

## **ORDINANCE # 1213-2019**

AN ORDINANCE AND FURTHERMORE AMENDING ARTICLE 12.03 "TRAFFIC-CONTROL DEVICES" SPECIFICALLY IN SECTION 12.03.006 "DESIGNATING ONE-WAY STREETS & PARKING ZONES" BY ADDING SUBSECTION (d) "300 BLOCK OF HARRISDALE AVENUE AND 300-BLOCK OF WORTHVIEW DRIVE" PROVIDING FOR TIME LIMIT ONE-WAY VEHICULAR TRAVEL 330-FEET FROM NORTH TO SOUTH ONLY ON SCHOOL DAYS FROM 7:00 A.M. TO 8:30 A.M. AND FROM 3:00 P.M. TO 4:30 P.M. IN THE 300 BLOCK OF HARRISDALE AVENUE AND APPROXIMATELY 270 FEET SOUTH TO NORTH FROM THE INTERSECTION OF BLACKSTONE DRIVE AND WORTHVIEW DRIVE WITHIN THE 50-FOOT RIGHT-OF-WAY TO THE POINT WHERE THE PUBLIC OWNED 300 BLOCK OF WORTHVIEW DRIVE INTERCONNECTS WITH THE ABANDONED AND DEEDED 50-FOOT WORTHVIEW DRIVE RIGHT-OF-WAY TO CASTLEBERRY INDEPENDENT SCHOOL DISTRICT; AMENDING ARTICLE 12.05 "STOPPING, STANDING AND PARKING" SPECIFICALLY IN SECTION 12.05.013 "SPECIAL TIME LIMIT NO PARKING ZONES" BY ADDING SUBSECTION (e) "300-400 CHURCHILL ROAD, 4700-4816 BLACKSTONE DRIVE, 300 BLOCKS OF HARRISDALE AND WORTHVIEW" ESTABLISHING A TIME-LIMIT NO PARKING ZONE ONLY ON SCHOOL DAYS FROM 7:00 A.M. TO 8:30 A.M. AND FROM 3:00 P.M. TO 4:30 P.M. ON THE WEST SIDE OF CHURCHILL ROAD IN THE 300-400 BLOCKS, ALL OF THE 4700 BLOCK THROUGH 4816 BLACKSTONE DRIVE TO ITS INTERSECTION WITH FRONTIER STREET, ALL OF THE 300 BLOCK OF HARRISDALE AVE. FROM ITS INTERSECTION WITH BLACKSTONE DRIVE NORTHWARD 330-FEET TO ITS INTERSECTION WITH SHEAR DRIVE AND APPROXIMATELY 270-FEET OF THE 300 BLOCK OF WORTHVIEW DR. FROM ITS INTERSECTION WITH BLACKSTONE DRIVE NORTHWARD TO THE END OF THE PUBLIC RIGHT-OF-WAY; 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 and the Castleberry Independent School District Police Chief together recommended a traffic plan that in their opinion would help facilitate traffic flow during student drop off and pick up times in and around Irma Marsh Middle School; and

**WHEREAS**, the traffic plan as recommended would prohibit street parking only on school days from 7:00 A.M. until 8:30 A.M. and from 3:00 P.M. until 4:30 P.M. on the city streets of Worthview Drive in the 300 block, Harrisdale Avenue in the 300 block, 4700-4816 Blackstone Drive (both north and south sides to its intersection with Frontier Street) and on the west side in the 300-400 blocks of Churchill Road and would also include that on school days only from 7:00 A.M. until 8:30 A.M. and from 3:00 P.M. until 4:30 P.M. one-way vehicular traffic north to south on the city streets of Worthview Drive in the 300 block and on Harrisdale Avenue in the 300 block; and

**WHEREAS**, the City Council has determined after due and careful consideration that based on the traffic study and recommendation from the Police Chief that the traffic plan involving time limit on street parking and one-way traffic flow out from the Irma Marsh Middle School would in their opinion help facilitate traffic flow and traffic congestion during student pick up and drop off times 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 12.03, "Traffic-Control Devices" of the City of River Oaks Code of Ordinances (2006) with the adoption of this ordinance, adding subsection (d) into Section 12.03.006 "Designating one-way streets and Parking Zones" to now read as follows:

