

ORDINANCE NO. 2021.09.21A

AN ORDINANCE OF THE CITY OF GLEN ROSE, TEXAS AMENDING THE CODE OF ORDINANCES, CHAPTER 12 "TRAFFIC AND VEHICLES", SECTION 12.04 "PARKING STOPPING AND STANDING", DIVISION 2 "PARKING SCHEDULE", SUBSECTION 041 "NO PARKING ZONE", TO PROVIDE FOR NO PARKING ON THE EAST SIDE OF SHEPARD STREET FROM 54' SOUTH OF COLLEGE STREET, NORTH TO HOLDEN STREET AND ON THE WEST SIDE OF SHEPARD STREET IN FRONT OF THE FIRE DEPARTMENT; ESTABLISHING A PENALTY OF A FINE NOT TO EXCEED TWO HUNDRED DOLLARS (\$200.00) FOR EACH OFFENSE; PROVIDING A SAVINGS/REPEALING CLAUSE, A SEVERABILITY CLAUSE, AND A PROPER NOTICE, MEETING, AND QUORUM CLAUSE; REQUIRING PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Glen Rose is a Type A General Law Municipality;

WHEREAS, pursuant to §541.002(3) of the Texas Transportation Code (TTC) a municipality is a "local authority";

WHEREAS, pursuant to §541.302 of the TTC a "Highway or street means the width between the boundary lines of a publicly maintained way any part of which is open to the public for vehicular travel";

WHEREAS, pursuant to §542.201 of the TTC a local authority may regulate traffic in a manner that doesn't conflict with provisions in the TTC "Rules of the Road" subtitle;

WHEREAS, pursuant to §542.202 of the TTC the "Rules of the Road" subtitle "does not prevent a local authority, with respect to a highway under its jurisdiction and in the reasonable exercise of the police power, from...regulating the stopping, standing, or parking of a vehicle";

WHEREAS, the Somervell County Fire Department (SCFD) informed the City that, "The Fire Department is having a problem pulling out of the fire station onto Shepard St. due to vehicles parking on the east part of the street curb" and requested "'No Parking' signs along the east part of the curb on the street from the 110 block of Shepard St. to Holden St. at the Stop sign, and one 'No Parking' sign on west curb on the fire department property";

WHEREAS, the SCFD "talked to Glen Rose ISD on 8-26-2021 and they are onboard with the 'No Parking' signs on Shepard St."; and,

WHEREAS, the City Council has determined for the good government, peace, and order of

the municipality, a “No Parking” zone should be established in the areas requested by the SCFD.

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

**SECTION 1 (OF 7)
INCORPORATION OF RECITALS**

All of the above recitals are found to be true and correct and are incorporated into the body of this Ordinance as if copied in their entirety.

**SECTION 2 (OF 7)
AMENDING SEC. 12.04.041
“NO PARKING ZONES” TABLE**

The Table located in Chapter 12 "Traffic and Vehicles", Section 12.04 "Parking Stopping and Standing", Division 2 “Parking Schedules”, Subsection 12.04.041 “No Parking Zones" shall be amended to add the following row: (Street) Shepard Street; (Location) East side of Shepard Street from fifty-four (54) feet south of College Street, North to Holden Street and on the West side of Shepard Street directly in front of the Fire Department property; (Ordinance No.) 2021.09.21A.

**SECTION 3 (OF 7)
PENALTY**

That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the City’s Code of Ordinances (CCO), as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of two hundred dollars (\$200) for each offense.

**SECTION 4 (OF 7)
SAVINGS/REPEALING CLAUSE**

Chapter 12 of the CCO shall remain in full force and effect, save and except as amended by this or any other ordinance. All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict. Any remaining portions of said ordinances shall remain in full force and effect.

**SECTION 5 (OF 7)
SEVERABILITY CLAUSE**

Should any section, subsection, sentence, clause or phrase of this Ordinance be declared

unconstitutional, illegal or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. Glen Rose hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional or invalid.

SECTION 6 (OF 7)
PROPER NOTICE, MEETING, AND QUORUM CLAUSE

It is hereby officially found and determined that the meeting at which this Ordinance was adopted by majority vote of the City Council of the City of Glen Rose, Texas was open to the public; that public notice of the time, place, and purpose of the meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code; and, that a quorum was present pursuant to Section 22.039 of the Texas Local Government Code.

SECTION 7 (OF 7)
EFFECTIVE DATE

This Ordinance shall take effect immediately after its passage and publication in the City's official newspaper.

PASSED AND APPROVED this the 28th day of September, 2021.

APPROVED:

Julia Douglas, Mayor

ATTEST:

Stephanie Ritchie, City Secretary