

ORDINANCE NO 712

AN ORDINANCE OF THE CITY OF KYLE, TEXAS, ACCORDING TO CHAPTER 47, ARTICLE III OF THE CITY OF KYLE CODE OF ORDINANCES TO PROHIBIT PARKING ALONG SCOTT STREET BETWEEN NORTH MEYER STREET AND WEST 2nd (SECOND) STREET; PROVIDING A MAXIMUM PENALTY OF \$500.00; PROVIDING OPEN MEETINGS AND EFFECTIVE DATE CLAUSES; PROVIDING FOR RELATED MATTERS.

Whereas, the City of Kyle, Texas, as a home rule municipality, (the "City"), constructed improvements to Scott Street from North Meyer Street to West 2nd Street.

Whereas, the parking of vehicles within the limits described above prohibits the free flow of traffic in the vicinity of the City Library and is detrimental to the safety of pedestrians, particularly, school age children, and other persons travelling along Scott Street.

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

Section 1. Findings. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

Section 2. Parking Prohibitions.

- a) **Scott Street**: It shall be unlawful for any person to stop, stand, or park any portion of a vehicle within the segment between North Meyer Street and West 2nd Street with the exception of designated parking spaces directly in front of the library.
- b) **Exceptions**: The following vehicles are exempt from the terms of this section while engaged in the listed activity:
 - 1) Emergency vehicles (as defined by state law) responding to or from, or at the scene of, an emergency call;
 - 2) Vehicles being used to provide any municipal service such as the installation, repair or maintenance of any public street, asset or property, collection of garbage, grounds keeping, etc; and
 - 3) Vehicles being used to install, repair or maintain any public service or utility such as telephone, electricity, cable television, gas, and water or sewer line.
- c) **Towing and Removal**. Any vehicle, any portion of which shall be or remain standing or parked within the segment between North Meyer Street and West 2nd Street, with the exception of designated parking spaces directly in front of the library, in violation of this Section, the owner or driver of which vehicle has been given previous notice or citation for parking such vehicle in violation of this Section, may be removed by or upon an order by a police officer. The owner of

such vehicle shall be responsible for the payment of any fees incurred for he towing and/or storage of said vehicle.

- d) **Prima Facie Evidence.** In any prosecution charging a violation of this Section governing the standing or parking of a vehicle, proof that the particular vehicle described in the complaint was parked in violation of this ordinance, together with proof that the defendant named in the complaint was, at the time of such parking, the registered owner of such vehicle was the person who parked or placed such vehicle at the point where, and for the time during which, such violation occurred.

Section 4. Signage. The City Manager is authorized and directed to cause signs giving notice of the prohibitions of this ordinance to be posted along this segment of Scott Street.

Section 5. Enforcement. The Chief of Police and members of the Police Department, both regular and reserve officers, are empowered to enforce this ordinance.

Section 6. Penalties. Any person convicted of violating any provision of this ordinance shall be guilty of a misdemeanor and shall be subject to a fine in an amount not to exceed Five Hundred dollars (\$500.00), and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues. Proof of a culpable mental state shall not be required to establish a violation of this ordinance.

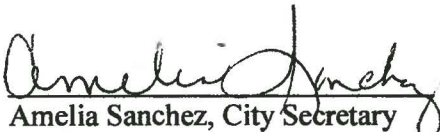
Section 7. Open Meetings. That is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551, Local Government Code.


Section 8. Effective Date. This ordinance shall take effect immediately upon its adoption by the City Council and publication as required by the Local Government Code and the City Charter.

