CITY OF SEABROOK
ORDINANCE NO. 2016-14

AN ORDINANCE AMENDING CHAPTER 90 OF THE CODE OF ORDINANCES OF THE CITY OF SEABROOK, ENTITLED "TRAFFIC AND VEHICLES," ARTICLE III, "STOPPING, STANDING, AND PARKING," DIVISION 1, "GENERALLY," TO UPDATE AND FURTHER CLARIFY SECTION 90-61 CURRENTLY ENTITLED, "PARKING PROHIBITED SIGNS;" BY ADDING NEW PROVISIONS AND REVISING TITLE TO "NO PARKING – DESIGNATION GENERALLY;" BY ADDING A NEW SECTION 90-80, "SCHEDULE I – NO PARKING ZONES"; PROVIDING FOR A PENALTY IN AN AMOUNT OF NOT MORE THAN TWO HUNDRED DOLLARS ($200.00) FOR VIOLATION OF ANY PROVISIONS HEREOF BY INCLUSION INTO THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR NOTICE.

WHEREAS, the City Council of the City of Seabrook has attempted to be continually aware of the problems and issues relating to hazards, nuisances and other circumstances which negatively impact the health, safety and well-being of its residents, citizens and inhabitants; and

WHEREAS, City Council has determined it necessary to prohibit the obstruction, blockage and related parking issues in the interest of public safety by updating and revising Section 90-61 to address no parking designation generally, and by adding a new Section 90-80 to specifically designate no parking zones;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SEABROOK, TEXAS, AS FOLLOWS:

SECTION 1. FINDINGS OF FACT.

The facts and matters set forth in the preamble of this Ordinance are hereby found to be true and correct.

SECTION 2. AMENDMENT TO THE CODE.

That Chapter 90 entitled, "Traffic and Vehicles," Article III, "Stopping, Standing, and Parking," Division 1, "Generally" be amended by revising section 90-61 to amend title to, "No Parking- Designation Generally" as follows:

"Sec. 90-61. [~~Parking Prohibited Signs~~] No Parking – Designation Generally

[~~There shall be installed at such points on streets and rights-of-way in the city, as may be directed by the city council, appropriate signs notifying drivers of vehicles that parking is prohibited. Such signs may include additional notice of tow-away zone, but such additional notice shall not be required. Whenever any such sign has been erected, it shall be unlawful for the driver or operator of any vehicle to park contrary to such sign. Each day or part of a day that prohibited parking continues shall constitute a separate offense.~~]

(Code 1976, § 16-18.1; Code 1996, § 70-61)

(a) Traffic-control signs, signals, devices and markings heretofore placed or erected by the police department or department of community development and now in use for the purpose of regulating, warning or guiding traffic are hereby affirmed, ratified and declared to be official traffic-control devices, provided that these traffic-control devices are not inconsistent with the provisions of state law or this chapter.

(b) The Uniform Act Regulating Traffic on Highways regulating the stopping, standing or parking of vehicles shall be applicable upon all streets and highways within the city, and it shall be unlawful for any person to allow, suffer or permit any vehicle registered in his/her name to stand or be parked in or upon any street or highway in the city in violation of any of the provisions of this chapter regulating stopping, standing or parking of vehicles.

(c) The city council may authorize portions of streets, sidewalks, curbs, alleys and parking lots, public and private, to be painted or marked, including sign placement as an indication of specific areas where parking is prohibited for the purpose of traffic control in the interest of safety. All such areas shall be painted or marked in accordance with the standards established in the Texas Manual on Uniform Traffic Control Devises as amended.

(d) It shall be unlawful for any person to permit a vehicle to stand or be parked at a location or during the times where signs or markings prohibit such standing or parking.

(e) Unauthorized use of parking spaces designated for the exclusive use of vehicles transporting persons with disabilities shall be unlawful and shall be punished as provided by Chapter 681 of the Texas Transportation Code.

(f) It shall be unlawful for any person to allow towed vehicles, including trailers, mobile homes, boat trailers, boats, boat rigging, carts, motor homes, recreational vehicles or camper to stand, be parked, or stored in any street or right of way or on lawns between the actual front line of any structure and the street (or in the case of a corner lot, between the construction line of any structure of street) or as otherwise prohibited by Section 90-70. Nothing herein shall prohibit parking on an existing privately owned paved or unpaved driveway.

