

ORDINANCE # 1380-2023

AN ORDINANCE AMENDING ARTICLE 12.05 "STOPPING, STANDING & PARKING" CHAPTER 12 "TRAFFIC & VEHICLES" UNDER SECTION 12.05.011 "SPECIAL NO PARKING ZONES" ADDING SUBSECTION (f) "SANSOM CIRCLE/YALE ST." DESIGNATING A SPECIAL NO PARKING ZONE SPECIFICALLY FOR 142-FEET NORTH FROM THE INTERSECTION OF SANSOM CIRCLE AND YALE ALONG THE WEST SIDE OF THE STREET IN FRONT OF THE PROPERTY AT 2101 SANSOM CIRCLE, 390-FEET SOUTH FROM THE INTERSECTION OF YALE AND SANSOM CIRCLE ALONG THE WEST SIDE IN FRONT OF THE PROPERTIES AT 1913, 1909 AND 1905 YALE AND 145 FEET SOUTH TO NORTH ALONG THE WEST BOUND SIDE OF 1917 YALE WHERE THE STREET SPLITS BEING KNOWN AS YALE/SANSOM CIRCLE TRIANGLE OTHERWISE BEING SCHIEFFER PARK THAT IS OWNED AND OPERATED AS A PARK BY THE CITY OF RIVER OAKS; 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 River Oaks Police Chief investigated a traffic complaint at the Sansom Circle and Yale Intersection; and

WHEREAS, the Police Chief following his investigation recommended that the City designate a no parking zone in a portion of the 2000 block of Sansom Circle and the 1900 block of Yale as indicated on Attachment A of this Ordinance; and

WHEREAS, the River Oaks Police Chief concluded that the cars parked in the street around the intersection of Sansom Circle and Yale pose a hazard to the motoring public by blocking their line of site at the crossing; and

WHEREAS, the City Council has determined after due and careful consideration that based on the traffic study and recommendation from the Police Chief involving street parking that would in their opinion help facilitate traffic flow and alleviate traffic congestion and therefore the City Council finds that it is reasonable and expedient to adopt this ordinance in order to protect the health and safety of the public.

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" specifically in Section 12.05.011 "Special No Parking Zone" of the City of River Oaks Code of Ordinances (2020) with the adoption of this ordinance, adding subsection (f) "Yale/Sansom Circle" into Section 12.05.011 to now read as follows:

"(f) Yale/Sansom Circle

(1) Pursuant to Attachment A of this Ordinance, the street from the intersection of Yale and Sansom Circle along the west side of Sansom Circle north 142 feet on Sansom Circle in front of the property at 2101 Sansom Circle is hereby designated as a "special No parking zone" at all times.

(2) Pursuant to Attachment A of this Ordinance, the street from the intersection of Yale and Sansom Circle along the west side of Yale Street 390 feet south from the intersection of Yale and

Sansom circle in front of the properties at 1913, 1909 and 1905 Yale is hereby designated as a "special No parking zone" at all times.

(3) Pursuant to Attachment A of this Ordinance, 145 feet south to north along the west bound side of 1917 Yale where the street splits being known as Yale/Sansom Circle Triangle otherwise being known as Schieffer Park that is owned and operated as a park by the City of River Oaks is hereby designated as a "special No parking zone" at all times.

(4) In accordance with section 12.05.003(a) of this code the police chief hereby directs the city public works department to place signs "No Parking Zone" and mark the street designating 142 feet on the west side of Sansom Circle in front of 2101 Sansom Circle, 390 feet south from the intersection of Yale and Sansom Circle along the west side of Yale Street and 145 feet along the west side of 1917 Yale where Yale splits at the Yale/Sansom Park Triangle as plotted on the attached Attachment A to Ordinance Number 1380-2023 as a "no parking zone."

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 Traffic Control Devices or 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

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). However, a fine or penalty for the violation of a rule, ordinance or police regulation that governs fire safety, zoning or public health and sanitation other than dumping of refuse may not exceed two thousand dollars (\$2,000.00); a fine or penalty for the violation of a rule, ordinance, or police regulation that governs the dumping of refuse may not exceed four thousand dollars (\$4,000.00). Provided,

however, that no penalty shall be greater or less than the penalty provided for the same or a similar offense under the laws of the state. Each day any violation of this code or of any ordinance shall continue shall constitute a separate offense. In the event that any such violation is designated as a nuisance under the provisions of this code, such nuisance may be summarily abated by the city. In addition to the penalty prescribed above, the city may pursue other remedies such as abatement of nuisances, injunctive relief and revocation of licenses or permits.

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

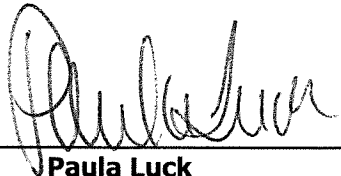
This Ordinance shall be in full force and effect after its passage and publication as required by law, and it is so ordained.

PASSED AND APPROVED THIS THE 27th DAY OF JUNE 2023.



Mayor Darren Houk

ATTEST:



**Paula Luck
City Secretary
City of River Oaks**

Attachment "A"

