

ORDINANCE NO. 2015-O-014

AMENDING CHAPTER 19 MOTOR VEHICLES AND TRAFFIC, ARTICLE VIII, STOPPING, STANDING OR PARKING, SECTION 19-347(A), BY ADDING A SUBSECTION (L) THEREBY DECLARING IT TO BE A CIVIL OFFENSE TO PARK ON A TRAFFIC ISLAND OR MEDIAN STRIP; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY FOR VIOLATIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND AN EFFECTIVE DATE.

WHEREAS, the City of Laredo, Texas is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and,

WHEREAS, the City Council of the City of Laredo previously adopted regulations that prohibited the stopping, standing or parking of a vehicle the provisions of which have been codified in Article VIII of Chapter 19 of the Laredo City Code; and,

WHEREAS, the City Council finds that parking a vehicle on a traffic island or median strip, intended to divide traffic and enhance safety on busy arterial roads, poses a dangerous risk to the health, safety and welfare of other motorists and pedestrians; and,

WHEREAS, the City Council further finds that in order to promote the public health, safety, and general welfare of the City, it is desirable to amend the current Ordinance to prohibit parking on any traffic island or median strips.

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

Section 1:

Chapter 19 of the Laredo Code of Ordinances be and is hereby amended as follows:

Sec. 19-347. Prohibited in specified places.

(a) Except when necessary to avoid conflict with other traffic, or in compliance with law or the direction of a police officer or official traffic-control device, no person shall:

(1) *Stop, stand or park a vehicle:*

- a. On the roadway side of any vehicle stopped or parked at the edge or curb of a street;
- b. On a sidewalk;
- c. Within an intersection;
- d. On a crosswalk;

- e. Between a safety zone and the adjacent curb or within thirty (30) feet of points on the curb immediately opposite the ends of a safety zone, unless a different length is indicated by signs or markings;
- f. Alongside or opposite any street excavation or obstruction when stopping, standing or parking would obstruct traffic;
- g. Upon any bridge or other elevated structure upon a highway or within a highway tunnel;
- h. On any railroad track;
- i. At any place where official signs prohibit stopping;
- j. In any place or manner so as to restrict the free flow of vehicular or pedestrian traffic;
- k. On any public street, alley, or other public place or property belonging to the city by any vehicle exceeding thirty-five (35) feet in length or ten (10) feet in width, without a permit in writing issued by the traffic manager;
- l. On any traffic island or median strip. As used herein, the term "traffic island" refers to an object in a road that channelizes traffic or a small strip of island between roads that intersects at an acute angle. The term "median strip" refers to a long, intervening strip, physical barrier or dividing section that separates a street, parkway, boulevard, or highway into two or more roadways and includes the curb, if any, at the outer edge of said area.

(2) *Stand or park a vehicle*, whether occupied or not, except momentarily to pick up or discharge a passenger:

- a. In front of a public or private driveway;
- b. Within fifteen (15) feet of a fire hydrant;
- c. Within twenty (20) feet of a crosswalk at an intersection;
- d. Within thirty (30) feet upon the approach to any flashing signal, stop sign, yield sign or traffic-control signal at the side of a roadway;
- e. Within twenty (20) feet of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within seventy-five (75) feet of the entrance when properly signposted;
- f. At any place where official signs prohibit standing.

(3) *Park a vehicle*, whether occupied or not, except temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers:

- a. Within fifty (50) feet of the nearest rail of a railroad crossing;
- b. At any place where official signs prohibit parking.

(b) No person shall move a vehicle not lawfully under his control into any such prohibited area or away from a curb such a distance as is unlawful.

(c) No person shall stop, stand, or park a vehicle for any purpose or period of time other than for the expeditious loading or unloading of passengers in any place marked as a passenger loading zone during hours when the regulations applicable to such loading zones are effective, and then only for a period not to exceed five (5) minutes.

(d) No person shall stop, stand, or park a vehicle for any purpose or length of time other than for the expeditious active and actual unloading and delivery or pick-up loading of property in any place marked as a loading zone as herein defined during the following hours without first having received a special permit from the city traffic manager: From 10:00 a.m. to 6:00 p.m.

(e) The driver of a vehicle may stop temporarily at a loading zone for the purpose of and while actually engaged in loading or unloading passengers when such stopping does not interfere with any vehicle which is waiting to enter such zone to load or unload property.

(f) No person shall stand or park a vehicle, whether occupied or not, upon any bridge structure to pick up or deliver merchandise or to load or unload passengers, except momentarily in case of extreme emergency.

Section 2.

It is hereby declared to be the intention of the City Council 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 shall 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 and sections of this ordinance since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

Section 3.

In the event that a vehicle is parked in violation of this Ordinance, the owner or person with control over the vehicle shall be deemed to be obstructing the flow of traffic and subject to a penalty. The penalty for said violation shall be by civil fine in the amount set out in Section 19-355 (b), which section is adopted by reference and made a part hereof.

Section 4.

All rights and remedies of the City of Laredo are expressly saved as to any and all violations of the provisions of the provisions of this ordinance or any other ordinances affecting the stopping, standing or parking of vehicles 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 take effect immediately from and after its passage, and publication of the caption, as the law and charter in such case provide.

**PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR ON THIS
_____ DAY OF _____, 2015.**

PETE SAENZ, MAYOR

ATTEST:

**GUSTAVO GUEVARA, JR.
CITY SECRETARY**

APPROVED AS TO FORM:

**RAUL CASSO
CITY ATTORNEY**

**BY: KRISTINA LAUREL HALE
ASSISTANT CITY ATTORNEY**