(g) The police department may remove from the streets, alleys, sidewalks and public ways of the city all motor vehicles which are illegally parked in violation of any ordinance of the city or of the laws of the state.

(h) It is an affirmative defense to an offense under this section if such stopping, standing or parking has prior approval of the city manager or chief of police and approval of the city council.

(i) It is an affirmative defense under this section that the parking or standing was necessary to avoid conflict with other traffic, or at the directions of a police officer or otherwise in compliance with law.

"Sec. 90-80. Schedule I: No Parking Zones

There shall be installed at such points on streets and rights-of-way in the city, as may be directed by the city council, appropriate signs or markings designating "No Parking Any Time" or related prohibitions, which shall be installed at the locations as listed. Such signs may include additional notice of tow-away zone, but such additional notice shall not be required. Whenever any such sign has been erected, it shall be unlawful for the driver or operator of any vehicle to park contrary to such sign. Each day or part of a day that prohibited parking continues shall constitute a separate offense.

The parking prohibition provided in this section shall not be in effect until appropriate signs or markings have been provided at the location giving notice to motorists. The city manager, chief of police or their authorized representative is directed to cause such signs to be erected or appropriate markings to be made on the curbs at such locations in accordance with the Texas Manual for Traffic Signs and Signals.

STREET	EXACT LOCATION	TIME
10th Street	At any point on 10th Street, including no parallel parking within McHale Park Parking Area	No parking at any time
Waterfront Dr.	0 Blk- 699 Blk at the intersection with Todville Road southeast to the end of 11th Street at the Point	No parking at any time
Bahama Drive	1500 Blk to 1900 Blk on the east side between Aspen Lane and El Mar Lane	No parking at any time
Bath Avenue	100 Blk to 300 Blkl between 10th Street and 12th Street	No parking at any time
Cook Street	1200 Blk to 1400 Blk on either side of Cook St	
Ellis Avenue	100 Blk (Unimproved Surface) From Waterfront Dr southwest to the end of Ellis Avenue	No parking at any time
Hardesty	1000 Blk on the west side between 3rd Street and 4th Street	No parking at any time

Lakeside Drive	In its entirety, EXCEPT vehicles shall be allowed to park on the east side between NASA Parkway and Sawyer Drive	No parking between 6:00 a.m. and 6:00 p.m.
Larrabee	In its entirety from NASA Parkway north to its end	No parking at any time
Main Street	1500 Blk to 1800 Blk, between SH 146 and N. Meyer	No parking at any time
N. Meyer	500 Blk to 2000 Blk between State Highway 146 and E. Meyer	No parking at any time
Old SH 146	At any point	No parking at any time
State Highway 146	From the northern city limit extending south to the southern city limit	No parking at any time
Todville Road	1100 Blk – 1200 Blk on either side of Todville Road	No parking at any time
W. Respdorph Road	At any point	No parking at any time

SECTION 3. PENALTY CLAUSE; INCLUSION INTO THE CODE.

This Ordinance is hereby incorporated into and made a part of the Seabrook City Code. Any person who shall violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined in an amount not more than Two Hundred Dollars ($200.00) per offense. Each day of violation shall constitute a separate offense.

SECTION 4. REPEAL OF CONFLICTING ORDINANCES.

All ordinances or parts of ordinances inconsistent or in conflict herewith are, to the extent of such inconsistency or conflict, hereby repealed.

SECTION 5. SEVERABILITY.

In the event any clause, phrase, provision, sentence, or any part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Seabrook, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

SECTION 6. NOTICE BY PUBLICATION

The City Secretary shall give notice of the enactment of this Ordinance by promptly publishing it or its descriptive caption and penalty after final passage in the official newspaper of the City; the Ordinance to take effect upon publication.

PASSED AND APPROVED on first reading this 7th day of June, 2016.

PASSED AND APPROVED on second and final reading this 21st day of June, 2016.

By: _____
Glenn Royal
Mayor

ATTEST:

By: _____
Robin Hicks, TRMC
City Secretary

Approved as to form:

_____
Steven L. Weathered
City Attorney