, ADOPTED & APPROVED this 4 day of September 2019 by a vote of:

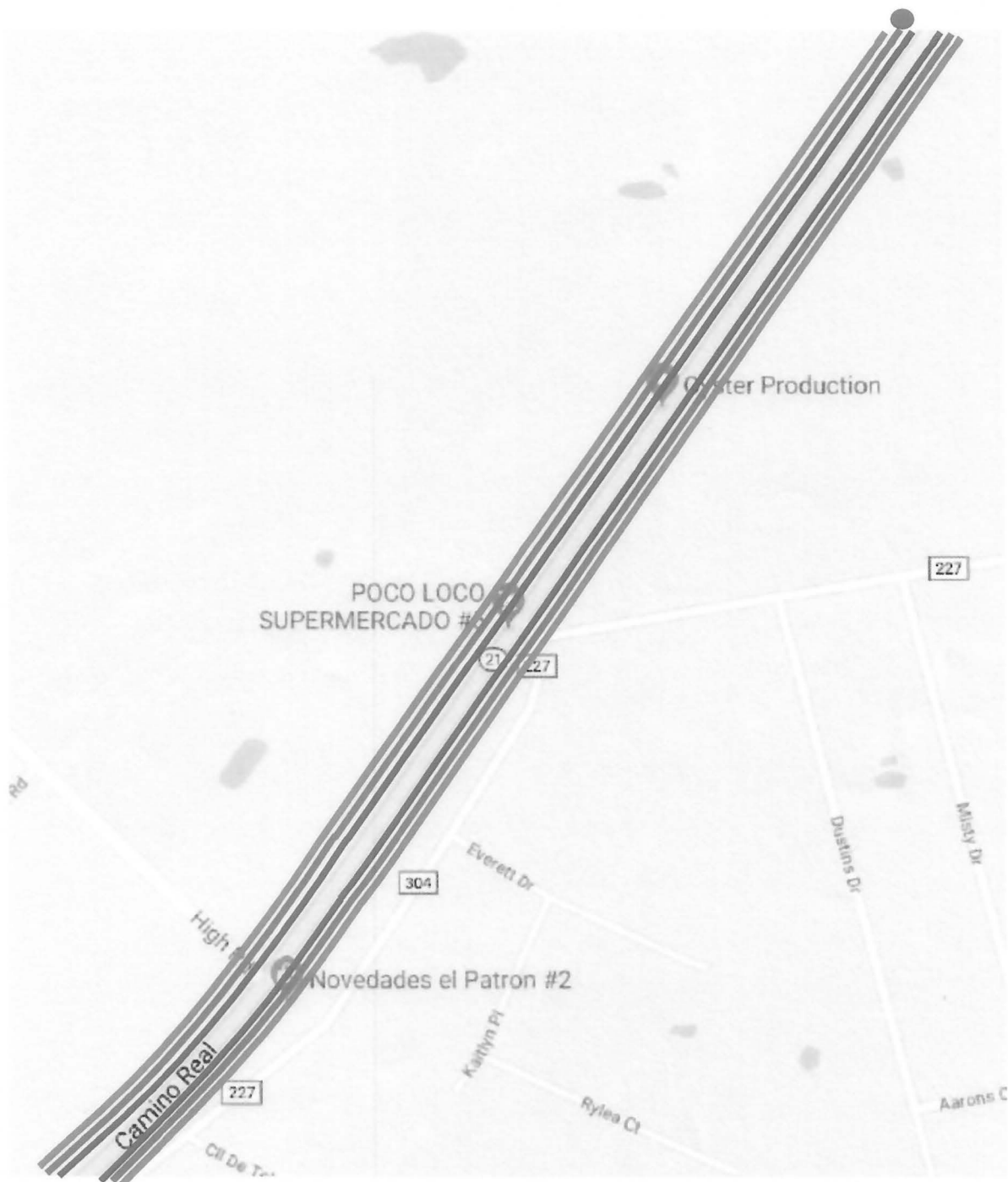
4 Ayes 0 Nays 0 Abstentions

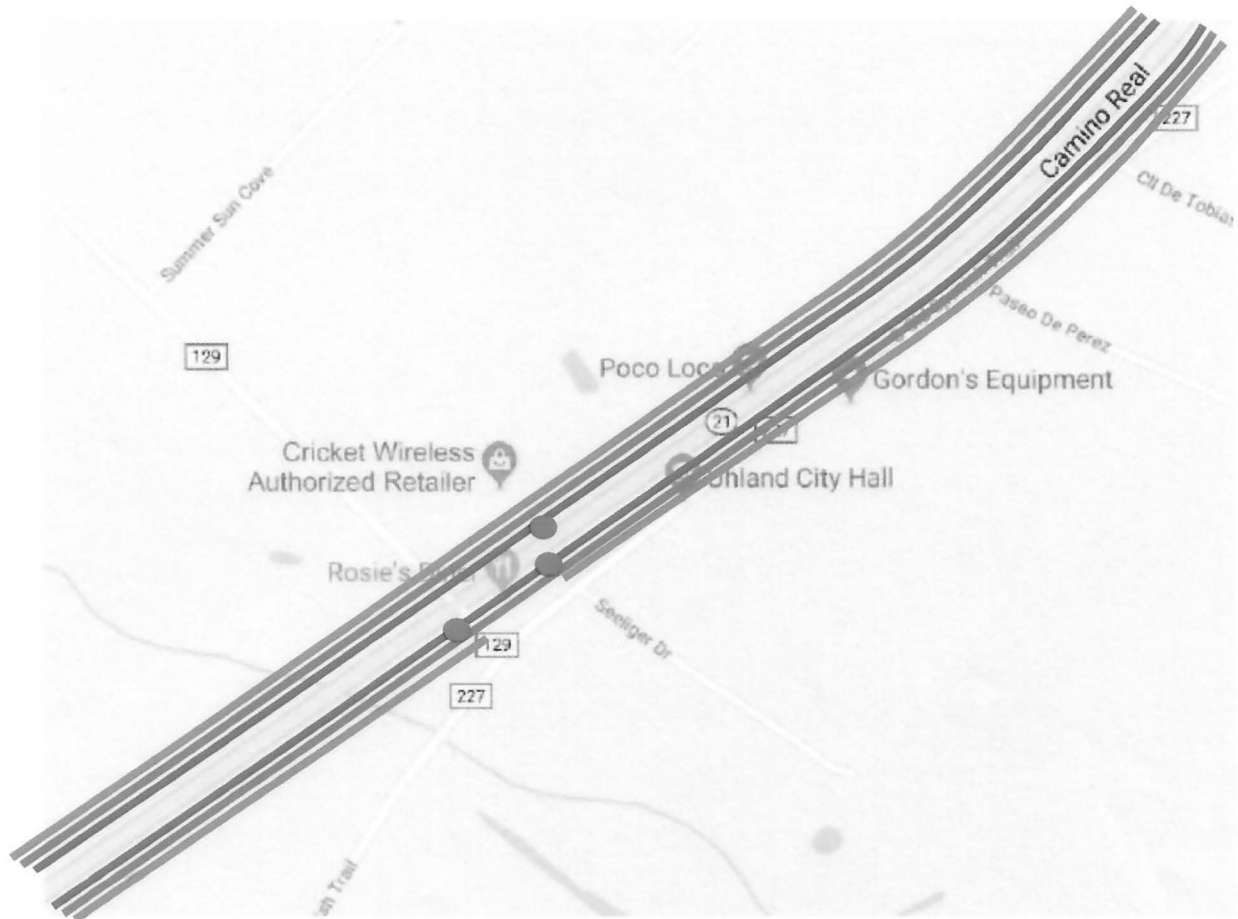
