

Ordinance #2007 - 11

ORDINANCE OF THE CITY OF RIESEL, TEXAS PROHIBITING THE PARKING OR STANDING OF VEHICLES ON THE TRAVEL LANES, IMPROVED SHOULDERS, OR PAVED TURN LANES OF CERTAIN PORTIONS OF STATE HIGHWAY 6, PROVIDING FOR THE ERECTION OF SIGNS, DECLARING VIOLATION AN OFFENSE (MISDEMEANOR), PROVIDING FOR A PENALTY NOT TO EXCEED \$500.00, REPEALING CONFLICTING ORDINANCES, PROVIDING FOR PUBLICATION AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to Chapter 542, Subchapter B of the Transportation Code, the City Council of the City of Riesel has authority to enact an ordinance or ordinances regulating the standing or parking of a vehicle on State Highway 6, and

WHEREAS, the City of Council is likewise authorized to pass regulations regarding standing or parking of vehicles on its streets, and

WHEREAS, the general health, safety, and welfare of the citizens of Riesel and the traveling public would be best served by the enactment of this Ordinance, as the parking or standing of vehicles in the areas regulated by this Ordinance impairs the sight distance of persons entering Highway 6, and otherwise creates potential dangers.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RIESEL, McLENNAN COUNTY, TEXAS THAT:

1. No person shall park or leave standing an attended or unattended vehicle, or any portion of a attended or unattended vehicle, on the travel lanes, improved shoulders, or paved turn lanes of State Highway 6 within the City limits of the City of Riesel at the following locations:

State Highway 6 from a point beginning on the Westbound Side of the divided portion State Highway 6 from a point of Charles Street and continuing South or East on State Highway 6 toward the City of Marlin to a point 900 feet East or South of Old Time Road on State Highway 6 and from a point beginning at Charles Street on the East or Southbound Side of the divided portion of State Highway 6 continuing South or East to a point 1400 feet South or East of Charles Street toward the City of Marlin.

2. Violation of this Ordinance shall be a offense (misdemeanor) punishable by a fine not to exceed \$500.00. It shall be a defense to prosecution under this Ordinance that the vehicle is disabled due to mechanical failure and it is impossible to avoid standing and leaving the vehicle temporarily in a prohibited area, or where a medical emergency has resulted in the necessity of temporary parking or standing of a vehicle in a prohibited area. Furthermore, emergency response vehicles and law enforcement vehicles are exempted from this Ordinance.

3. The Chief of Police is directed to erect the necessary signs prohibiting the parking or standing of vehicles as set forth above. Said signs must meet Texas Department of Transportation Standards and be located in coordination with the Texas Department of Transportation when placed in State Right-of-Way.

4. This Ordinance shall operate to repeal any provisions of any other ordinances, or portions thereof, to the extent such are in conflict with the provisions of this Ordinance.

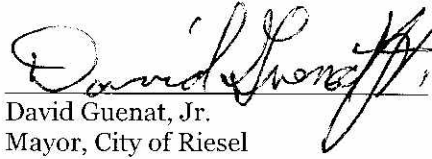
5. If any section, subsection, sentence, or clause of this Ordinance is for any reason held to be unconstitutional or unlawful, such decision shall not affect the validity of the remaining portions of this Ordinance, and all the remainder of this Ordinance not so declared to be invalid shall continue to be in full force and effect.

Ordinance #2007 - 11

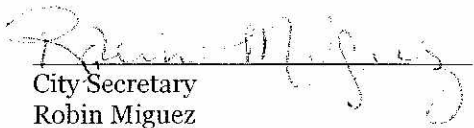
6. The City Secretary is directed to publish this Ordinance in the official City newspaper, and this Ordinance shall become effective upon passage and publication.

7. The fact that parking or standing vehicles in the manner prohibited herein creates a significant danger to the traveling public and interferes with travel creates an urgent necessity requiring that this Ordinance be passed without the necessity of any further proceedings thereon.

ENACTED BY THE RIESEL CITY COUNCIL on this 4th day of December, 2007, on the Motion of David Ross, and the second of Katherine Bode, by a vote of 4 AYES to 0 Nays.


David Guenat, Jr.
Mayor, City of Riesel

Attested:


City Secretary
Robin Miguez