

ORDINANCE NO. 2016-387

AN ORDINANCE AMENDING SECTION 25-201 OF ARTICLE VIII "STOPPING, STANDING, PARKING" OF CHAPTER 25 "TRAFFIC AND VEHICLES" OF THE CODE OF ORDINANCES OF THE CITY OF WACO, TEXAS TO PROHIBIT ON-STREET PARKING OF OVERSIZE AND COMMERCIAL VEHICLES IN THE CITY, EXCEPT IN INDUSTRIAL DISTRICTS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR AN EFFECTIVE DATE; PROVIDING FOR A PENALTY; AND FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WACO, TEXAS:

Section 1. That Section 25-201 of Article VIII "Stopping, Standing, Parking" of Chapter 25 "Traffic And Vehicles" of the Code of Ordinances of the City of Waco, Texas is amended to read as follows (additions, ~~deletions~~):

Sec. 25-201. Parking of Oversize and Commercial Vehicles and Trailers, Boats, or Boat Trailers Prohibited on City Streets ~~in Residential Districts~~.

- (a) The following words and phrases, when used in this section, shall, for the purpose of this section, have the meanings respectively ascribed to them as follows:

Commercial Vehicle shall mean bus, semi-trailer, pole trailer, truck tractor, house trailer, special mobile equipment, farm tractor or implement of husbandry.

Oversize Vehicle shall mean motor home, any motor vehicle that exceeds twenty (20) linear feet, or any commercial motor vehicle with a rated capacity in excess of one and one-half (1-1/2) tons according to the manufacturer's classification.

- (b) It shall be unlawful for any person to park or stand a commercial vehicle, oversize vehicle, trailer, boat, or boat trailer or to allow any commercial vehicle, oversize vehicle, trailer, boat, or boat trailer to park or stand upon any public street, highway, alley or public right-of-way between any street and alley, within any part of the city ~~classified by the zoning ordinance of the city as a single-family residence district, two-family and attached single-family residence district, multiple-family district, or multiple-family residence district.~~

Section 8. That it is hereby officially found and determined that the meeting at which this ordinance is passed is open to the public and that public notice of the time, place, and purpose of said meeting was given as required by law.

FIRST READING: this 17th day of May, 2016.

SECOND READING: this 7th day of June, 2016.





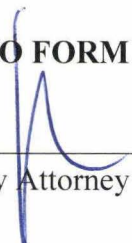
Kyle Deaver, Mayor,
City of Waco, Texas

ATTEST:



Esmeralda Hudson, City Secretary

APPROVED AS TO FORM & LEGALITY:



Jennifer Richie, City Attorney

(c) It is an affirmative defense to this section that the vehicles ~~are~~ is:

1. In an M-1, M-2 or M-3 zoning district;
2. In the act of loading or unloading passengers, freight, or merchandise;
3. Publicly owned or franchised emergency or utility vehicles carrying out official duties;
4. Being used for street construction, maintenance, or repair and is parked in the area where the construction, maintenance, or repair is being performed;
5. Suffering with a mechanical defect, making it unsafe to proceed further, in which event it shall be lawful to stand or park the vehicle during the time necessary to make emergency repairs;
6. Any motor home, boat, boat trailer, trailer, or house trailer being loaded, unloaded, or otherwise prepared for use or storage during a period of time that does not exceed twenty-four (24) hours; or
7. Owned or operated by a contractor who has parked the vehicle in front of a residence or residential lot for which the person is contracted to do work, provided that the vehicle is parked only between the hours of 7:00 a.m. and 10:00 p.m. and only while the work is being performed.

Section 2. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 3. That if any provision of this ordinance shall be held to be invalid or unconstitutional, the remainder of such ordinance shall continue in full force and effect the same as if such invalid or unconstitutional provision had never been a part hereof.

Section 4. That it is the intention of the City Council and is hereby ordained that the provisions of this ordinance shall become and be a part of the Code of Ordinances of the City of Waco, Texas, and that sections of this ordinance may be renumbered or relettered to accomplish such intention.

Section 5. That nothing in this ordinance shall be constructed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or prior ordinance; nor shall any legal right or remedy of any character be lost, impaired, or affected by this ordinance.

Section 6. That a violation of this ordinance shall be a Class C misdemeanor and the penalty for violating this ordinance shall be as provided for in Sec. 1-14 of the Code of Ordinances of the City of Waco, which shall be a fine of not less than one dollar (\$1.00) and no more than five hundred dollars (\$500.00), and each day a violation exists shall be a separate offense.

Section 7. That this ordinance shall take effect upon its passage as provided by the City Charter of the City of Waco.