

**ORDINANCE # 1138-2017**

**AN ORDINANCE AMENDING ARTICLE 12.05, "STOPPING, STANDING AND PARKING", OF THE CITY OF RIVER OAKS CODE OF ORDINANCES (2006) BY INCORPORATING INTO SECTION 12.05.011 "SPECIAL NO PARKING ZONES" OF THE CITY OF RIVER OAKS CODE OF ORDINANCES (2006) IN THE 5300 BLOCK OF BLACKSTONE DRIVE ON THE SOUTHSIDE OF BLACKSTONE DR. BEGINNING AT THE INTERSECTION OF ROBERTS CUT OFF RD. WITH BLACKSTONE DRIVE EAST ON BLACKSTONE DR. 220- FEET TO THE PROPERTY LINE BETWEEN 5221 & 5225 BLACKSTONE DRIVE AND ON THE NORTH SIDE OF BLACKSTONE DR. BEGINNING AT THE INTERSECTION OF ROBERTS CUT OFF RD. WITH BLACKSTONE DRIVE EAST ON BLACKSTONE DR. 435- FEET TO ITS INTERSECTION WITH WINTERS STREET PLOTTED ON "EXHIBIT A" OF THIS ORDINANCE AS A SPECIAL NO PARKING ZONE; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of River Oaks is a home rule City acting under its Charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

**WHEREAS**, in accordance to Section 12.05.003(a) of the City of River Oaks Code of Ordinances (2006), the chief of police shall also cause no parking areas to be maintained and marked off in and on such part or parts of streets as may be designated by the city council from time to time and all such spaces or areas shall be clearly indicated by appropriate signs or markings on the pavement; and

**WHEREAS**, the Police Chief recommends that a "No Parking Zone" be designated at all times from Roberts Cut Off Road at its intersection with Blackstone Dr. and continuing eastward on Blackstone Drive on the south side of Blackstone Drive 220-feet up to the property line between 5221 and 5225 Blackstone Drive and on the north side of Blackstone Drive 435-feet at the intersection of Roberts Cut Off Road and Blackstone Dr. eastward to its intersection with Blackstone Dr. and Winters Street as plotted on "Exhibit A" of this Ordinance in order to reduce congestion and maintain the free movement of vehicular traffic in order to protect the safety of the public; and

**WHEREAS**, the City Council has determined that it is necessary to amend Article 12.05, "Stopping, Standing and Parking" of the City of River Oaks Code of Ordinances (2006) by incorporating the improved dedicated public street right-of-way and further known as being the 5200-5300 blocks of Blackstone Dr. at its intersection with Roberts Cut Off Rd. 220-feet on the south side of Blackstone Drive and 435-feet on the north side of Blackstone Dr. to its intersection with Winters Street as plotted on "Exhibit A" of this Ordinance as a **Special No Parking Zone** at all times in order to reduce congestion and maintain the free movement of vehicular traffic in order to protect the safety of the public; and

**WHEREAS**, pursuant to Texas Transportation Code Section 542.202, the City of River Oaks, Texas has the authority to establish prohibited parking zones within its corporate boundaries for vehicles on streets and highways.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RIVER OAKS:**

**SECTION 1.**

That Article 12.05, "Stopping, Standing and Parking" with the adoption of this ordinance is amended by incorporating Blackstone Drive from its intersection with Roberts Cut Off Road east on Blackstone Drive 220-feet on the south side and 435-feet on the north side into Section 12.05.011, "Special No Parking Zones", of the City of River Oaks Code of Ordinances (2006). With the adoption of this Ordinance Section 12.05.011 of the River Oaks Code of Ordinances (2006) will now read as follows:

**"Section 12.05.011, Special No Parking Zones**

**Miller Drive.**

(1) From station 0.00 at the intersection of Yale Street and Miller Drive westward along both sides of Miller Street to station 1+90 and station 6+56 at the intersection of Miller Drive and Nancy Lane/Inspiration Lane is hereby designated as a No Parking Zone.

(2) In accordance with this chapter, the police chief hereby directs the city public works department to place signs designating Miller Drive as a No Parking Zone.

**Truman Street.**

(1) From point N 43°29'00" E on the north side of the unimproved dedicated public right-of-way of Truman Drive west 211 feet to the intersection of Truman Drive and Gustav Street is designated as a No Parking Zone.

