

ORDINANCE NO. 0249-20-ORD

AN ORDINANCE OF THE LEWISVILLE CITY COUNCIL AMENDING THE LEWISVILLE CITY CODE, CHAPTER 15, TRAFFIC AND VEHICLES, BY DELETING ARTICLE IX, PARKING VIOLATIONS IN THE OLD TOWN ENTERTAINMENT DISTRICT, IN ITS ENTIRETY AND AMENDING ARTICLE IV, PARKING REGULATIONS, BY ADDING A NEW SECTION 15-137, PARKING REGULATIONS IN THE OLD TOWN ENTERTAINMENT DISTRICT, CHANGING THE VIOLATION OF CERTAIN PARKING REGULATIONS IN THE OLD TOWN ENTERTAINMENT DISTRICT FROM A CIVIL OFFENSE TO A CRIMINAL OFFENSE; RENUMBERING THE EXISTING 15-137, TRANSPORTATION CODE PRESUMPTION, AS SECTION 15-138; AND AMENDING CHAPTER 2, SECTION 2-201, FEE SCHEDULE, BY REPEALING CERTAIN FEES ASSOCIATED WITH OLD TOWN CIVIL PARKING VIOLATIONS; PROVIDING FOR A REPEALER, SEVERABILITY, PENALTY, AND AN EFFECTIVE DATE; AND DECLARING AN EMERGENCY.

WHEREAS, the City Council of the City of Lewisville, Texas has determined that for the health, safety, and welfare of its citizens, certain amendments to the Lewisville City Code, Chapter 15, are necessary.

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

SECTION 1. Lewisville City Code, Chapter 15, Article IX, Parking Violations in the Old Town Entertainment District, is hereby repealed in its entirety.

SECTION 2. Lewisville City Code, Chapter 15, Article IV, Parking Regulations, Section 15-137, is hereby amended by deleting the current language of Section 15-137 in its entirety and in its place inserting the following:

Sec. 15-137. – Parking restrictions in the Old Town Entertainment District.

- (a) *Applicability.* The regulations outlined in this section shall apply only within the Old Town Entertainment District, as defined in section 9-1 of this code. Where provisions of this section conflict with other provisions in this article, this section shall control within the Old Town Entertainment District.
- (b) *Two-hour parking on specific streets and alleys.* It shall be unlawful for any person to cause, allow, permit or suffer any motor vehicle or trailer registered in his name or owned or operated by him or in his possession or under his control to be or remain parked upon the following streets or portions thereof for a longer period of time than two hours, between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, when markings on the streets or signs designating two-hour parking, are clearly visible:

Street	Extent
East and West Main Street	From the west curb line of Kealy Street, to the east curb line of Charles Street, both sides of East and West Main Street, unless otherwise provided in subsection 15-137(c)
West Church Street	From the west curb line of North Mill Street, to the east curb line of North Charles Street, unless otherwise provided in subsection 15-137(c)
North Mill Street	From the south curb line of West Church Street to the north curb line of West Main Street, west side of North Mill Street only
Alley north of West Main Street and South of the Wayne Ferguson Plaza	From the west curb line of North Mill Street, to the east curb line of North Charles Street, unless otherwise provided in subsection 15-137(c)

- (c) *Twenty-minute parking in marked spaces and alleys.* It shall be unlawful for any person to cause, allow, permit or suffer any motor vehicle or trailer registered in his name or owned or operated by him or in his possession or under his control to be or remain parked upon the following streets or portions thereof for a longer period of time than 20 minutes, between the hours of 8:00 a.m. and 5:00 p.m., Monday through Saturday, when markings on the streets or signs designating 20-minute parking, are clearly visible:

Street	Extent
East and West Main Street	From the west curb line of Kealy Street, to the east curb line of Charles Street, both sides of East and West Main Street, in marked spaces only
Alley north of West Main Street and South of the Wayne Ferguson Plaza	From the west curb line of North Mill Street, to the east curb line of North Charles Street, in marked spaces only