### **"SEC. 12.03.006 "Designating one-way streets and Parking Zones"**

#### **"(a) 5400 Block of Truman Drive.**

- (1) The street from station 1+0.00 (intersection of Yale Street and Truman Drive) east 478 feet to station 1+478.00 (intersection of Truman Drive and Gustav Street) is hereby designated for one-way traffic.
- (2) In accordance with section 12.05.003(a) of the city code (2006) the police chief hereby directs the city public works department to place signs and mark the street designating the 5400 block of Truman Drive from station number 1+0.00 from the intersection of Yale Street with Truman Drive and then eastward another 478 feet on Truman Drive to station number 1+478.00 as plotted on the attached exhibit A to Ordinance 823-09 as being one-way.
- (3) A 16-foot fire lane is established in the 5400 block of Truman Drive from the intersection of Truman Drive and Yale Street (station 1+0.00) 478 feet to the intersection of Truman Drive and Gustav Street (station 1+478.00) as plotted on exhibit A of Ordinance 823-09.
- (4) The north side of the 5400 block of Truman Drive (station 1+0.00) east from the intersection of Yale Street and Truman Drive to the intersection of Gustav Street and Truman Drive (station 1+478.00) is hereby designated as a head in parking zone. For the purpose of this section each space designated for parking shall be a minimum of 9 feet in width and 18 feet in length, plus off-street maneuvering space.

#### **(b) 5200 Block of Ohio Garden Road.**

- (1) The police chief in accordance with section 12.05.003(a) of the city code (2006) hereby directs the city public works department to place signs and mark the 137-foot turning lane from Roberts Cut Off Road northeast to its connection with Ohio Garden Road as plotted on exhibit A of Ordinance 938-2012 as one-way traffic unless otherwise posted by order of the police chief to effectively regulate unforeseen traffic conditions in order to protect the safety of pedestrians and motorist due to vehicular traffic entering and exiting Roberts Cut Off from both directions.
- (2) The police chief in accordance with section 12.05.003(a) of the city code (2006) hereby directs the city public works department to place signs and mark 463 feet of the street of Ohio Garden Road as one-way time limit traffic on school days only from 7:30 a.m. until 8:30 a.m. and from 2:30 p.m. until 3:30 p.m. as plotted on exhibit A of Ordinance 938-2012 unless otherwise posted by order of the police chief to effectively regulate unforeseen traffic conditions in order to protect the safety of the walking pedestrians during school dropoff and pickup times.

**(c) 5100-5200 Blocks of Tulane Avenue.** The police chief in accordance with section 12.05.003(a) of the city code (2006) hereby directs the city public works department to place signs and mark the 5100 and 5200 blocks of Tulane Avenue from the intersection of Roberts Cut Off Road with Tulane Avenue east to the intersection of Merritt Street with Tulane Avenue as one-way time limit traffic on school days only from 7:30 a.m. until 8:30 a.m. and from 2:30 p.m.

until 3:30 p.m. as plotted on exhibit A of Ordinance 938-2012 unless otherwise posted by order of the police chief to effectively regulate unforeseen traffic conditions in order to protect the safety of the walking pedestrians during school drop-off and pickup times.

**(d) 300 Block of Harrisdale Avenue and 300-Block of Worthview Drive.**

(1) The police chief in accordance with section 12.05.003(a) of the city code (2006) hereby directs the city public works department to place signs and mark the **300 block of Harrisdale Avenue** from the intersection of Blackstone Drive north 330-feet to its intersection with Shear Drive as one-way time limit traffic on school days only from 7:00 a.m. until 8:30 a.m. and from 3:00 p.m. until 4:30 p.m. as plotted on Exhibit A of Ordinance 1213-2019 unless otherwise posted by order of the police chief to effectively regulate unforeseen traffic conditions in order to protect the safety of the walking pedestrians during school drop-off and pickup times.

(2) The police chief in accordance with section 12.05.003(a) of the city code (2006) hereby directs the city public works department to place signs and mark the **300 block of Worthview Drive** from the intersection with Blackstone Drive north approximately 270-feet within the 50-foot right-of-way to the point where the public owned 300 block of Worthview Drive interconnects with the abandoned and deeded 50-foot Worthview Drive right-of-way to Castleberry Independent School District as one-way time limit traffic on school days only from 7:00 a.m. until 8:30 a.m. and from 3:00 p.m. until 4:30 p.m. as plotted on exhibit A of Ordinance 1213-2019 unless otherwise posted by order of the police chief to effectively regulate unforeseen traffic conditions in order to protect the safety of the walking pedestrians during school drop-off and pickup times."

**SECTION 2.**

That Article 12.05, "Stopping Standing or Parking" of the City of River Oaks Code of Ordinances (2006) with the adoption of this ordinance, specifically in section 12.05.013 "special time limit no parking zones" by adding subsection (e) "300-400 Churchill Road, 4700-4816 Blackstone Drive, 300 Blocks of Harrisdale and Worthview" into Section 12.05.013 "Special Time Limit No Parking Zones" to now read as follows:

**"(a) 5100 block of Tulane Avenue.**

(1) The street from station 1+85.5 east 178 feet on the south side of the 5100 block of Tulane Avenue to station 3+63.5 is hereby designated as a "special time limit no parking zone" only on school days between the hours of 7:00 a.m. and 4:00 p.m.

