

## Proposed Ordinance Amendments on Prohibited Parking

### Purpose:

--The MVPD Chief of Police has requested that there be no parking along the north side of Smithdale Road from the intersection at Hedwig Road to Oak Lane, so that morning and afternoon carpool can run more efficiently and safely.

--The actual times of the "No Parking" Zone will need to be confirmed with both the Chief and the MDE School Principal prior to the public hearings.

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### Chapter 46 –Streets, Sidewalks & Other Public Places

#### Sec. 46-33. Prohibited Parking.

- (a) It shall be unlawful for any person, having registered in his name or owning or operating or having charge of any vehicle, to allow or permit the same to be parked or stopped upon Magnolia Circle between the hours of 7:00 a.m. and 4:00 p.m., Monday through Friday, except on school holidays and when school is not in session, when signs are in place giving notice of such prohibition ("No Parking Zones").
- (b) It shall be unlawful for any person, having registered in his name or owning or operating or having charge of any vehicle, to allow or permit the same to be parked or stopped upon Smithdale between the hours of 7:00 a.m. and 8:30 a.m., and between 2:00 p.m. and 3:30 p.m., Monday through Friday, except on school holidays and when school is not in session, when signs are in place giving notice of such prohibition ("No Parking Zones").
- (b) It is presumed that the registered owner of the motor vehicle is the person who parked or stopped the vehicle at the time and place of the offense charged; and the state department of motor vehicles' computer-generated record of the registered vehicle owner is prima facie evidence of the contents of the record.

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY OF PINEY POINT VILLAGE, TEXAS, AMENDING CHAPTER 46, ARTICLE II. OF THE CODE OF ORDINANCES REGARDING PROHIBITED PARKING IN THE AREA OF MEMORIAL DRIVE ELEMENTARY SCHOOL.**

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**WHEREAS**, the regulations established in the Code of Ordinances have been made in accordance with a comprehensive plan for the purpose of promoting the health, safety and general welfare of the city and its inhabitants; and

**WHEREAS**, such regulations have been designed to ensure safety and effective traffic flow on streets, sidewalks and other public places; and

**WHEREAS**, pursuant to Section 2-63 of the Piney Point Village Code of Ordinances, the City Council of the City of Piney Point Village, Texas has requested the Planning and Zoning Commission of the City of Piney Point Village, Texas hold a public hearing to consider possible amendments to Section 46-33 of the Piney Point Village Code of Ordinances regarding prohibited parking in the area of Memorial Drive Elementary School; and

**WHEREAS**, pursuant to Section 74-98 of the Piney Point Village Code of Ordinances, the Planning and Zoning Commission of Piney Point Village, Texas held a public hearing and submitted its written recommendation to the City Council of the City of Piney Point Village, Texas concerning possible amendments to Section 46-33 of the Piney Point Village Code of Ordinances regarding prohibited parking in the area of Memorial Drive Elementary School; and

**WHEREAS**, the City Council of the City of Piney Point Village, Texas, has concluded that amendments should be made to possible amendments to Section 46-33 of the Piney Point Village Code of Ordinances regarding prohibited parking in the area of Memorial Drive Elementary School.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PINEY POINT VILLAGE, TEXAS, THAT:**

**Section 1.** The recitals set forth above are found to be true and correct and are adopted as the findings of fact of the City.

**Section 2.** **Chapter 46, Article II., Section 46-33 -Prohibited Parking** of the Code of Ordinances of the City of Piney Point Village, Texas, is hereby amended to read as set out in Appendix A, attached hereto.

**Section 3.** All other portions of the Piney Point Village Planning and Zoning Code not specifically amended hereby remain in full force and effect.

**Section 4.** All ordinances and parts of ordinances in conflict with this Ordinance are repealed to the extent of the conflict only.

**Section 5.** If any word, phrase, clause, sentence, paragraph, section or other part of this Ordinance or the application thereof to any person or circumstance, shall ever be held to be invalid or unconstitutional by any court of competent jurisdiction, neither the remainder of this Ordinance, nor the application of such word, phrase, clause, sentence, paragraph, section or other part of this Ordinance to any other persons or circumstances, shall be affected thereby.

**Section 6.** The City Council officially finds, determines and declares that a sufficient written notice of the date, hour, place and subject of each meeting at which this Ordinance was discussed, considered or acted upon was given in the manner required by the Texas Open Meetings Act, as amended, and that each such meeting has been open to the public as required by law at all times during such discussion, consideration and action. The City Council ratifies, approves and confirms such notices and the contents and posting thereof.

PASSED, APPROVED, AND RESOLVED this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

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Aliza Dutt  
Mayor

Attest:

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Robert Pennington  
City Administrator / City Secretary

## ATTACHMENT A

### Chapter 46

#### Article II.

#### Section 46-33 -Prohibited Parking

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