

## **ORDINANCE # 1214-2019**

AN ORDINANCE AMENDING ARTICLE 12.03 "TRAFFIC-CONTROL DEVICES" SPECIFICALLY IN SECTION 12.03.006 "DESIGNATING ONE-WAY STREETS & PARKING ZONES" SUBSECTION (a) "5400 BLOCK OF TRUMAN DR." EXTENDING ONE-WAY VEHICULAR TRAVEL IN THE 5400 BLOCK OF TRUMAN DRIVE FROM THE INTERSECTION OF TRUMAN DR. AT GUSTAV STREET EAST 235-FEET AND THEN BACK NORTH 339.6 FEET ALONG THE 12.2 FOOT WIDE IMPROVED ALLEY RIGHT-OF-WAY THAT WILL BECOME A ONE LANE EGRESS TERMINATING AT ITS INTERSECTION WITH BLACK OAK LANE AND PROVIDING "DO NOT ENTER" SIGNS AS DESIGNATED BY THE POLICE CHIEF ON THE SOUTH SIDE OF BLACK OAK LANE AT ITS INTERSECTION WITH THE 12.2 FOOT EGRESS RIGHT-OF WAY; ESTABLISHING A 20-FOOT FIRE LANE WITHIN THE TRUMAN DRIVE 50-FOOT RIGHT-OF-WAY AND DESIGNATING HEAD IN PARKING ON THE NORTH SIDE OF THE TRUMAN DRIVE 50-FOOT RIGHT-OF-WAY IN THE REAR OF THE PROPERTIES BEHIND 5404-5412 RIVER OAKS BLVD. AND INCLUDING 700 GUSTAV STREET; 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**, 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 through one-way vehicular travel; and

**WHEREAS**, with the paving as a public parking lot, it necessitates that a one-way street be established from the intersection of Gustav eastward 235-feet to the its interconnection with the 12.2 foot wide alley right of way that will be designated a 339.6 foot single lane egress to allow vehicular traffic to exit on to Black Oak Lane by amending Section 12.03.006 (a) "5400 Block of Truman 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 designate the 5400 Block of Truman Drive east from Gustav Street 235-feet and then north 339.6 feet along the 12.2 foot right-of-way according to the plat recorded in Volume 388 25 in the Tarrant County Deed of Records dated August 29, 1961 as a one-way street and by providing "Do Not Enter" Signs at the locations designated by the Police Chief.

**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) as amended with the adoption of this ordinance, Section 12.03.006 "Designating one-way streets and parking zones" is being revised in Section 12.03.006 (a) "5400 block of Truman Drive" extending one-way vehicular traffic in the 5400 block of Truman Drive 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; and

(5) Secondly, the improved street thoroughfare from the intersection of Gustav Street and Truman Drive east 235-feet to its connection with the 12.2 foot right-of way and then 339.6 feet northward to its intersection with Black Oak Lane is hereby designated for one-way traffic.

(6) 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 the east side of the intersection with Gustav Street in an eastward direction another 235-feet to its interconnection with the 12.2 right-of way and then in a northward direction another 339.6 feet according the plat to its termination at the intersection with Black Oak Lane as being one-way.

(7) A 20-foot fire lane is established in the 5400 block of Truman Drive from the intersection of Truman Drive and Gustav Street eastward 235-feet within the 50-foot wide Right-of-Way as being recorded in the Tarrant County Deed of Records as plotted on exhibit A of Ordinance 1214-2019.

(8) The Police Chief directs the public works department to place "DO NOT ENTER" signs on the south side of Black Oak Lane at its intersection with the 12.2 foot improved egress right-of-way warning vehicular traffic not to enter from Black Oak Lane.

(8) The north side of the 5400 block of Truman Drive east from the intersection of Gustav Street and Truman Drive for 235-feet 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."

**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 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**

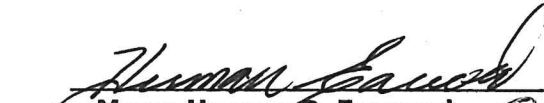
The City Secretary of the City of River Oaks is hereby directed to publish in the official newspaper the caption, savings clause, penalty clause, publication clause and effective date clause of this ordinance one (1) time after the adoption of this ordinance as authorized by Chapter 5, Section 5.02(c)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

### **SECTION 7.**

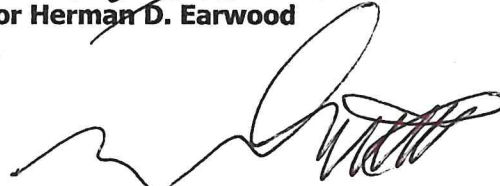
**EFFECTIVE DATE**

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 22<sup>nd</sup> DAY OF JANUARY 2019.**

  
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**Mayor Herman D. Earwood**

**ATTEST:**

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

# EXHIBIT A