Vicki Hunter
Vicki Hunter, Mayor

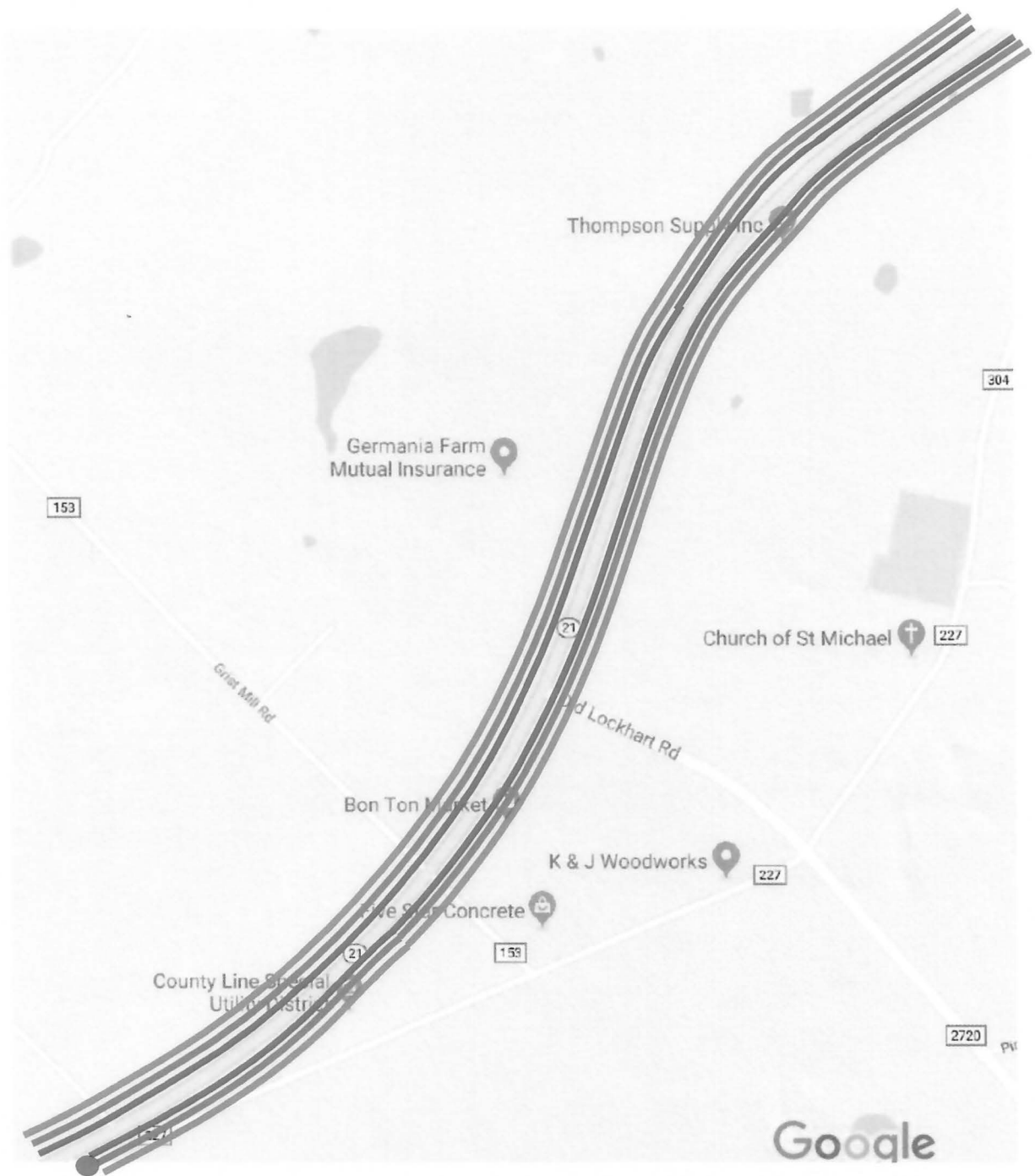
ATTEST:

Karen Gallaher
Karen Gallaher
City Administrator

Exhibit "A"







Placement of signage or other traffic control device indicated with red dot ●

No-Parking-Tow-Away Zone indicated by orange line —————

No-Standing Zone by green line —————

No-Stopping Zone blue line —————