

**ORDINANCE NO. 2021-013**

**AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF HITCHCOCK, TEXAS AMENDING THE CODE OF ORDINANCES TITLE VII ENTITLED “TRAFFIC CODE”, CHAPTER 73 ENTITLED “PARKING SCHEDULE”, SCHEDULE I ENTITLED “NO PARKING ZONES” AND ADDING SECTION 73.01 ENTITLED “NO-PARKING EXCEPTION” AND PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE**

**WHEREAS**, the City of Hitchcock is authorized to regulate ordinances pursuant to Texas Local Government Code;

**WHEREAS**, the City Council of the City of Hitchcock, Texas needs to amend the Code of Ordinance Title VII Entitled “Traffic Code”, Chapter 73 Entitled “Parking Schedule” by amending Schedule I and adding Section 73.01; and

**WHEREAS**, pursuant to TEX. TRANS. CODE §§ 545.301 and 545.302 the City of Hitchcock is authorized to regulated where a vehicle is parked on a roadway; and

**WHEREAS**, the City Council determines that amending Title VII Entitled “Traffic Code”, Chapter 73 Entitled “Parking Schedule” and adding Section 73.01, will promote the health, safety and welfare of the City;

**NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HITCHCOCK, TEXAS, THAT:**

**Section 1.** The above and foregoing recitals are hereby found to be true and correct and are incorporated herein as findings of fact. The City Council hereby further finds and determines that the rules, regulations, terms, conditions, provisions, and requirements of this ordinance are reasonable and necessary to protect the public health, safety, and quality of life. The City of Hitchcock’s Code of Ordinances, Chapter 73 (entitled “Parking Schedules”) is hereby amended by adding the following to Schedule I;

Street	Location	Side
Mecom Way	From Jay Road to Hwy. 6	East and West

The City of Hitchcock’s Code of Ordinances Chapter 73 (entitled “Parking Schedules”) is hereby amended by adding the following:

Sec. 73.01 – No-Parking Exceptions

Parking prohibited on public roadways or public right-of-way in residential subdivisions; It shall be unlawful for any person to stop, stand or park, except as follows:

(1) Where the operator is using such motor vehicle or trailer as defined above to make bona fide pickups or deliveries, or for the temporary loading or unloading of the vehicle, provided that the operator furnishes evidence to that effect upon demand by a peace officer

and provided that the operator removes such motor vehicle or trailer from the roadway immediately upon completion of said pickups, deliveries, loading or unloading;

(2) Maintenance vehicles, trailers and equipment owned and operated by, or on behalf of, the City, or any public utility or governmental entity, where the person operating the vehicle, trailer or equipment is engaged in maintenance work;

(3) Any authorized emergency vehicle as defined in Texas Transportation Code Sec. 541.201, and any amendments thereto, provided such vehicle is conclusively identified;

(4) Any bus or school bus actively engaged in the receiving or discharging of passengers;

(5) Recreational vehicles and roll-off dumpsters displaying valid permits issued under Section 17.04.013 of this Code; or

(6) Motor vehicles and trailers left at or on an active job site under a current valid permit issued by the City.

**Section 2.** This ordinance shall be cumulative of all provisions of the City of Hitchcock, Texas, except where the provisions of this Ordinance are in direct conflict with the provisions of such Ordinances, in which event the more restrictive provision shall apply.

**Section 3.** It is hereby declared to be the intention of the City Commission of the City of Hitchcock that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance should be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this Ordinance, since the same would have been enacted by the City Commission without incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

**Section 4.** All rights and privileges of the City of Hitchcock are expressly saved as to any and all violations of the provisions of any Ordinances affecting land use or development, which have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such Ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

**Section 5.** This Ordinance shall be effective immediately upon the passage, approval and publication as required by law.

**PASSED AND APPROVED** this the 26th day of July, 2021.



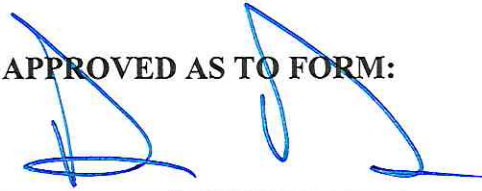
**Christopher E. Armacost, Mayor**  
City of Hitchcock

**ATTEST:**



**Ruth Ann Sorrell, City Secretary**  
City of Hitchcock

**APPROVED AS TO FORM:**



**Kyle L. Dickson, City Attorney**  
City of Hitchcock



('78 Code, § 24-22; Ord. 221, passed 2-10-72; Am. Ord. 337, passed 12-11-78; Am. Ord. 504, passed 12-9-85; Am. Ord. 595, passed 11-18-91; Am. Ord. 600, passed 5-18-92; Am. Ord. 98-720, passed 2-23-98; Am. Ord. 01-785, passed 1-22-01)

**Cross reference**— Penalty, see § 70.99.

## Chapter 73 - PARKING SCHEDULES

### Schedule I. - No parking zones.

It shall be unlawful for any person to park a vehicle of any type on the following streets:

Street	Location	Side
Fairwood Rd.	From Hwy. 6 to North Ridgecrest St.	West
Highway 6	From Delany Rd. to a point on the north side of Hwy. 6 opposite its intersection with Fifth St.	North

('78 Code, § 24-11; Ord. 289, passed 6-28-76; Am. Ord. 325, passed 7-24-78)

**Cross reference**— Penalty, see § 70.99.

## Chapter 74 - MOTORIZED CART REGULATIONS<sup>[1]</sup>

### Footnotes:

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Editor's note— [Ord. No. 2021-003](#), § 1, adopted February 15, 2021, repealed the former ch. 74, §§ 74.01—74.16, and enacted a new ch. 74 as set out herein. The former ch. 74 pertained to similar subject matter and derived from 2020-023, adopted October 19, 2020.

### Article I - General Provisions

#### Sec. 74.01. - Applicability.

The provisions of this article shall apply to all motorized carts operated upon a public street or public cart path within in the City of Hitchcock except:

- (A) The operation of motorized carts is not subject to the provisions of this article under the following circumstances: