

ORDINANCE NO. 2021-18

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF TOMBALL, TEXAS, SECTION 44-164, PARKING RESTRICTED ON CERTAIN STREETS, OF DIVISION 2, PROHIBITED. RESTRICTED ON CERTAIN STREETS, OF ARTICLE V, STOPPING, STANDING AND PARKING, OF CHAPTER 44, TRAFFIC AND VEHICLES, ESTABLISHING A “NO PARKING, STOPPING OR STANDING” ZONE ON BUCKINGHAM DRIVE BEGINNING AT THE INTERSECTION OF QUINN ROAD AND EXTENDING THROUGH ITS ENTIRETY APPROXIMATELY FIVE HUNDRED THIRTY (530) FEET; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$200 FOR EACH VIOLATION HEREOF; AND PROVIDING FOR SEVERABILITY; AND MAKING FINDINGS RELATED THERETO.

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WHEREAS, the City Council of the City of Tomball has determined that it is in the best interest of the health, safety and welfare of its citizens and the public as a whole, to establish the “No Parking, Stopping and Standing” zone specified in this ordinance;

WHEREAS, the City desires to prohibit parking stopping or standing on street designated below;
and

WHEREAS, the City Council wishes to effectuate the changes described in this ordinance as soon as possible; now, therefore,

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

Section 1. The facts and matters contained in the preamble of this Ordinance are hereby found to be true and correct.

Section 2. The City Council has determined that a “No Parking, Stopping or Standing” zone should be established on Buckingham Drive beginning at the intersection of Quinn Road and continuing through its entirety approximately five hundred thirty (530) feet and the necessary traffic control signage altered or implemented to effectuate the establishment of the “No Parking, Stopping or Standing” zone. The hours of the “No Parking, Stopping or Standing” zone shall be Monday through Friday, 7:00 a.m. to 4:00 p.m.

Section 3. The Code of Ordinances of the City of Tomball, Texas, Section 44-164 is amended by the deletion of the language struckthrough below and the addition of the language underscored below, the revised Section 44-164 to read as follows:

“Sec. 44-164. Parking restricted on certain streets.

~~When signs are erected in each block giving notice thereof, no person shall park a vehicle between the hours specified by ordinance on any day, except Sundays and public holidays, within the district or upon any of the streets described by ordinance.~~

It shall be unlawful for any person to park, stop or stand along Buckingham Drive beginning at its intersection with Quinn Road and continuing for its entirety approximately five hundred thirty (530) feet Monday through Friday from 7:00 a.m. to 4:00 p.m.”

Section 4. The Director of Public Works is directed to erect and place signs designating the above area as a “No Parking, Stopping or Standing” area and designating the days and hours of such “No Parking, Stopping, or Standing” area.

Section 5. Any person who shall intentionally, knowingly, recklessly, or with criminal negligence, violate any provision of this Ordinance, shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined in an amount not to exceed \$200. Each violation shall constitute a separate offense.

Section 6. In the event any clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Tomball, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

Section 7. This Ordinance shall take effect immediately from and after its passage and the publication of the caption hereof, as provided by law.

FIRST READING:

READ, PASSED, AND APPROVED AS SET OUT BELOW AT THE MEETING OF THE CITY COUNCIL OF THE CITY OF TOMBALL HELD ON THE 3RD DAY OF MAY 2021.

COUNCILMAN FORD	<u>AYE</u>
COUNCILMAN STOLL	<u>AYE</u>
COUNCILMAN DEGGES	<u>AYE</u>
COUNCILMAN TOWNSEND	<u>AYE</u>
COUNCILMAN KLEIN QUINN	<u>AYE</u>

SECOND READING:

READ, PASSED, AND APPROVED AS SET OUT BELOW AT THE MEETING OF THE CITY COUNCIL OF THE CITY OF TOMBALL HELD ON THE 17TH DAY OF MAY 2021.

COUNCILMAN FORD	<u>AYE</u>
COUNCILMAN STOLL	<u>AYE</u>
COUNCILMAN DEGGES	<u>AYE</u>
COUNCILMAN TOWNSEND	<u>AYE</u>
COUNCILMAN KLEIN QUINN	<u>AYE</u>

Gretchen Fagan
Gretchen Fagan, Mayor

ATTEST:

Doris Speer
Doris Speer, City Secretary