

CITY OF HACKBERRY

ORDINANCE NO. 235-15

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HACKBERRY, TEXAS REPEALING ORDINANCE NO. 172-08; AMENDING ARTICLE 3.0, C, 9 “PARKING” OF ORDINANCE NO. 207-11; PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED THE SUM OF FIVE HUNDRED DOLLARS (\$500); PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Hackberry, Texas (the “City”) is a General Law City located in Denton County, Texas and is a Type A municipality organized under the laws of the State of Texas; and

WHEREAS, the City Council of the City (“City Council”) has investigated and determined that the parking of vehicles on City streets and within the open storm water drainage and bar ditches creates a public safety concern for the City and the public health, safety and welfare of the citizens;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HACKBERRY, DENTON COUNTY, TEXAS;

ARTICLE I – REPEALING ORDINANCE NO. 172-08

All provisions of the ordinances of the City of Hackberry, including but not limited to, Ordinance Number 172-08, in conflict with the provisions of this Ordinance are hereby repealed, and all other provisions of the ordinances of the City of Hackberry not in conflict with the provisions of this ordinance shall remain in full force and effect.

ARTICLE II – AMENDING ORDINANCE NO. 207-11, ARTICLE 3.0, C, 9 “PARKING”

Section 1.

Article 3.0, C, 9 of Ordinance 207-11 shall read:

Parking: There shall be provided, in connection with every use permitted, off street parking spaces in accordance with the provisions of Article 4.3. All buildings shall be provided with an area adequate to meet the off-street parking requirements. No on street parking, no parking within open storm water drainage, and no parking within a bar ditch is allowed in the City of Hackberry. Authorized City personnel may issue a citation for illegally parked vehicles or have illegally parked vehicles towed and impounded at the owner’s expense.

ARTICLE II – PENALTY

Any person, firm, or corporation violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction in the municipal court of the City of Hackberry, Texas, shall be subject to a fine not to exceed the sum of Five Hundred (\$500.00) Dollars for each offense, and each and every day said violation is continued shall constitute a separate offense.

ARTICLE III - SEVERABILITY

That the sections, paragraphs, sentences, phrases, clauses and words of this Ordinance are severable, and if any section, paragraph, sentence, phrase, clause or word or provision in this Ordinance or the application thereof to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this Ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the Ordinance without the invalid parts and to this end the provisions of this Ordinance shall remain in full force and effect.

ARTICLE IV - SAVINGS

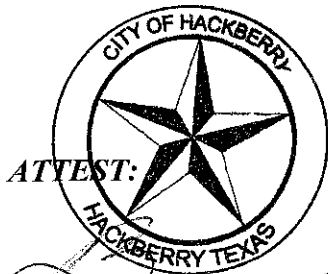
That this Ordinance amends portions of Ordinance No. 207-11 and does not repeal any of the provisions of Ordinance No. 207-11 except in those instances where the provisions of the Ordinance is in direct conflict with the provisions of this Ordinance.


ARTICLE V - EFFECTIVE DATE

This Ordinance shall take effect immediately from and after its passage and publication of the caption, as the law in such cases provide.

PASSED AND APPROVED BY THE CITY OF HACKBERRY, DENTON COUNTY, TEXAS, this 10th day of November, 2015.


Ronald Austin, Mayor




Brenda Lewallen, City Secretary

*Ordinance No. 235-15
Repealing Ord. No. 172-08 and Amending Article 3.7, C, 9 "Parking" of Ordinance No. 207-11*