

(Motion was made by Councilman Cloyd, and seconded by Councilwoman
Vaja, that the following Ordinance be passed:)

NO.

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AN ORDINANCE DESIGNATING NO PARKING AREAS UPON THE PUBLIC STREETS, ROADWAYS AND OTHER THOROUGHFARES IN THE CITY OF MAGNOLIA, TEXAS; DESIGNATING THE LOCATION OF "NO PARKING" SIGNS; PROVIDING VIOLATION FOR DAMAGE TO SIGNS; USING STREETS FOR STORAGE AREA; MISCELLANEOUS PROVISIONS; FIXING PENALTY FOR VIOLATIONS; PROVIDING PRIMA FACIE RESPONSIBILITY FOR ILLEGAL PARKING; PROVIDING FOR A SAVINGS CLAUSE; AND DECLARING AN EMERGENCY AND PROVIDING THAT THIS ORDINANCE SHOULD BE EFFECTIVE FROM AND AFTER ITS PASSAGE.

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

ARTICLE 1.

Location of "No Parking" Signs Upon Streets

Section 1. Council to Determine Character and Location of Signs

- a. The City Council shall, by resolution, determine and designate the character or type of all official traffic signs and signals, and shall designate the location on which same shall be installed.
- b. Subject to this selection, the City Police Chief is hereby authorized to place "No Parking" signs as designated by City Council, and it shall be his duty, to place and maintain such "No Parking" signs. All "No Parking" signs required hereunder shall, sofar as is practical, be uniform as to type and location through the Town.

Section 2.

- A. The City Council hereby selects and designates that appropriate signs for "No Parking" at any time shall be placed on either side of the following streets: (See Addendum 1 attached hereto and incorporated herein for all purposes).

ARTICLE 2.

Standing, Parking and Stopping

Section 1. Stopping Prohibited in Specified Places

It shall be unlawful for the operator of a vehicle to stop, stand, or park such vehicle in any of the following places, except when necessary to avoid conflict with other traffic or in compliance with the directions of the Chief of Police or his assistants, or traffic control sign or signal:

- a. In the center of the street.
- b. Within a street intersection.

- c. On a crosswalk.
- d. Upon a bridge, and the approach thereto.
- e. Within twenty-five (25) feet from the intersection of curb lines, or, if none, then within fifteen (15) feet of the intersections of property lines at an intersection, except at alleys.
- f. Within ten (10) feet of any fire hydrant.
- g. In front of any private driveway, except with the consent of the owner, or directly across the street from a private driveway in a manner that prohibits or limits access to that driveway.
- h. On a sidewalk.
- i. Alongside or opposite any street excavation or obstruction when such stopping, standing or parking would obstruct traffic.
- j. At any places where official traffic signs have been erected prohibiting standing and parking.
- k. On the roadway beside any vehicle stopped or parked at the right hand edge or curb of a street. It is the intention of this paragraph to prohibit what is commonly known as double-line parking.
- l. Within reserved zones.

ARTICLE 3

Using Streets for Storage Area

It shall be unlawful for any operator, individual, person or concern to use any street, alleyway or other property owned or controlled by the City of Magnolia, Texas, for storage purposes.

ARTICLE 4

Miscellaneous Provisions

Section 1. Motor Vehicles Left Unattended, Brakes to be Set and Engine Stopped.

No person having control or charge of any motor vehicle shall allow such vehicle to stand on any street without first setting the brakes thereon and stopping the motor of said vehicle, and when standing upon an acceptable grade, without turning the front wheels of such vehicle to the curb or the side of the street or highway.

Section 2. Traffic Not to be Obstructed

No vehicle shall be operated or allowed to remain upon any street in such manner as to form an unreasonable obstruction to traffic thereon.

Section 3. No Through Truck Traffic

No trucks with dual axels or trucks with trailers shall be allowed to use or travel those streets and roadways of the City of Magnolia, Texas, as designated herein in Addendum 2. All traffic making bonafide deliveries or pickups into the City of Magnolia, Texas and trucks or trucks with trailers carrying farm equipment or livestock are hereby accepted from the foregoing provision.

ARTICLE 5

Penalties

Section 1.

Any person or persons violating the provision of this Ordinance shall be guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine not to exceed \$100.

Section 2. Other Prima Facie Responsible for Illegal Parking

If any vehicle is found upon the street as herein set out, in violation of the provisions of this Ordinance regulating the stopping, standing or parking of vehicles on the streets herein described, and identity of the operator cannot be determined, the owner, or person in whose name such vehicle is registered, shall be held prima facie responsible for such violation.

ARTICLE 6

EMERGENCY

Whereas, on account of the traffic safety necessitating the passage of this Ordinance, an emergency is created in behalf of the public peace, health, safety and general welfare necessitating that this Ordinance become effective at once, and it is accordingly ordained that the Ordinance become effective immediately upon its passage.

PASSED AND APPROVED this the 12th day of August,

1980.

ATTEST:

CITY OF MAGNOLIA

By: Walter A. LeDoux

By: Cathy Jewell
City Secretary

APPROVED AS TO FORM:
Richie Field
J. Richie Field, City Attorney