

**ORDINANCE # 1253-2019**

AN ORDINANCE AMENDING ARTICLE 12.05 "STOPPING, STANDING AND PARKING", SEC. 12.05.011 "SPECIAL NO PARKING ZONES" OF THE RIVER OAKS CODE OF ORDINANCES AS AMENDED BY INCORPORATING SECTION 12.05.011 SUBSECTION (e) "GREEN OAKS DRIVE" THAT DESIGNATED 592-FEET ALONG THE PUBLIC RIGHT-OF-WAY ON THE NORTH SIDE OF GREEN OAKS DRIVE EAST TO WEST FROM THE ROADWAY EGRESS ADJACENT TO 4817 GREEN OAKS DRIVE TO THE ROADWAY EGRESS ADJACENT TO THE PROPERTY AT 4905 GREEN OAKS DRIVE AS A 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**, the Police Chief upon a traffic study investigation finds that with two-way traffic on Green Oaks Drive that parking along the north side of the public right-of way creates a traffic hazard and therefore, recommends that a "No Parking Zone" be designated along the north side of Green Oaks Drive west from the roadway egress to Green Oaks Drive located at 4817 Green Oaks Drive westward 592-feet to the roadway egress located adjacent to the property at 4905 Green Oaks Drive as a No Parking Zone as illustrated on Exhibit A of this Ordinance; and

**WHEREAS**, the Police Chief further finds that with the traffic flow of heavy trucks in and out of the businesses located therein in order to make deliveries, parking within the public right-of-way restricts their abilities to safely enter and exit the rear of the businesses while making deliveries necessitating the need to lessen the congestion caused by parked vehicles along Green Oaks Drive; and

**WHEREAS**, the City Council has determined after due and careful consideration that based on the traffic study and recommendation from the Police Chief it is essential to establish a No Parking Zone approximately 592-feet along the north side of Green Oaks Drive in order to lessen the traffic congestion that could result in a traffic hazard jeopardizing the safety of motorists traveling therein.

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

**SECTION 1.**

That Article 12.05, "Parking, Stopping and Standing" of the City of River Oaks Code of Ordinances (2006) with the adoption of this ordinance, Section 12.05.011 "Special no parking zones" is amended by incorporating subsection (e) Green Oaks Drive thereby revising Section 12.05.011 to now read as follows:

**"SEC. 12.05.011 "Special no parking zones"**

**"(a) 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.

**(b) 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.

**(c) 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.

**(d) 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 and 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.

**(e) Green Oaks Drive**

(1) From the road egress at 4817 Green Oaks at its intersection with Green Oaks Drive and continuing westward along the north side of the public right-of-way of Green Oaks Drive approximately 592-feet to its intersection with the road egress located adjacent to 4805 Green Oaks Drive as illustrated in Exhibit "A" of this Ordinance 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 place signs in accordance to the Uniform Traffic Code designating Green Oaks Drive from its intersection with Green Oaks Drive and continuing westward along the north side of the public right-of-way of Green Oaks Drive approximately 592-feet to its intersection with the road egress located adjacent to 4805 Green Oaks Drive 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**

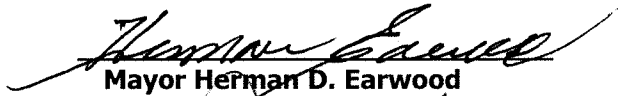
The City Secretary of the City of River Oaks is hereby directed to publish in the official newspaper the caption, savings clause, penalty clause, publication clause and effective date clause of this ordinance one (1) time after the adoption of this ordinance as authorized by Chapter 5, Section 5.02(c) 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 12th DAY OF NOVEMBER 2019.**

  
Mayor Herman D. Earwood

**ATTEST:**

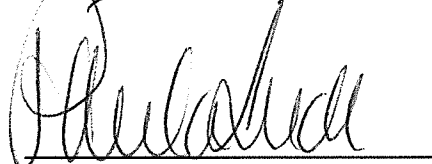
  
Paula Luck  
City Secretary  
City of River Oaks

Exhibit A

