

ORDINANCE 2024 – 05 - 03

AN ORDINANCE OF THE CITY OF COMMERCE, TEXAS, AMENDING ORDINANCE 2022-12 WHICH AMENDED CHAPTER 90 “TRAFFIC AND VEHICLES”, ARTICLE V “STOPPING, STANDING, AND PARKING”, DIVISION I “GENERALLY”, SECTION 90-101 “TRAFFIC PARKING SYSTEM; MAPS; UNAUTHORIZED PARKING”, SUBSECTIONS 90-101(a)(2) “TRAFFIC PARKING SYSTEM” AND 90-101(a)(3) “TRAFFIC NO PARKING MAP ADOPTED” OF THE CODE OF ORDINANCES OF THE CITY TO AMEND THE TRAFFIC PARKING MAP AND TRAFFIC NO PARKING MAP ADOPTED BY THE CITY COUNCIL; PROVIDING AN AMENDMENT TO DESIGNATE A NO-PARKING ZONE ON BOTH SIDES OF SYCAMORE STREET BEGINNING AT PARK STREET ON THE NORTH SIDE, AND ON THE SOUTH SIDE, CONTINUING EAST TO THE RAILROAD TRACKS; PROVIDING FOR UPDATED MAPS; PROVIDING A REPEALER, SEVERABILITY, AND SAVINGS CLAUSE; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED FIVE HUNDRED DOLLARS (\$500.00) FOR EACH OFFENSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Commerce has determined that it is advantageous, beneficial, and in the best interest of the City and its citizens to adopt the parking regulations set forth herein; and

WHEREAS, the City Council previously adopted an ordinance provision codified at Chapter 90, “Traffic and Vehicles”, Article V, “Stopping, Standing, and Parking”, Division 1 “Generally”, Section 95-101 “Traffic parking system; maps; unauthorized parking”, which adopts an official traffic parking map and an official traffic no parking map establishing locations within the City for parking spaces and prohibited parking areas; and

WHEREAS, the City previously adopted in October of 2022 a “No Parking” Ordinance for Sycamore which excluded the property directly in front of 1011 Sycamore; and

WHEREAS, since the adoption of Ordinance 2022-12, emergency personnel and staff have observed that vehicles traveling north on Park Street from Culver, will turn right to head east bound on Sycamore Street and with cars parked on the northwest corner of Sycamore, the view is obstructed of oncoming traffic and presents a traffic and safety hazard that is a risk to the community; and

WHEREAS, the Board of Adjustments met on March 19, 2024 and granted a variance to setback requirements for the property located at 1011 Sycamore which will allow for off-street parking in the front-yard and will allow for two parallel parking spots at this property address; and

WHEREAS, that the Traffic No-Parking Map adopted in Section 90-101 of the Code of Ordinances of the City of Commerce, Texas, be amended to include the following No-Parking Area:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COMMERCE, TEXAS:

SECTION 1. INCORPORATION OF PREMISES. The above and foregoing premises are true and correct and are incorporated herein and made a part hereof for all purposes.

SECTION 2. AMENDMENT.

- (1) The official Parking Map adopted by Chapter 90, "Traffic and Vehicles", Article V, "Stopping, Standing, and Parking", Division 1 "Generally", Section 90-101(a)(2) "Traffic parking system; maps; unauthorized parking", subsection 90-101(a)(2) "Traffic parking map adopted", is hereby amended to remove the following areas from the parking map:
 - (a) Both sides of Sycamore Street, beginning at Park Street on the north side and on the south side, continuing east to the railroad tracks.
- (2) The official No Parking Map adopted by Chapter 90, "Traffic and Vehicles", Article V, "Stopping, Standing, and Parking", Division 1 "Generally", Section 90-101, "Traffic parking system; maps; unauthorized parking", subsection 90-101(a)(3) "Traffic no parking map adopted", is hereby amended to reflect:
 - (a) The designation of a "no-parking" zone along Both sides of Sycamore Street, beginning at Park Street on the north side, and the south side, and continuing east on both sides of Sycamore Street to the railroad track.

SECTION 3. UPDATED MAPS. Upon final adoption of this Ordinance, the City Secretary shall cause the official No Parking Map and the official Parking Map to be updated to reflect the amendments set forth in Section 2 hereof, and those amended maps shall supersede any and all maps previously adopted.

SECTION 4. PENALTY. Any person violating any of the provisions of this ordinance shall be guilty of a Class "C" misdemeanor, and upon conviction shall be fined in any sum not to exceed \$500.00 for each offense, and a separate offense shall be deemed committed upon each day during or on which a violation occurs or continues.

SECTION 5. SAVINGS AND REPEALING CLAUSE. This Ordinance shall be cumulative of all other Ordinances and shall not repeal any of the provisions of such Ordinances except for those instances where there are direct conflicts with the provisions of this Ordinance. Ordinances or parts thereof in force at the time this Ordinance shall take effect and that are inconsistent with this Ordinance are hereby repealed to the extent that they are inconsistent with this Ordinance. Provided however, that any complaint, action, claim or lawsuit which has been initiated or has arisen under or pursuant to such Ordinance on the date of adoption of this Ordinance shall continue to be governed by the provisions of that Ordinance and for that purpose the Ordinance shall remain in full force and effect.

SECTION 6. SEVERABILITY. If any section, subsection, clause, phrase or provision of this Ordinance, or any application thereof to any person or circumstance, shall to any extent be held by a court of competent jurisdiction to be invalid, void or unconstitutional, the remaining sections, subsections, clauses, phrases and provisions of this Ordinance, or any application thereof to any person or circumstance, shall remain in full force and effect and shall in no way be affected, impaired or invalidated.

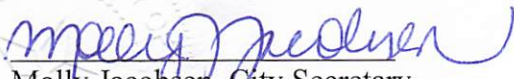
SECTION 7. EFFECTIVE DATE. This Ordinance shall become effective immediately upon its passage and publication of its Caption as required by law and Charter.

PASSED AND APPROVED on its **FIRST READING** at a regular meeting of the City Council of the City of Commerce, Texas on this the 16th day of April 2024.

PASSED AND APPROVED on its **SECOND READING** at a regular meeting of the City Council of the City of Commerce, Texas on this the 21st day of May 2024.

ATTEST:

CITY OF COMMERCE, TEXAS:


Molly Jacobsen, City Secretary
(Seal)


Teddy Reel, Mayor

APPROVED AS TO FORM:


Charles Anderson, City Attorney

I, Molly Jacobsen, City Secretary of the City of Commerce, Texas, do hereby certify that the above is a true and correct copy of an Ordinance, and that the same has not been repealed and is in full force and effect.

(seal)


Molly Jacobsen, City Secretary
City of Commerce

“Exhibit A”

