

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PROSPER, TEXAS, AMENDING DIVISION 2, "NO-PARKING ZONES," OF ARTICLE 12.05, "PARKING, STOPPING AND STANDING," OF CHAPTER 12, "TRAFFIC AND VEHICLES," OF THE CODE OF ORDINANCES OF THE TOWN OF PROSPER, TEXAS, BY AMENDING SECTION 12.05.034 "WILSON DRIVE", TO PROHBIT PARKING ON A PORTION OF WILSON DRIVE; BY ADDING A NEW SECTION 12.05.042, "BRYAN STREET," TO PROHIBIT PARKING ON BRYAN STREET; BY ADDING A NEW SECTION 12.05.043, "DAVE TRAIL," TO PROHIBIT PARKING ON DAVE TRAIL; AND BY ADDING A NEW SECTION 12.05.044, "GRAY LANE," TO PROHIBIT PARKING ON GRAY LANE; PROVIDING FOR REPEALING, SAVINGS AND SEVERABILITY CLAUSES; PROVIDING FOR A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE; AND PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.

WHEREAS, the Town of Prosper, Texas ("Town"), is a home-rule municipal corporation duly organized under the laws of the State of Texas; and

WHEREAS, the Texas Transportation Code, as amended, provides that the governing body of a municipality may adopt parking regulations; and

WHEREAS, the Town has investigated and determined that no-parking zones on Bryan Street, Dave Trail, Gray Lane and Wilson Drive, as more fully described herein, is both warranted and prudent, and it is the desire of the Town to adopt the following regulations related thereto.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PROSPER, TEXAS, THAT:

SECTION 1

The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

SECTION 2

Existing Division 2, "No-Parking Zones," of Article 12.05, "Parking, Stopping and Standing," of Chapter 12, "Traffic and Vehicles," of the Code of Ordinances is hereby amended by amending Section 12.05.034 "Wilson Drive", adding a new Section 12.05.042, "Bryan Street", adding a new Section 12.05.043, "Dave Trail", and adding a new Section 12.05.044, "Gray Lane," to read as follows:

"ARTICLE 12.05 PARKING, STOPPING AND STANDING

* * *

Division 2. No-Parking Zones

* * *

Sec. 12.05.034 Wilson Drive

There shall be no parking on both sides of Wilson Drive from its intersection with Coleman Street east one-hundred fifty feet (150') to the intersection of Gray Lane, from 7:00 a.m. until 9:00 a.m. and from 2:00 p.m. until 4:00 p.m. on school days. A person commits an offense by violating any provision of this section.

There shall be no parking on both sides of Wilson Drive from its intersection with Gray Lane east eight-hundred feet (800') to the intersection of Dave Trail, from 3:00 p.m. until 4:00 p.m. on school days. A person commits an offense by violating any provision of this section.

Sec. 12.05.042 Bryan Street

There shall be no parking on both sides of Bryan Street from its intersection with Coleman Street east four-hundred twenty-five feet (425') to the intersection of Trail Drive, from 3:00 p.m. until 4:00 p.m. on school days. A person commits an offense by violating any provision of this section.

Sec. 12.05.043 Dave Trail

There shall be no parking on both sides of Dave Trail from its intersection with Gray Lane east and north one-thousand one-hundred fifty feet (1,150') to the intersection of Trail Drive, from 3:00 p.m. until 4:00 p.m. on school days. A person commits an offense by violating any provision of this section.

Sec. 12.05.044 Gray Lane

There shall be no parking on both sides of Gray Lane from its intersection with Dave Trail north and east one-thousand one-hundred feet (1,100') to the intersection of Trail Drive, from 3:00 p.m. until 4:00 p.m. on school days. A person commits an offense by violating any provision of this section."

SECTION 3

All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict; but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portion of conflicting ordinances shall remain in full force and effect.

SECTION 4

If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason, held to be unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The Town of Prosper 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.

SECTION 5

Any person, firm or corporation violating any of the provisions or terms of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction, shall be punished by fine not to exceed the sum of five hundred dollars (\$500.00) for each offense.

SECTION 6

This Ordinance shall become effective after its passage and publication, as required by law.

DULY PASSED AND APPROVED BY THE TOWN COUNCIL OF THE TOWN OF PROSPER, TEXAS, ON THIS 14TH DAY OF JANUARY, 2025.

APPROVED:

David F. Bristol, Mayor

ATTEST:

Michell Lewis Sirianni, Town Secretary

APPROVED AS TO FORM AND LEGALITY:

Terrence S. Welch, Town Attorney