

**City Council
Agenda Memo**



**City Council
Meeting Date: November 7, 2013**

TO: Larry D. Gilley, City Manager

FROM: Ken Dozier, Fire Chief

SUBJECT: First Reading of Ordinance Deleting and Replacing Chapter 18, "Motor Vehicles and Traffic," Article X, "Stopping, Standing, Parking," Division 6, "Parking Lots," of the City of Abilene Code of Ordinances; Providing a Severability Clause; Declaring a Penalty; and Calling for a Public Hearing.

GENERAL INFORMATION

Chapter 18, Article X, Division 6, of the City of Abilene Code of Ordinances delineates the uses of enumerated parking in parking lots on City of Abilene facilities. The delineated list is out of date resulting in the inability of the City to enforce designated employee parking at city facilities.

Currently the City Fire Department has concerns about citizens parking for extended periods of time in one of the fire station parking lots. The concerns include lack of spaces for fire personnel to park, particularly during shift change as well as the maneuverability of the fire equipment that has been affected by the parked vehicles.

The attached ordinance will provide a mechanism by which the City of Abilene can enforce the employee parking designations on city facilities when necessary.

FUNDING/FISCAL IMPACT

There is no anticipated fiscal impact.

STAFF RECOMMENDATION

Staff recommends approval.

ATTACHMENTS

Ordinance

Prepared by:

Name: Ken Dozier

Title: Fire Chief

Item No. 6.3

Disposition by City Council

- Approved Ord/Res# _____
- Denied _____
- Other _____

City Secretary

ORDINANCE NO. _____

AN ORDINANCE DELETING CHAPTER 18, "MOTER VEHICLES AND TRAFFIC," ARTICLE X, "STOPPING, STANDING, PARKING," DIVISION 6, "PARKING LOTS," AND REPLACING IT AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; DECLARING A PENALTY; AND CALLING FOR A PUBLIC HEARING.

WHEREAS, Chapter 18 "MOTOR VEHICLES AND TRAFFIC", Article X "STOPPING, STANDING, PARKING", Division 6 "PARKING LOTS", delineates the uses of designated parking lots on City facilities and

WHEREAS, the uses outlined in the ordinance are out of date; and

WHEREAS, as the ordinance is currently written there is no easy enforcement mechanism for employee parking spaces at City facilities;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:

PART 1: That Chapter 18, "Motor Vehicles and Traffic," Article X, "Stopping, Standing, Parking", Division 6 "Parking Lots" be deleted and replaced as set out in Exhibit A.

PART 2: That if the provisions of any section, subsection, paragraph, subdivision or clause of this ordinance shall be adjudged invalid by a court of competent jurisdiction, such judgment shall not effect or invalidate the remainder of any section, subsection, paragraph, subdivision, or clause of this ordinance.

PART 3: That any person, firm, or corporation violating the provisions of this Ordinance, shall be deemed to have committed a misdemeanor, and upon conviction thereof shall be fined in accordance with Chapter 1 (Section 1-9) of this Code.

PART 4: Each day such violation shall continue, or be permitted to continue, shall be deemed a separate offense. Said ordinance, being a penal ordinance, becomes effective ten (10) days after its publication in the newspaper, as provided by Section 19 of the Charter of the City of Abilene.

PASSED ON FIRST READING this 7th day of November, 2013.

A notice of the time and place, where and when said ordinance would be given a public hearing and considered for final passage was published in the Abilene Reporter-News, a daily newspaper of general circulation in the City of Abilene, said publication being on **day** of November, 2013, the same being more than 24 hours prior to a public hearing being held in the Council Chamber of City Hall in Abilene, Texas, at 8:30 a.m. on the 21st day of November, 2013, to permit the public to be heard.

PASSED ON SECOND AND FINAL READING this 21st day of November 2013.

ATTEST:

CITY SECRETARY

MAYOR

APPROVED:

CITY ATTORNEY

ORDINANCE NO. _____

EXHIBIT A

Delete and Replace CHAPTER 18 “MOTER VEHICLES AND TRAFFIC”, ARTICLE X “STOPPING, STANDING, PARKING”, DIVISION 6 “PARKING LOTS” of the Abilene City Code with the following:

CHAPTER 18.

ARTICLE X. STOPPING, STANDING, PARKING

DIVISION 6. PARKING LOTS

Sec. 18-257. City of Abilene Designated Employee Parking

Any parking lot designated by signage as City of Abilene employee parking shall be limited to use solely by vehicles owned and/or operated by the City of Abilene and City of Abilene employees while they are on duty.

Secs. 18-258 –18-263. Reserved.