(2) In accordance with section 12.05.003(a) of this code the police chief hereby directs the city public works department to place signs and mark the street designating the south side of the 5100 block of Tulane from station number 1+85.5 located 185.5 feet east from the intersection of Roberts Cut Off Road (station 21+92) and Tulane Avenue (station 0+00) and then eastward from station 1+85.5 another 178 feet along the south side of the 5100 block of Tulane Avenue to station number 3+63.5 and as plotted on the attached exhibit A to Ordinance 821-09 as a "no parking zone on school days only between the hours of 7:00 a.m. and 4:00 p.m."

**(b) 5300 block of Baylor Avenue.**

(1) The north side of the 5300 block of Baylor Avenue west 80 feet from the intersection of Baylor Avenue (station number 9+00) with Roberts Cut Off Rd. is hereby designated as a "special time limit no parking zone" only on school days between the hours of 7:00 a.m. and 4:00 p.m.

(2) In accordance with section 12.05.003(a) of this code the police chief hereby directs the city public works department to place signs and mark the street designating the north side of the 5300 block of Baylor Avenue from station number 9+00 located at the intersection of Baylor Avenue (station 9+00) and then westward from station 9+00 another 80 feet along the north side of the 5300 block of Baylor Avenue to station number 8+20 and as plotted on the attached exhibit A to Ordinance 821-09 as a "no parking zone on school days only between the hours of 7:00 a.m. and 4:00 p.m."

**(c) 1100 block of Roberts Cut Off Rd.**

(1) The west side of the 1100 block of Roberts Cut Off Rd. north 85 feet from the intersection of Baylor Avenue (station number 9+00) with Roberts Cut Off Rd. located in the school zone is hereby designated as a "special time limit no parking zone" only on school days between the hours of 7:00 a.m. and 4:00 p.m.

(2) In accordance with section 12.05.003(a) of this code the police chief hereby directs the city public works department to place signs and mark the street designating the west side of the 1100 block of Roberts Cut Off Rd. at the intersection with Baylor Avenue at station number 9+00 and then northward another 85 feet along the west side of the 1100 block of Roberts Cut Off Rd. as located in the school zone and as plotted on the attached exhibit A to Ordinance 822-09 as a "no parking zone on school days only between the hours of 7:00 a.m. and 4:00 p.m."

**(d) 4500-4600 Barbara Road. Intersection of Barbara Road with Isbell Rd. west to the intersection of Barbara Rd. and Churchill Rd.**

(1) From station 41+63 at the intersection of Isbell Road with Barbara Road westward along both sides of Barbara Road in the city to station 37+14 at Springer Road to station 33+95 at Palmetto to stations 30+59 and 23.35 in the intersection of Churchill and Barbara Road for an overall street distance of 1,125 feet designated as a special time limit no parking/no stopping zone for on-street vehicular stopping or parking.

(2) In accordance with this chapter, the police chief hereby directs the city public works department to place signs designating Barbara Road as a special time limit no parking/no stopping zone from 7:00 a.m. until 8:30 a.m. and again from 2:45 p.m. until 3:45 p.m. only on school days.

**(e) 300-400 Churchill Road, 4700-4816 Blackstone Drive, 300 Blocks of Harrisdale Avenue and Worthview Drive.**

(1) From the intersection of Doyle Drive (CISD Street) with Churchill Road southward along the west side of Churchill Road to its intersection with Blackstone Drive designated as a special time limit no parking/no stopping zone for on-street vehicular stopping or parking.

(2) From the intersection of Blackstone Drive with Churchill Road westward along both the north and south sides of Blackstone Drive to its intersection with Frontier Street designated as a special time limit no parking/no stopping zone for on-street vehicular stopping or parking.



(3) From the intersection of Blackstone Drive with Harrisdale Avenue northward 330-feet along both the east and west sides in the 300 block Harrisdale Avenue to its intersection with the Castleberry Independent School District right-of-way on Shear Drive being designated as a special time limit no parking/no stopping zone for on-street vehicular stopping or parking.

(4) From the intersection of Blackstone Drive with Worthview Drive northward approximately 270-feet along both the east and west sides in the 300 block of Worthview Drive to its intersection with the Castleberry Independent School District right-of-way on Worthview Drive being designated as a special time limit no parking/no stopping zone for on-street vehicular stopping or parking.

(5) In accordance with this chapter, the police chief hereby directs the city public works department to place signs designating the 300 to 400 blocks of Churchill Road, 4700 through 4816 Blackstone Drive to its intersection with Frontier Street, 300 blocks of Harrisdale Avenue and Worthview Drive as a special time limit no parking/no stopping zone from 7:00 a.m. until 8:30 a.m. and again from 3:00 p.m. until 4:30 p.m. only on school days."

