

**ORDINANCE # 1190-2018**

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 REPEALING SECTION 12.05.011 SUBSECTION (b) "TRUMAN STREET" THAT DESIGNATED THE UNIMPROVED DEDICATED PUBLIC RIGHT-OF-WAY ON THE NORTH SIDE OF TRUMAN DRIVE WEST 211 FEET TO THE INTERSECTION OF TRUMAN DRIVE AND GUSTAV STREET AS A NO PARKING ZONE IN THE WEST RIVER OAKS ADDITION; 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 formerly recommended and was adopted by the City Council and codified into the River Oaks Code of Ordinances that a "No Parking Zone" be designated along the north side of Truman Drive in the 5400 Block to effectively regulate unforeseen traffic conditions and maintain the fire lane on the south side of the 150-foot unimproved Right-of-Way along the rear of properties described as being Lots 12, 13 and 14 of Block 1 in the West River Oaks Addition and otherwise addressed as 5400 through 5412 River Oaks Blvd. and including 700 Gustav Street; and

**WHEREAS**, with the development Agreement executed on February 14, 2018 between 101 Guardian and the River Oaks Economic Development Corporation, the 50-foot right-of-way on Truman Drive between 5404 River Oaks Blvd to 5412 River Oaks Blvd and including 700 Gustav will be paved for use as a parking lot; and

**WHEREAS**, with the paving as a public parking lot, it necessitates that the No Parking Zone be abolished and that Article 12.05.011 (b) Truman Street" be repealed in its entirety; and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 remove the designation of a "No Parking Zone" on the north side of the approximately 211-foot unimproved Right-of-Way along the rear of properties described as being Lots 12, 13 and 14 of Block 1 in the West River Oaks Addition and otherwise addressed as 5400 through 5412 River Oaks Blvd. and including 700 Gustav Street.

**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 repealing (b) Truman Street and with its repealing of (b) Truman Street; Section 12.05.011 is hereby amended and revised 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.

**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.**

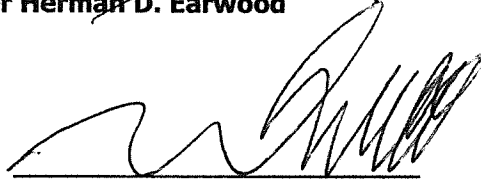
**EFFECTIVE DATE**

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 26th DAY OF JUNE 2018.**

  
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**Mayor Herman D. Earwood**

**ATTEST:**

  
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**Marvin C. Gregory III**  
**City Secretary**  
**City of River Oaks**