

Ord no-568

AN ORDINANCE PROVIDING FOR THE REGULATION OF TRAFFIC WITHIN THE CITY LIMITS OF THE CITY OF ABILENE BY THE INSTALLATION OF PARKING METERS; PROVIDING FOR REGULATORY FEES FOR THE USE OF SAME; PROVIDING FOR HOURS OF EFFECTIVE OPERATION; PROHIBITING ALL-DAY PARKING; DEFINING CERTAIN PARKING OFFENSES; PROHIBITING USE OF SLUGS OR TAMPERING WITH OR THE COCKING OF METERS; ESTABLISHING AND REGULATING OF COURTESY BOXES FOR THE PAYMENT OF PENALTIES; REGULATING THE ADVERTISING ON PARKING METERS; ESTABLISHING A SPECIAL PARKING METER FUND AND METHODS OF DISBURSING SAME; PROVIDING FOR PENALTIES; AND DECLARING AN EMERGENCY; AND REPEALING ORDINANCES IN CONFLICT HEREWITH.

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF ABILENE, TEXAS:

SECTION 1: The word "vehicle" as used herein shall mean any device in, upon, or by which any person or property is or may be transported upon a highway, except those operated upon rails or tracks.

SECTION 2: That the City Commission of the City of Abilene, or such officers or employees as they may select or designate, are hereby authorized and instructed to install or place parking meters at such places as may be designated within the limits of the City of Abilene. Such parking meters shall be placed upon the curb along side of or next to the individual parking places to be designated as hereinafter provided. Each parking meter shall be set so as to show or display a signal indicating whether or not the same is in use and indicating when the lawful parking period has expired. Such parking meters may be changed from time to time as may be indicated by the City Commission or the designated agent or employee.

SECTION 3: Such parking meters shall upon the face of the same indicate the period that parking is permitted in the space covered by such meter, and the coin that is to be deposited for said period of time.

SECTION 4: Said parking meters shall be effective from 8:00 o'clock A.M. to 6:00 o'clock P.M. on all days except Sundays and holidays and any special days that may be designated by the City Commission of the City of Abilene, with

the exception of the meters placed for the use of Post Office patrons, which meters shall be effective for a 24-hour period and shall be so designated.

SECTION 5: The following shall constitute a breach of these regulatory measures and shall be punishable by the penalties as herein provided for:

A. Parking in the designated space beyond the time allowed by the parking meter or after the expiration of the legal parking time.

B. Parking of the vehicle in such a position that it shall extend over and beyond the line indicated for the parking zone.

C. Failure to park the vehicle within 18 inches of the curb.

D. Parking of any one vehicle in any one parking area for a period of more than four hours during any day with the exception of the off-street parking lots and other places that may be designated for longer periods of parking.

E. Each hour shall constitute a separate parking offense in the places where there is a one hour parking limit, and each two hours shall constitute a separate parking offense in the places where a two hour limit is provided for, and any extension beyond the designated parking time as indicated on the meter shall be a separate parking offense.

F. Any parking of a vehicle along side a meter while the same indicates that the legal parking time has expired.

SECTION 6: The use of any slugs or attempted use of the same or tampering with in any manner the parking meters <sup>or Courtesy boxes</sup> of the City of Abilene, or any attempt to cock or prevent the parking meter from indicating a true period of time as reflected on the face of the meter, or attempting to clog or in any manner prevent the effective operation of any parking

meter within the city limits of the City of Abilene shall be punishable by the penalty as herein provided for.

SECTION 7: There are hereby established courtesy boxes which shall be painted yellow and shall be placed at such convenient places as may be designated by the City Commission of the City of Abilene, and into which boxes may be placed the fees as indicated on the ticket given to the owner or driver of the vehicle, and the same, if placed in said boxes on the day of the offense, shall constitute full payment for the penalty of parking in an illegal manner. In the event that the offense is not paid for by the deposit of the proper amount in a proper manner in the courtesy box as herein provided for, then the fee shall be that as designated by the Corporation Court Judge of the City of Abilene, which penalty shall be enforced by the issuance of warrants against those persons who have failed or refused to obey the traffic summons issued.

SECTION 8: There shall be no advertising for private purposes placed upon the parking meters, and only such advertising media for municipal purposes shall be placed thereon as designated by the City Commission.

SECTION 9: All funds received under this police regulation from the parking meters as herein described shall be collected and turned over to the City Treasurer to be deposited in a special fund called the "Parking Meter Fund", and shall be expended in the promotion of the safety, well-being, and regulation of the traffic on the streets of Abilene, as may be designated by the City Commission of the City of Abilene.

SECTION 10: Any person, firm or corporation who shall violate or permit, suffer, or allow anyone under his or its control to violate any of the provisions of this ordinance shall be guilty of an offense and upon conviction shall be fined in an amount not to exceed \$100; provided that if the

person in control of the vehicle cannot be determined than the owner of said vehicle shall be primarily liable.

SECTION 11: If any section or provision or part of this ordinance shall be adjudged invalid or unconstitutional by a court of competent jurisdiction, such adjudication shall not affect the validity of the ordinance as a whole or of any section, provision, or part thereof not adjudged invalid or unconstitutional.

SECTION 12: Ordinance No. 12 passed the 17th day of September, 1937, and recorded in Volume 3, page 447 of the City Ordinance Records, entitled:

"An ordinance creating and defining meter zones in the City of Abilene, Texas; providing for the installation, operation and maintenance of mechanical devices to regulate parking in said parking meter zones; providing for the collection of regulatory and inspection fees for the use of such devices; providing for the deposit of such fees by the City Treasurer in a special fund; providing for the method and purpose of disbursement of said fund; making it unlawful to use the streets or portions of the streets so designated for parking except through use of parking meters; defining what act shall be unlawful, and fixing penalties for the violation of the provisions of this ordinance, and repealing all ordinances and parts of ordinances in conflict herewith and declaring an emergency"

shall be and is hereby expressly repealed.

PASSED AT FIRST READING on the 26th day of March, 1954.

After the passage of said ordinance on first reading, it being deemed necessary to pass this ordinance to meet an emergency in accordance with Section 32 of the Charter of the City of Abilene, the rule requiring publication at least one week prior to a public hearing and requiring such hearing, was suspended by vote of four members of the Board of Commissioners, and said ordinance was read and passed on second and final reading on the 26th day of March, 1954.

ATTEST:

Dilazew Martin  
City Secretary

C. E. Gathin  
Mayor

APPROVED AS TO FORM BEFORE PASSAGE:

W. A. Bishop  
Corporation Counsel