(2) In accordance with this chapter, the police chief hereby directs the city public works department to place signs designating Truman Drive from point N 43°29'00" E on the north side of the unimproved dedicated public right-of-way west 211 feet to the intersection of Truman Drive and Gustav Street as a No Parking Zone.

**Roberts Cut Off Road.**

(1) From Station 0+00 on Roberts Cut Off Road at its intersection with River Oaks Blvd. and continuing northward on Roberts Cut Off Road including both sides of Roberts Cut Off to Station 28+26 at the intersection of Roberts Cut Off Road and Notre Dame Avenue as a Special No Parking Zone at all times.

(2) In accordance with this chapter, the police chief hereby directs the city public works department to mark the pavement and place signs designating Roberts Cut Off Road from Station 0+00 on Roberts Cut Off Road at its intersection with River Oaks Blvd. and continuing northward on Roberts Cut Off Road including both sides of Roberts Cut Off Rd. to Station 28+26 at the intersection of Roberts Cut Off Road and Notre Dame Avenue as a No Parking Zone.

**Inspiration Lane.**

(1) The entire turnaround circle at the northwest end of Inspiration Lane is designated to be **a No Parking Zone at all times** where public vehicular travel has to turn around since there is no through public vehicular traffic allowed down the private road entrance to the city's water plant.

(2) In accordance with this chapter, the police chief hereby directs the city public works department to place signs and pavement markings designating the entire turnaround circle at the

northwest end of Inspiration Lane where public vehicular travel has to turn around as a **No Parking Zone at all times** since there is no through public vehicular traffic allowed at that point down the private road entrance to the city's water plant.

**(e) Blackstone Drive.**

(1) From Roberts Cut Off Road at its intersection with Blackstone Drive and continuing eastward on Blackstone Drive including 220-feet on the south side of Blackstone Drive and 435-feet on the north side of Blackstone Drive at the intersection of Roberts Cut Off Road east to its intersection with Winters Street as a Special No Parking Zone at all times.

(2) In accordance with this chapter, the police chief hereby directs the city public works department to mark the pavement and place signs designating Blackstone Drive from its intersection with Roberts Cut Off Road continuing eastward on Blackstone Drive including 220-feet on the south side of Blackstone Drive to the property line between 5221 & 5225 Blackstone Drive and 435-feet on the north side of Blackstone Drive from its intersection with Roberts Cut Off Rd. east to its intersection with Winters Street as a Special No Parking Zone at all times."

**SECTION 2.**

**CUMULATIVE**

This Ordinance shall be cumulative of all provisions of Ordinances of the city, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

**SECTION 3.**

**SEVERABILITY**

It is hereby declared to be the intentions of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

**SECTION 4.**

**SAVINGS**

All rights and remedies of the City of River Oaks are expressly saved as to any and all violations of the provisions of the City of River Oaks Code of Ordinances (2006) or any other ordinances affecting Stopping, Standing and Parking which have accrued at the time of the effective date of this ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this ordinance but may be prosecuted until final disposition by the courts.

**SECTION 5.**

**PENALTY**

In accordance to Section 1.01.009, "General penalty for violations of code; continuing violations", of the City of River Oaks Code of Ordinances (2006) as adopted and as amended; whenever in this code or in any ordinance of the city an act is prohibited or is made or declared to be unlawful or an offense or a misdemeanor, or whenever in such code or ordinance the doing of any act is required or the failure to do any act is declared to be unlawful, and no specific penalty is provided therefor, the violation of any such provision of this code or any such ordinance shall be punished by a fine of not exceeding five hundred dollars (\$500.00). Each day any violation of this code or of any ordinance shall continue shall constitute a separate offense.

**SECTION 6.**

**PUBLICATION**


The City Secretary of the City of River Oaks is hereby directed to publish in the official newspaper the caption, savings clause, penalty clause, publication clause and effective date clause of this ordinance one (1) time after the adoption of this ordinance as authorized by Chapter 5, Section 5.02(c) of the Charter of the City of River Oaks.

**SECTION 7.**


**EFFECTIVE DATE**

This Ordinance shall be in full force and effect after its passage and publication as required by law, and it is so ordained.

**PASSED AND APPROVED THIS THE 14th DAY OF FEBRUARY 2017.**

  
\_\_\_\_\_  
Mayor Herman Earwood

**ATTEST:**

  
\_\_\_\_\_  
Marvin C. Gregory III  
City Secretary  
City of River Oaks