- (d) *Overnight parking prohibited.* It shall be unlawful for any person to cause, allow, permit or suffer any motor vehicle or trailer registered in his name or owned or operated by him or in his possession or under his control to be or remain parked in any public parking lot continuously between the hours of 7:00 p.m. and 7:00 a.m. when signs are posted.
- (e) *Back-in parking.* It shall be unlawful for any person to cause, allow, permit or suffer any motor vehicle or trailer registered in his name or owned or operated by him or in his possession or under his control to be or remain parked upon any street or portions thereof in any manner other than by backing into the parking space, when markings on the streets or signs designating back-in parking are clearly visible.
- (f) *Vehicles loading or unloading on a specific portion of West Main Street.*
- (1) Between 7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m. on Mondays through Fridays, it shall be unlawful for any person to cause, allow, permit or suffer any motor vehicle or trailer registered in his name or owned or operated by him or in his possession or under his control to load or unload said vehicle or trailer from a travel lane on West Main Street between the east curb line of Charles Street and the west curb line of Mill Street.
- (2) At all days and times other than the days and times specified in subsection (a), it shall be unlawful for any person to cause, allow, permit or suffer any motor vehicle or trailer registered in his name or owned or operated by him or in his possession or under his control to load or unload said vehicle or trailer from a travel lane on West Main Street between the east curb line of Charles Street and the west curb line of Mill Street for a longer period of time than 20 minutes.

- (3) While loading or unloading a motor vehicle or trailer as allowed in this section, it shall be unlawful for any person to cause, allow, permit or suffer said vehicle or trailer registered in his name or owned or operated by him or in his possession or under his control to:
- a. Block any portion of an adjacent travel lane; or
 - b. Stand the vehicle or trailer in such a manner that it along with another vehicle or trailer loading or unloading from the adjacent travel lane block all the travel lanes to through traffic.

SECTION 3. Chapter 15, Traffic and Vehicles, Section 15-138 is hereby adopted to read as follows:

Sec. 15-138. – Transportation Code presumption.

In a prosecution for an offense under state law involving the stopping, standing, or parking of an unattended motor vehicle, it shall be presumed that the registered owner of the motor vehicle is the person who stopped, stood, or parked the vehicle at the time and place the offense occurred.

SECTION 4. Chapter 2, Section 2-201, Fee Schedule, is hereby amended by repealing the following fees:

Parking Violations in Old Town Entertainment District:	
Two-hour parking violation	25.00
Twenty-minute parking violation	25.00
Overnight parking violation	25.00
Back-in parking violation	25.00

Loading zone violation	25.00
Loading/Unloading on specific portion of West Main Street violation	25.00
Improper parking in marked space/Failure to park in marked space	25.00
Immobilization device fee (parking violations in Old Town Entertainment District)	50.00

SECTION 5. REPEALER. Every ordinance or parts of ordinances found to be in conflict herewith are hereby repealed.

SECTION 6. SEVERABILITY. If any section, sentence, clause, or phrase of this ordinance shall for any reason be held to be invalid, such decision shall not affect the validity of the remaining sections, sentences, clauses, or phrases of this ordinance, but they shall remain in effect.

SECTION 7. PENALTY. Any person, firm or corporation who violates any provisions of this Ordinance shall be subject to a fine of not more than \$500.00 for each offense, unless the violation relates to fire safety, zoning or public health and sanitation in which case the fine shall not exceed \$2,000.00. Each continuing day's violation shall constitute a separate offense.

SECTION 8. EFFECTIVE DATE. This ordinance shall become effective immediately upon its passage and publication as required by law.

SECTION 9. EMERGENCY. It being for the public welfare that this ordinance be passed creates an emergency and public necessity, and the rule requiring this ordinance be read on three separate occasions be, and the same is hereby waived, and this ordinance shall be in full

force and effect from and after its passage and approval and publication, as the law in such cases provides.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF LEWISVILLE, TEXAS, BY A VOTE OF 5 TO 0, ON THIS THE 14th DAY OF September, 2020.

APPROVED:

Rudy Durham, MAYOR

ATTEST:

Julie Worster, CITY SECRETARY

APPROVED AS TO FORM:

Lizbeth Plaster, CITY ATTORNEY

Location Map - Old Town Entertainment District

