

CITY OF WILLOW PARK

ORDINANCE NO. 430-98

AN ORDINANCE AMENDING CHAPTER 10, ARTICLE 10.700 STOPPING, STANDING, AND PARKING OF THE CODE OF ORDINANCES, CITY OF WILLOW PARK, TEXAS, BY ADDING SECTION 10.707, PRIMA FACIE EVIDENCES OF PARKING VIOLATIONS; AND, TO ADD SECTION 10.708, PARKING PROHIBITED AT ALL TIMES; AND, PROVIDING FOR A PENALTY AND AN EFFECTIVE DATE.

WHEREAS, the City of Willow Park, to protect the public safety and welfare of its citizens exercises police power to regulate various aspects of traffic including parking; and

WHEREAS, Ranch House Road North of Interstate 20 is a heavily traveled and main collector artery of the City of Willow Park; and

WHEREAS, stopping, standing or parking on Ranch House Road or municipal rights-of-way adjacent thereto could endanger vehicular traffic, citizens, and the general public; and

WHEREAS, the City of Willow Park has the right, authority and obligation to control the use of its streets in a safe and reasonable manner, and Ranch House Road has been reasonably classified due to its use as a collector artery.

NOW THEREFORE:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WILLOW PARK, TEXAS:

SECTION 1. AUTHORIZATION

The Mayor, or his designees is hereby authorized and directed to implement the applicable provision of this Ordinance.

SECTION 2. AMENDMENT

Chapter 10, Article 10.700 STOPPING, STANDING, AND PARKING, is amended by adding the below Sections which read as follows:

SECTION 10. 707 PRIMA FACIE EVIDENCE OF PARKING VIOLATIONS

When any person is charged with having parked or left standing a vehicle in any street in the city at a place on the street where parking of vehicles is prohibited, or parking such vehicle in a street in a manner which violates the manner of parking a vehicle is designated, or when parking a vehicle for a length of time in excess of that allowed in the space where the vehicle was parked, proof that the vehicle was, at the date of the offense alleged, owned by the person charged with the offense, shall constitute prima facie evidence that the vehicle was parked or left standing at the place charged by the owner, but the owner shall have the right to introduce evidence to show that the vehicle was not parked by him as charged in the complaint.

SECTION 10.708 PARKING PROHIBITED AT ALL TIMES

(a) The stopping, standing, or parking of vehicles, attended or unattended, is prohibited and is unlawful on the streets and public rights-of-way at the below specified locations:

1. Ranch House Road, both sides, North of Interstate 20.

(b) It shall be an affirmative defense for a driver to temporarily stop for the following purposes:

1. during the actual expeditious loading or unloading of passengers, freight or merchandise;
2. stopping in obedience to traffic regulations, traffic signals or emergency vehicles; or,
3. in compliance with the directions of a peace officer;

- (c) Traffic control signs, installed and used for the purposes of enforcing traffic regulations of this section, may be posted at or near municipal boundary lines or the beginning and ending of the street, as specified above.

SECTION 3. PENALTY

Any person who shall violate this Ordinance shall be guilty of a misdemeanor punishable by a fine of not more than \$200. Each separate occurrence constitutes a violation.

SECTION 4. SEVERABILITY

If for any reason any section, paragraph, subdivision, clause, phrase or provision of this Ordinance shall be held invalid, it shall not affect any valid provisions of this or any other Ordinance of the City of Willow Park to which these rules and regulations relate.

SECTION 5. EFFECTIVE DATE

This Ordinance shall take effect from and after its publication one time in the official publication of the City of Willow Park, Texas, which publication shall contain the captions stating in substance the purpose of this Ordinance and reciting the penalty provision of the Ordinance.

This Ordinance shall take effect from and after the date of its passage.

/s/ Les Cooley

Mayor

ATTEST:

/s/ Hetty Haggard

City Secretary

APPROVED AS TO FORM:

/s/ Rider Scott

City Attorney

The Willow Park City Council in acting on Ordinance No. 430-98, did on the 20th day of October, 1998 vote as follows:

	<u>FOR</u>	<u>AGAINST</u>	<u>ABSTAIN</u>
Les Cooley, Mayor	_____	_____	_____
Gene Martin, Place 1	<u> x </u>	_____	_____
Sam Bertling, Place 2	_____	_____	<u> x </u>
Jim Davis, Place 3	<u> x </u>	_____	_____
Doral Risch, Place 4	<u> x </u>	_____	_____
Gerald Liepert, Place 5	<u> x </u>	_____	_____