

AN ORDINANCE AMENDING CHAPTER 18, "MOTOR VEHICLES AND TRAFFIC", OF THE ABILENE MUNICIPAL CODE, BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING A PENALTY.

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

PART 1: That Chapter 18, "Motor Vehicles and Traffic", of the Abilene Municipal Code be amended as set out in Exhibit "A", attached hereto and made a part of this ordinance for all purposes.

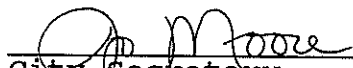
PART 2: That if any provisions of any section of this ordinance shall be held to be void or unconstitutional, such holding shall in no way effect the validity of the remaining provisions or sections of this ordinance, which shall remain in full force and effect.

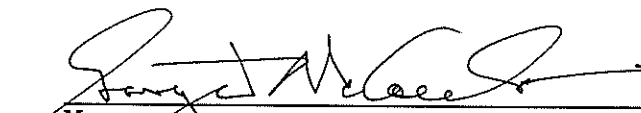
PART 3: That any person, firm, or corporation violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punishable by a fine of not more than Five Hundred Dollars (\$500.00). Each day such violation shall continue or be permitted to 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 23rd day of January, A.D., 1997.

PASSED ON SECOND AND FINAL READING this 13th day of February, A.D., 1997.

ATTEST:

  
\_\_\_\_\_  
City Secretary

  
\_\_\_\_\_  
Mayor

APPROVED:

  
\_\_\_\_\_  
City Attorney

EXHIBIT "A", Continued

PART 6. ADD:

Section 18-235 - Extended Business Stamp Program

- (a) The Extended Business Stamp Program is hereby created to provide a mechanism for addressing first offense exceeding the posted time limit parking violations by customers transacting business in the Tax Increment Financing (TIF) district at the time the citation is issued.
- (b) The Director of Finance is authorized to sell Extended Business Stamps to the owners/managers or their authorized representatives of businesses located in the TIF district. The fee for each Extended Business Stamp shall be established by the Director of Finance.
- (c) The business owners/managers are authorized to issue Extended Business Stamps only to customers transacting business in the TIF district for parking violation citations for first offense exceeding the posted time limit. The business owner/manager shall record on the Stamp sheet the parking violation citation number and other required citation information for each Extended Business Stamp issued. The empty Stamp sheet shall be returned to the City prior to the issuance of a new Stamp sheet.
- (d) When a first offense exceeding the posted time parking violation citation is returned to the Abilene Municipal Court with an Extended Business Stamp affixed, the Extended Business Stamp may be considered as appropriate evidence for dismissal of the citation.
- (e) The business owner/manager may forfeit the privilege to purchase additional Extended Business Stamps if Extended Business Stamps are used in any manner that is contrary to the purpose of the program.

EXHIBIT "A"

PART 1. AMEND SECTION 18-59.3 (a)(3) BY DELETING "or".

PART 2. AMEND SECTION 18-59.3 (a)(4) BY ADDING TO THE END "or".

PART 3. AMEND SECTION 18-59.3 BY ADDING:

(a)(5) Provisions of Section 18-61(e)(2).

PART 4. AMEND SECTION 18-61 (e) TO READ AS FOLLOWS:

(e) If three (3) or more parking citations have not been answered within ten (10) days after date of issuance of the citations, the parking violations bureau shall send to the registered owner of the vehicle to which the citations had been affixed a letter informing the owner that the citations are delinquent and that either or both of the following actions may be taken if the citations have not been answered within ten (10) days of the date of the letter:

(1) The vehicle may be impounded in place by means of an immobilization device or, at the option of the city, towed away to a secure area of impoundment. If the vehicle is towed to a secure impoundment, the owner shall be responsible for towing and storage charges.

(2) The registered owner of the vehicle on the dates which such parking violations occurred may be summoned to appear in the Municipal Court by an order of a hearing officer. Failure to respond to such order may result in further charges including but not limited to failure to appear or a violation of City ordinance. Such charges shall be considered a Class C Misdemeanor charge. Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense.

PART 5. RECODIFY:

Section 18-235 - Parking Signs Required, as Section 18-236.