

## ORDINANCE NO. 3532

**AN ORDINANCE OF THE CITY OF NORTH RICHLAND HILLS, TEXAS, AMENDING SECTION 56-166 OF THE CODE OF ORDINANCES OF THE CITY OF NORTH RICHLAND HILLS AND PROHIBITING PARKING ON PORTIONS OF HAWK AVENUE; ESTABLISHING A PENALTY; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES AND REPEAL CONFLICTING PROVISIONS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS,** It has been determined by City staff that parking at the designated locations hereafter described creates unacceptable traffic hazards; and

**WHEREAS,** Hawk Avenue abuts a series of high traffic generators including a high school, an elementary school, an indoor sports/entertainment venue, and a municipal recreation and events center; and

**WHEREAS,** It is critical that parking be restricted in some areas so as to prevent traffic congestion and to ensure that the City's emergency services are able to access facilities along this roadway with an appropriate fire lane width; and

**WHEREAS,** The City Council finds that the establishment of parking restrictions is in the best interest of the health, safety and welfare of the traveling public and citizens of North Richland Hills.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NORTH RICHLAND HILLS, TEXAS, THAT:**

Section 1: The facts and recitations set forth in the preamble of this Ordinance are hereby found to be true and correct and are incorporated herein into this Ordinance.

Section 2: Section 54-166(a) of the North Richland Hills Code of Ordinances is hereby amended by revising Subsections (41), (42) and (43) and adding new Subsection (47) which shall read as follows:

**Sec. 54-166 On-Street Parking Prohibited.**

(a) *Prohibited in specific locations.* The parking of any vehicle at the following locations is prohibited:

...

(41) West side of Hawk Avenue from its intersection with Mid-Cities Blvd, extending 100 linear feet south.

(42) West side of Hawk Avenue from a point 50 feet North of Ice House Drive south to an unnamed alley located South of Walker Creek Elementary, spanning 1,300 linear feet south.

- (43) East side of Hawk Avenue from its intersection with Mid-Cities Blvd, extending 500 linear feet south to a point 50 feet south of the Birdville High School driveway.

...

- (47) East side of Hawk Avenue from 100 feet north of Bud Jensen Drive south to a point across from an unnamed alley located South of Walker Creek Elementary, spanning 670 linear feet south.

...”

Section 3: The City’s Engineer, or his/her designated representative, is hereby authorized and directed to place or cause to be placed, appropriate traffic control devices, curb markings, and appropriate signs to effectuate the establishment of the prohibited parking areas as herein provided.

Section 4: Any person, firm or corporation violating Section 54-166(a)(41), (42), (43) or (47) of the North Richland Hills Code of Ordinances shall be deemed guilty of a misdemeanor and upon final conviction thereof shall be fined in an amount not to exceed Two Hundred Dollars (\$200.00). Each day any such violation shall be allowed to continue shall constitute a separate violation and be punishable hereunder.

Section 5: This Ordinance shall be cumulative of all provisions of the Code of Ordinances of the City of North Richland Hills, except where the provisions of this Ordinance are in direct conflict with the provisions of such ordinances and such Code, in which event conflicting provisions of such ordinances and such Code are hereby repealed.

Section 6: 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 7: All rights and remedies of the City of North Richland Hills are expressly saved as to any and all violations of the provisions of any ordinances in the Code of Ordinances of the City of North Richland Hills that 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 8: The City Secretary is hereby authorized and directed to cause the publication of the descriptive caption and penalty clause of this ordinance two times.

Section 9: This ordinance shall be in full force and effect upon publication as required by Section 8 herein.

**AND IT IS SO ORDAINED.**

PASSED AND APPROVED on the 10<sup>th</sup> day of September, 2018.

**CITY OF NORTH RICHLAND HILLS**

By:

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Oscar Trevino, Mayor

ATTEST:

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Alicia Richardson, City Secretary

Approved as to Form and Legality:

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Maleshia McGinnis, City Attorney