### **SECTION 3. 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 4. 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 5.**

#### **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 6.**

#### **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 7.**

**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 8.**

**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.

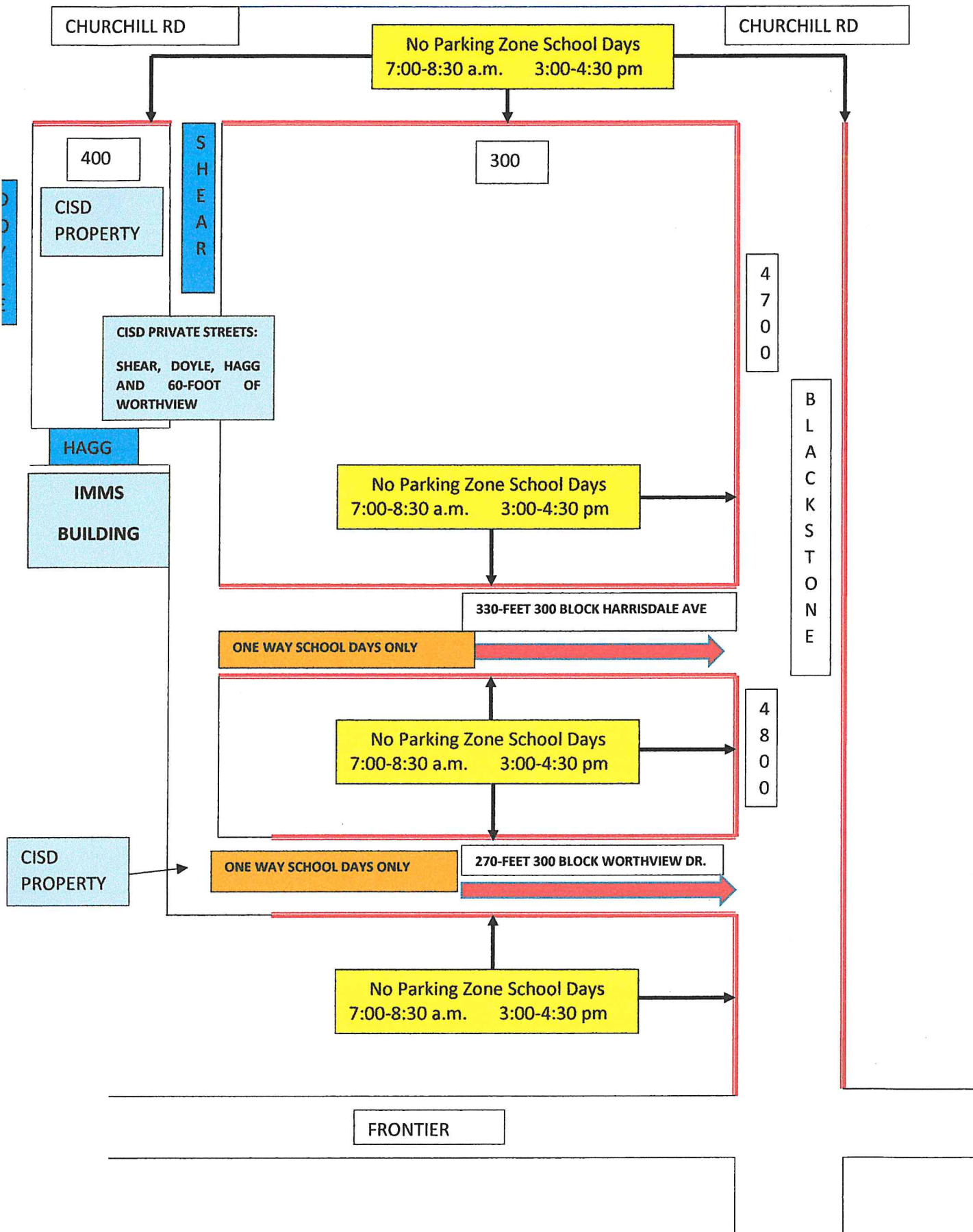
**PASSED AND APPROVED THIS THE 22<sup>nd</sup> DAY OF JANUARY, 2019.**

  
Mayor Herman D. Earwood

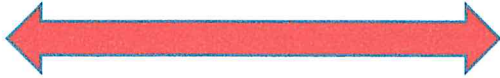
**ATTEST:**

  
Marvin C. Gregory III  
City Secretary  
City of River Oaks

# EXHIBIT "A"



**NO PARKING ZONE**



**SCHOOL DAYS**

**7:00 A.M. TO 8:30 A.M.**

**3:00 P.M. TO 4:30 P.M.**

**ONE WAY**



**SCHOOL DAYS**

**7:00 A.M. TO 8:30 A.M.**

**3:00 P.M. TO 4:30 P.M.**