ORDINANCE NO. 26–2004

AN ORDINANCE AMENDING CHAPTER 18, "MOTOR VEHICLES AND TRAFFIC" AND CHAPTER 31, "TAXICABS", 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", and Chapter 31, "Taxicabs", 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 persons, 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 9th day of September, A.D., 2004.

PASSED ON SECOND AND FINAL READING this 23rd day of September, A.D., 2004.

ATTEST:

City Secretary

Mayor

APPROVED:

City Attorney

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EXHIBIT A

Chapter 18, Motor Vehicles and Traffic

Section 18-234, Parking Permits for Vehicles Being Used in Construction Activity

DELETE:

(c) No more than two (2) such parking permits shall be issued or in effect at the same time because of work being performed at the same location. The fee for each permit issued shall be one dollar ($1.00) per day except that no fee shall be charged for Saturday and Sunday. Each permit may be issued for a maximum period of thirty (30) calendar days but may be renewed upon application to the Director of Traffic and Transportation provided the conditions set forth in subsection (b) above are met.

ADD:

(c) No more than two (2) such parking permits shall be issued or in effect at the same time because of work being performed at the same location. Each permit may be issued for a maximum period of thirty (30) calendar days but may be renewed upon application to the Director of Traffic and Transportation provided the conditions set forth in subsection (b) above are met. No fee shall be charged for Saturday and Sunday. The fee for each permit issued shall be determined from time to time and placed on file in the City Secretary's office.

Section 18-250, Parking Meter Rates

DELETE:

Parking meter rates shall be as set by the City Council in a "Schedule of Rates and Charges" and on file in the offices of the City Secretary.

ADD:

Parking meter rates shall be determined from time to time and placed on file in the City Secretary's office.

Chapter 31, Taxicabs

ADD:

Section 31-3, Determination of Fees

Fees specified in this chapter shall be determined from time to time and placed on file in City Secretary's office.

Section 31-15, Classifications of License; Fees

DELETE:

The fee for any such license shall be fifty dollars ($50.00). No portion of the fee shall be refunded in the event the license is terminated.

ADD:

Fees shall be determined for each such license. No portion of the fee shall be refunded in the event the license is terminated.

Section 31-37, Fees

DELETE:

The annual fee for either classification of vehicle permit shall be ten dollars ($10.00) per year. Fees for permits issued for less than a full year shall be prorated (except that the minimum fee shall be five dollars ($5.00)). The fee is not refundable in the event the permit is cancelled or revoked prior to expiration. Permit documents, which are lost or destroyed, may be replaced upon payment of a five dollar ($5.00) fee.

ADD:

Fees shall be determined for each classification of vehicle permit. Fees for permits issued for less than a full year shall be prorated. Fees are not refundable in the event the permits are cancelled or revoked prior to expiration. Permit documents, which are lost or destroyed, may be replaced upon payment of a document replacement fee.

Section 31-46, Reinstatement of Suspended Permit; Fee

DELETE:

Vehicle permits suspended because of failure to comply with the requirements of Section 31-38 may be reinstated as soon as the vehicle is brought back into compliance with Section 31-38. Application for such reinstatement shall be made in writing to the Director of Traffic and Transportation on the form provided by the Director of Traffic and Transportation. The nonproratable fee for such reinstatement shall be five dollars ($5.00).

ADD:

Vehicle permits suspended because of failure to comply with the requirements of Section 31-38 may be reinstated as soon as the vehicle is brought back into compliance with Section 31-38. Application for such reinstatement shall be made in writing to the Director of Traffic and Transportation on the form provided by the Director of Traffic and Transportation. Reinstatement requires payment of a nonproratable reinstatement fee.

Section 31-61, Term; Expiration; Renewal

DELETE:

The term of all permits shall be for not more than one (1) year with expiration on January 31. Renewals shall be applied for in the same manner as specified for the original permit. Renewal permits may be issued during the month of January for expiration on January 31 of the following year. Permit documents, which are lost or destroyed, may be replaced upon payment of a five dollar ($5.00) fee.

ADD:

The term of all permits shall be for not more than one (1) year with expiration on January 31. Renewals shall be applied for in the same manner as specified for the original permit. Renewal permits may be issued during the month of January for expiration on January 31 of the following year. Permit documents, which are lost or destroyed, may be replaced upon payment of a document replacement fee.

Section 31-62, Fee

DELETE:

The annual fee for driver's permits shall be ten dollars ($10.00). Fees for permits issued after January 31 shall be prorated except that the minimum fee shall not be less than five dollars ($5.00). No portion of the fee shall be refunded in the event the permit is terminated prior to expiration.

ADD:

Fees for driver's permits shall be determined. Fees for permits issued after January 31 shall be prorated. No portion of the fee shall be refunded in the event the permit is terminated prior to expiration.