

CITY OF EVERMAN, TEXAS

ORDINANCE NO. 831

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF EVERMAN, TEXAS, CHAPTER 19 "TRAFFIC," AT ARTICLE II "OPERATION OF VEHICLES" BY ADDING A NEW DIVISION 3 "DRIVING ON SIDEWALK OR CURB PROHIBITED" AND AT ARTICLE III "STOPPING, STANDING AND PARKING" BY AMENDING SECTION 19-77 AND ADDING A NEW SECTION 19-82 "PARKING ON SIDEWALK OR CURB PROHIBITED"; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE .

WHEREAS, the City Council has determined that it is in the best interests of the City to adopt regulations prohibiting the operation or parking of a motor vehicle on a curb within the City: and

WHEREAS, the City Council further finds it to serve the health, safety and general welfare of the City to amend Chapter 19 to so provide;

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

SECTION 1: The Code of Ordinances of the City of Everman, Texas is hereby amended at Chapter 19 "Traffic," Article II "Operation of Vehicles" by adding a new Division 3 "Driving on Curb Prohibited" which shall read in its entirety as follows:

"CHAPTER 19 TRAFFIC

...

ARTICLE II OPERATION OF VEHICLES

...

Division 3. – Driving on Sidewalk or Curb Prohibited

Sec. 19-56 - Definitions.

For purposes of this division, the following words shall have the meanings respectively ascribed to them by this section:

Curb. A cement, concrete, asphalt, or wood raised structure designed to delineate the edge of a roadway and to separate the vehicular portion from that provided for pedestrians.

Motor vehicle. Every vehicle which is self-propelled.

Roadway. That portion of a street or highway improved, designed, or ordinarily used for vehicular travel, exclusive of the berm, curb, or shoulder. If a street or highway includes two or more separate roadways, the term “roadway” shall refer to any such roadway separately but not to all such roadways collectively.

Sidewalk. That portion of a roadway between the curb or lateral line of a roadway and the adjacent property lines that is improved and designed for or is ordinarily used for pedestrian travel.

Vehicle. Every mechanical device, in, upon, or by which any person or property is or may be transported or drawn upon a roadway, including motor vehicles, truck-tractors, trailers, and semi-trailers, excepting devices moved by human power or used exclusively upon stationary rails or tracks.

Sec. 19-57 – Driving on Curb or Sidewalk Prohibited.

A person may not drive or operate a motor vehicle on a sidewalk or curb.”

SECTION 2: The Code of Ordinances of the City of Everman, Texas is hereby amended at Chapter 19 “Traffic,” Article III “Stopping Standing and Parking,” Division 1 “Generally” by amending section 19-76 “Special ordinances prohibiting or regulating parking of vehicles at specific places on designated streets” by adding a new subsection (c) thereto and by amending section 19-77 “Definitions” by inserting additional definitions in alphabetical order among those already present in the section, said sections to read in their entirety as follows:

“CHAPTER 19 TRAFFIC

• • •

ARTICLE III STOPPING, STANDING AND PARKING

• • •

Division 1. – Generally

Sec. 19-76 - Special ordinances prohibiting or regulating parking of vehicles at specific places on designated streets.

...

(c) It shall be unlawful for any person to stop, stand, leave, or park any motor vehicle on any sidewalk or curb.

Sec. 19-77 – Definitions

As used in this division, the following terms shall have the indicated meaning:

Commercial motor vehicle means

Curb means a cement, concrete, asphalt, or wood raised structure designed to delineate the edge of a roadway and to separate the vehicular portion from that provided for pedestrians.

...

Hard surface means . . .

Motor vehicle means every vehicle which is self-propelled.

...

Recreational vehicle means . . .

Sidewalk means that portion of a roadway between the curb or lateral line of a roadway and the adjacent property lines that is improved and designed for or is ordinarily used for pedestrian travel.”

SECTION 3: All ordinances, orders, or resolutions heretofore pass and adopted by the City Council of the City of Everman, Tarrant County, Texas are hereby repealed to the extent that said ordinances, orders, or resolutions, or parts thereof, are in conflict herewith.

SECTION 4: Should any word, sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said ordinance, which shall remain in full force and effect.

SECTION 5. This ordinance shall be effective from and after its passage.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Everman, Tarrant County, Texas this the ____ day of _____, 2025.

APPROVED:

Ray Richardson, Mayor

ATTEST:

Mindi Parks, City Secretary

APPROVED AS TO FORM:

Victoria Thomas, City Attorney
4936-1815-6313, v. 1