

**ORDINANCE 18-10**

**AN ORDINANCE OF THE CITY OF COMMERCE, TEXAS, AMENDING CHAPTER 90 “TRAFFIC AND VEHICLES”, ARTICLE V “STOPPING, STANDING, AND PARKING”, DIVISION I “GENERALLY”, SECTION 90-101 “TRAFFIC PARKING SYSTEM; MAPS; UNAUTHORIZED PARKING”, SUBSECTIONS 90-101(a)(2) “TRAFFIC PARKING MAP ADOPTED” AND 90-101(a)(3) “TRAFFIC NO PARKING MAP ADOPTED” OF THE CODE OF ORDINANCES OF THE CITY TO AMEND THE TRAFFIC PARKING MAP AND TRAFFIC NO PARKING MAP ADOPTED BY THE CITY COUNCIL; PROVIDING AN AMENDMENT TO DESIGNATE A NO-PARKING ZONE ON PECAN STREET AND TO DESIGNATE A NO-PARKING ZONE ON THE EAST FRONTAGE ROAD OF TEXAS STATE HIGHWAYS 11 AND 24; PROVIDING FOR UPDATED MAPS; PROVIDING A REPEALER, SEVERABILITY, AND SAVINGS CLAUSE; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED TWO HUNDRED DOLLARS (\$200.00) FOR EACH OFFENSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE**

**WHEREAS**, the City Council of the City of Commerce has determined that it is advantageous, beneficial, and in the best interest of the City and its citizens to adopt the parking regulations set forth herein; and

**WHEREAS**, the City Council previously adopted an ordinance provision codified at Chapter 90, “Traffic and Vehicles”, Article V, “Stopping, Standing, and Parking”, Division 1 “Generally”, Section 95-101 “Traffic parking system; maps; unauthorized parking”, which adopts an official traffic parking map and an official traffic no parking map establishing locations within the City for parking spaces and prohibited parking areas; and

**WHEREAS**, that the Traffic No-Parking Map adopted in Section 90-101 of the Code of Ordinances of the City of Commerce, Texas, be amended to include the following No-Parking Area:

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

**SECTION 1. INCORPORATION OF PREMISES.** The above and foregoing premises are true and correct and are incorporated herein and made a part hereof for all purposes.

**SECTION 2. AMENDMENT.**

- (1) The official Parking Map adopted by Chapter 90, “Traffic and Vehicles”, Article V, “Stopping, Standing, and Parking”, Division 1 “Generally”, Section 90-101(a)(2) “Traffic parking system; maps; unauthorized parking”, subsection 90-101(a)(2) “Traffic parking map adopted”, is hereby amended to remove the following areas from the parking map:

- (a) The designation of a no-parking zone along the west side of Pecan Street, beginning at College Street and ending at Culver Street; and
  - (b) The designation of a no-parking zone along the east frontage road of Texas State Highways 11 and 24, beginning at Culver Street and ending 240 feet north of Morris Drive.
- (2) The official No Parking Map adopted by Chapter 90, “Traffic and Vehicles”, Article V, “Stopping, Standing, and Parking”, Division 1 “Generally”, Section 90-101, “Traffic parking system; maps; unauthorized parking”, subsection 90-101(a)(3) “Traffic no parking map adopted”, is hereby amended to reflect:
- (a) The designation of a no-parking zone along the west side of Pecan Street, beginning at College Street and ending at Culver Street; and
  - (b) The designation of a no-parking zone along the east frontage road of Texas State Highways 11 and 24, beginning at Culver Street and ending 240 feet north of Morris Drive.

**SECTION 3. UPDATED MAPS.** Upon final adoption of this Ordinance, the City Secretary shall cause the official No Parking Map and the official Parking Map to be updated to reflect the amendments set forth in Section 2 hereof, and those amended maps shall supersede any and all maps previously adopted.

**SECTION 4. PENALTY.** Any person violating any of the provisions of this ordinance shall be guilty of a Class “C” misdemeanor, and upon conviction shall be fined in any sum not to exceed \$200.00 for each offense, and a separate offense shall be deemed committed upon each day during or on which a violation occurs or continues.

**SECTION 5. SAVINGS AND REPEALING CLAUSE.** This Ordinance shall be cumulative of all other Ordinances and shall not repeal any of the provisions of such Ordinances except for those instances where there are direct conflicts with the provisions of this Ordinance. Ordinances or parts thereof in force at the time this Ordinance shall take effect and that are inconsistent with this Ordinance are hereby repealed to the extent that they are inconsistent with this Ordinance. Provided however, that any complaint, action, claim or lawsuit which has been initiated or has arisen under or pursuant to such Ordinance on the date of adoption of this Ordinance shall continue to be governed by the provisions of that Ordinance and for that purpose the Ordinance shall remain in full force and effect.

**SECTION 6. SEVERABILITY.** If any section, subsection, clause, phrase or provision of this Ordinance, or any application thereof to any person or circumstance, shall to any extent be held by a court of competent jurisdiction to be invalid, void or unconstitutional, the remaining sections, subsections, clauses, phrases and provisions of this Ordinance, or any application thereof to any person or circumstance, shall remain in full force and effect and shall in no way be affected, impaired or invalidated.

**SECTION 7. EFFECTIVE DATE.** This Ordinance shall become effective immediately upon its passage and publication of its Caption as required by law and Charter.

**PASSED AND APPROVED** on its **FIRST READING** at a regular meeting of the City Council of the City of Commerce, Texas on this the 16<sup>th</sup> day of October 2018.

**PASSED AND APPROVED** on its **SECOND READING** at a regular meeting of the City Council of the City of Commerce, Texas on this the 20<sup>th</sup> day of November 2018.

**ATTEST:**

**CITY OF COMMERCE, TEXAS:**

\_\_\_\_\_  
Molly Jacobsen, City Secretary  
(Seal)

\_\_\_\_\_  
Wyman Williams, Mayor

APPROVED AS TO FORM:

\_\_\_\_\_  
Patricia A. Adams, City Attorney

I, Molly Jacobsen, City Secretary of the City of Commerce, Texas, do hereby certify that the above is a true and correct copy of an Ordinance, and that the same has not been repealed and is in full force and effect.

(seal)

\_\_\_\_\_  
Molly Jacobsen, City Secretary  
City of Commerce

Sworn to and subscribed before me on this the \_\_\_\_\_ day of \_\_\_\_\_, 2018, to certify which witness my hand and seal of office.

(seal)

\_\_\_\_\_  
Notary Public  
State of Texas