

ORDINANCE NO. 19-011

AN ORDINANCE OF THE CITY OF GALVESTON, TEXAS, AMENDING “THE CODE OF THE CITY OF GALVESTON 1982, AS AMENDED,” CHAPTER 20.5 “MARDI GRAS” BY ALLOWING OVERNIGHT PARKING AND/OR OVERNIGHT CAMPING ON SEAWALL BLVD DURING THE FIRST WEEKEND OF MARDI GRAS; INCREASING THE PARKING FINE PROVISION FROM FIFTY (\$50.00) DOLLARS TO TWO HUNDRED AND FIFTY (\$250.00) DOLLARS (PER NIGHT), FOR OVERNIGHT PARKING VIOLATIONS DURING THE PRECEDING MONDAY THROUGH THURSDAY OF THE FIRST WEEKEND OF MARDI GRAS AND THE FOLLOWING SUNDAY THROUGH THURSDAY OF THE FINAL WEEK OF MARDI GRAS; REPEALING ALL OTHER ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; MAKING VARIOUS FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on December 18, 1986, the City Council adopted Ordinance No. 86-70 creating a new chapter of the City Code setting forth rules and regulations for the annual Mardi Gras events; and,

WHEREAS, the Galveston Mardi Gras events period is defined as the twenty (20) day period immediately preceding Ash Wednesday of each year. The Mardi Gras celebration traditionally attracts more than 250,000 visitors each year to Galveston and there is a need to afford for accommodation of those many visitors during the Mardi Gras events; and,

WHEREAS, in the past islanders and some out of town guests would park on Seawall Blvd. prior to the onset of the first weekend parades which would involve overnight parking and/or overnight camping; and,

WHEREAS, allowing overnight parking and/or overnight camping on Seawall Boulevard during the first weekend of the Mardi Gras events would encourage and assist visitors in participating in this spectacular event which increases tourism in Galveston; and,

WHEREAS, Staff recommends an amendment to allow overnight parking and/or overnight camping on Seawall Boulevard during the first weekend of the Mardi Gras event; and,

WHEREAS, during the Monday to Thursday of the preceding week of the first weekend of Mardi Gras and the following Sunday through Thursday of the final week of Mardi Gras there is a noticeable increase in overnight parking violations. Overnight parking violators hinder the ability of the City to properly maintain the Seawall Blvd. area of trash, debris and abandoned materials. In addition, overnight parking violators fail to move their vehicles in order to keep and/or “reserve” a spot for the Mardi Gras weekend events; and,

WHEREAS, Staff recommends an increase in the overnight parking violation fine from Fifty (\$50.00) Dollars to Two Hundred and Fifty (\$250.00) Dollars during the Monday to Thursday of the preceding week of the first weekend of Mardi Gras and the following Sunday through Thursday of the final week of Mardi Gras, in order to properly maintain the Seawall Blvd.,

to decrease trash, debris and abandoned materials and to deter and discourage “reservation” of spots for the Mardi Gras festivities; and,

WHEREAS, this amendment will not affect parking regulations other than the allowance of overnight parking and/or overnight camping on Seawall Blvd, and the increased fine as provided in section 2 below; and,

WHEREAS, the City Council of the City of Galveston, Texas, deems it in the public interest to amend Chapter 20.5, “**MARDI GRAS**” of “The Code of The City of Galveston 1982, as amended, to provide for overnight parking and/or overnight camping on Seawall Boulevard as provided in Section 2 of this Ordinance below.

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

SECTION 1. The findings and recitations set out in the preamble to this Ordinance are found to be true and correct and they are hereby adopted by the City Council and made a part hereof for all purposes.

SECTION 2. Section 20.5 “Mardi Gras” of “The Code of the City of Galveston 1982, as amended” is hereby amended to read and provide as follows:

Secs. 20.5-19 - ~~20.5-29.~~ – Reserved.

Sec. 20.5 – 19. Overnight Parking / Overnight Camping.

The overnight parking and overnight camping regulations of the City Code shall not apply to the first weekend of the Galveston Mardi Gras events period as provided below:

- (a) Overnight parking and/or overnight camping shall be allowed on the Seawall Boulevard from 6th Street to 59th Street, from 63rd Street to 89th Street, and from the 9300 block of Seawall Boulevard to the western terminus of the Seawall, from midnight to 5:00 a.m. including Saturday and Sunday during the first weekend of the Galveston Mardi Gras event.
- (b) Only current registered vehicles, as defined by the Texas Department of Motor Vehicles, may utilize this overnight parking and/or overnight camping provision during the applicable Mardi Gras time period.
- (c) Notwithstanding subsection (a) hereof, all other regulations pertaining to parking or camping on the Seawall Blvd shall apply and remain in effect.

Secs. 20.5-20 – Penalty - Overnight Parking Violation

- (a) During the Monday to Thursday of the preceding week of the first weekend of Mardi Gras, any person who violates the overnight parking provisions on

the Seawall Blvd., shall be guilty of a misdemeanor punishable by a fine of Two Hundred and Fifty (\$250.00) Dollars. Each night in violation is a separate offense.

(b) During the Sunday through Thursday of the final week of Mardi Gras, any person who violates the overnight parking provisions on the Seawall Blvd., shall be guilty of a misdemeanor punishable by a fine of Two Hundred and Fifty (\$250.00) Dollars. Each night in violation is a separate offense.

20.5-21 – 20.5 -29. – Reserved.

SECTION 3. It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable and, if any phrase, clause, sentence, paragraph or section of this Ordinance should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Ordinance.

SECTION 4. All Ordinances or parts thereof in conflict herewith are repealed to the extent of such conflict only.

SECTION 5. In accordance with the provisions of Sections 12 and 13 of Article II of the City Charter this Ordinance has been publicly available in the office of the City Secretary for not less than 72 hours prior to its adoption; that this Ordinance may be read and published by descriptive caption only.

SECTION 6. This Ordinance shall be and become effective from and after its adoption and publication in accordance with the provisions of the Charter of the City of Galveston.

APPROVED AS TO FORM:

DONNA M. FAIRWEATHER
ASSISTANT CITY ATTORNEY

I, Janelle Williams, Secretary of the City Council of the City of Galveston, do hereby certify that the foregoing is a true and correct copy of an Ordinance adopted by the City Council of the City of Galveston at its Regular Meeting held on January 24, 2019, as the same appears in records of this office.

IN TESTIMONY WHEREOF, I subscribe my name hereto officially under the corporate seal of the City of Galveston this _____ day of _____, 2019.

Secretary for the City Council
of the City of Galveston