



ORDINANCE NO. 15-026

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BELLAIRE, TEXAS, AMENDING *CHAPTER 30, TRAFFIC AND VEHICLES, ARTICLE II, TRAFFIC-CONTROL REGULATIONS, DIVISION 5, PARKING, OF THE CODE OF ORDINANCES OF THE CITY OF BELLAIRE, TEXAS, BY ADDING A NEW SECTION 30-118, TO BE ENTITLED "RESTRICTED PARKING - 9:00 A.M. TO 5:00 P.M., MONDAY THROUGH FRIDAY," FOR THE PURPOSE OF ESTABLISHING A PERMIT PARKING PROCESS ALLOWING FOR RESTRICTED PARKING ON RESIDENTIAL STREETS.*

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

Section 1. *Chapter 30, Traffic and Vehicles, Article II, Traffic-Control Regulations, Division 5, Parking, of the Code of Ordinances of the City of Bellaire, Texas ("Code"), is hereby amended by adding a new Section 30-118, to be entitled "Restricted parking—9:00 a.m. to 5:00 p.m.—Monday through Friday," for the purpose of establishing a permit parking process to allow for restricted parking on residential streets. The amended Code shall read as set out in Appendix A, attached hereto. All other portions of Chapter 30 of the City's Code not specifically amended hereby shall remain in full force and effect.*

Section 2. All ordinances and parts of ordinances in conflict with this Ordinance are repealed to the extent of the conflict only.

Section 3. 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 4. 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.

Section 5. This Ordinance shall be effective as of June 8, 2015.

PASSED and **APPROVED** this 18th day of May, 2015.

(SEAL)

ATTEST:

SIGNED:

Tracy L. Dutton, TRMC
City Clerk

Philip L. Nauert
Mayor

APPROVED AS TO FORM:

Alan P. Petrov
City Attorney

Appendix A

New section to be added.

Sec. 30-118. Restricted parking – 9:00 a.m. to 5:00 p.m., Monday through Friday.

- (a) It shall be unlawful for any person to park any vehicle, at any time between the hours of 7:00 a.m. and 5:00 p.m., Monday through Friday, or at such other times as the city manager may declare pursuant to subsection (e) of this section, on any of the following streets or portions of streets where such streets have been posted for restricted parking.

Street	Block
Fournace Gardens Drive	Entire Street

- (b) Subsection (a) of this section shall not apply to commercial vehicles loading or unloading or parked in connection with the performance of a service, or to governmental vehicles.

- (c) Subsection (a) of this section shall not apply to any vehicle displaying a valid parking permit for the location where it is parked.

- (1) The director of development services (the “director”) shall, upon application, issue address-specific parking permits for the restricted parking area designated in subsection (a) of this section in accordance with the following terms and conditions:

- a. Upon application, the director shall issue up to five parking permits to each residence located in the restricted parking area designated in subsection (a) of this section. Such permit(s) may be issued with or without expiration dates upon regulations and procedures promulgated by the city manager.
- b. Temporary guest permits for periods not exceeding fourteen (14) days in length may be issued to each residence located in the restricted parking area designated in subsection (a) of this section in accordance with regulations and procedures promulgated by the city manager.
- c. Permits issued pursuant to this subsection shall be for the sole use and benefit of the occupants of each residence to which such permits have been issued and their invitees, and may not be transferred or sold.

- (2) It shall not be a defense to prosecution for violation of this section for a vehicle owner to have a valid parking permit but to not have displayed such permit.

- (d) The city manager is authorized to enlarge the time of the parking restriction beyond the hours specified in subsection (a) of this section.

- (f) Persons found in violation of this section shall be subject to a fine of up to \$200.00 per offense and/or may be towed from the restricted parking area designated in subsection (a) of this section.