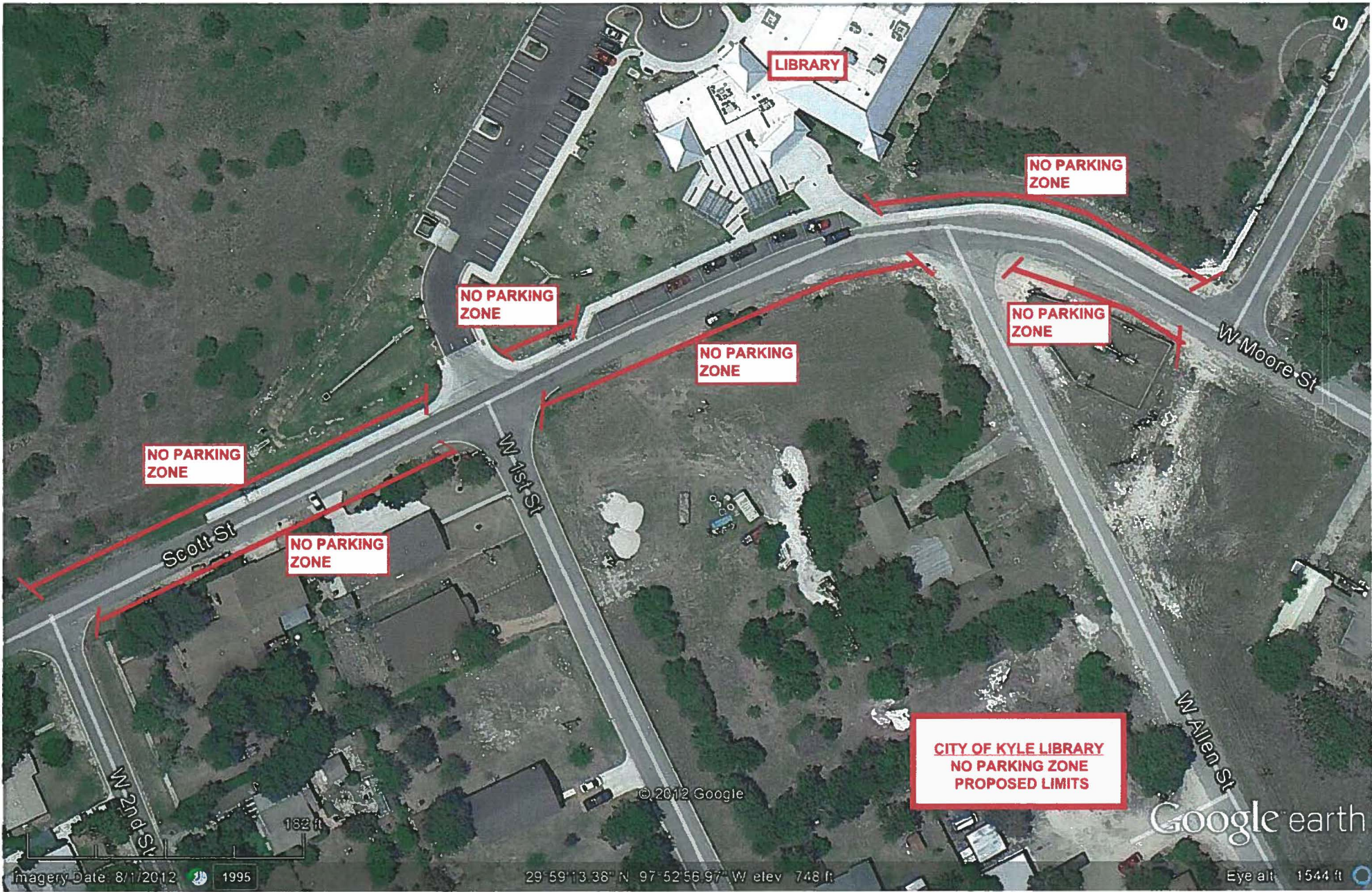
PASSED AND APPROVED this 20th day of November, 2012.

ATTEST

CITY OF KYLE, TEXAS


Amelia Sanchez, City Secretary


Lucy Johnson, Mayor



LIBRARY

NO PARKING ZONE

NO PARKING ZONE

NO PARKING ZONE

NO PARKING ZONE

NO PARKING ZONE

NO PARKING ZONE

CITY OF KYLE LIBRARY
NO PARKING ZONE
PROPOSED LIMITS

Imagery Date: 8/1/2012 1995

© 2012 Google 29° 59' 13.38" N 97° 52' 56.97" W elev 748 ft

Google earth

Eye alt: 1544 ft