

ORDINANCE NO. 2022_____

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 REVISE THE "NO PARKING" ZONE ON NE BARNARD STREET TO INCLUDE THE NORTH SIDE FROM LAKEVIEW STREET TO GAITHER STREET AND THE SOUTH SIDE FROM WREN STREET TO THE WESTERMOST ENTRANCE TO GLEN LAKE CAMP AND RETREAT CENTER, THEN FROM THE ENTRANCE TO BIG ROCKS PARK TO THE WESTERMOST END OF THE SOMERVELL COUNTY WATER DISTRICT PARKING LOT; 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 City established a "No Parking" zone on NE Barnard Street via Ordinance 447 adopted on June 9, 2008;

WHEREAS, recently a representative of Glen Lake Camp and Retreat Center and others have expressed their concerns to the City Council about the safety of motorists trying to pull onto NE Barnard Street due to obstruction of the field of view by overflow parking from Big Rocks Park; and,

WHEREAS, the City Council has determined for the good government, peace, and order of the municipality, the boundaries of the NE Barnard Street “No Parking” zone need to be revised.

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 revise the NE Barnard Street entry as follows: (Street) NE Barnard Street; (Location) The north side from Lakeview Street to Gaither Street and the south side from Wren Street to the westernmost entrance to Glen Lake Camp and Retreat Center, then from the entrance to Big Rocks Park to the westernmost end of the Somervell County Water District Parking Lot; (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 11th day of January 2022.

APPROVED:

Julia Douglas, Mayor

ATTEST:

Stephanie McDonald, City Secretary