

ORDINANCE NO. 2024-51

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF ROSENBERG, TEXAS, BY AMENDING CHAPTER 28, DIVISION 2, SECTION 28-117 ENTITLED "PROHIBITED BETWEEN CERTAIN HOURS", BY DESIGNATING A "NO PARKING" ZONE ON ROCKWOOD DRIVE, ALONG THE NORTH AND SOUTH SIDES, FROM OLD CREEK DRIVE TO GREEN GATE DRIVE; PROVIDING FOR THE INSTALLATION OF "NO PARKING" SIGNS INDICATING THE BOUNDARIES OF THE NO PARKING ZONES; PROVIDING A PENALTY IN AN AMOUNT OF NOT LESS THAN \$1.00 NOR MORE THAN \$200.00 FOR EACH VIOLATION OF ANY PROVISION HEREOF; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

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WHEREAS, the City Council of the City of Rosenberg, Texas, finds that the conditions on Rockwood Drive are not appropriate for on-street parking at certain times; and,

WHEREAS, the City Council of the City of Rosenberg, Texas, finds that it has the authority to restrict parking under Section 542.202 of the Texas Transportation Code; and,

WHEREAS, the City Council of the City of Rosenberg, Texas, finds that it is in the best interest, safety and welfare of the citizens of the City to implement parking regulations; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ROSENBERG:

Section 1. The Code of Ordinances of the City of Rosenberg is hereby amended by amending Chapter 28, Division 2, Section 28-117 entitled, "Prohibited between certain hours" implementing a "No Parking" Zone, as follows:

"Sec. 28-117. - Prohibited between certain hours.

(a) There shall be no parking of vehicles on the following streets or portions of streets between the hours specified, Mondays through Fridays, inclusive:

Alamo Street, along the east and west sides, from Airport Avenue to a point five hundred twenty (520) feet south—11:00 p.m. to 9:00 a.m.

Avenue M, along the north side, from State Highway 36 (1st Street) to Carlisle Street—7:30 a.m. to 6:00 p.m.

Avenue M, along the north and south sides, from Carlisle Street to Mulcahy Street—7:30 a.m. to 6:00 p.m.

Carlisle Street, along the east and west sides, from Avenue L to Avenue M—7:30 a.m. to 6:00 p.m.

Carlisle Street, along the west side, from Avenue M to Dyer Avenue—7:30 a.m. to 6:00 p.m.

Carlisle Street, along the east and west sides, from Dyer Avenue to Texas Avenue—7:30 a.m. to 6:00 p.m.

Dyer Avenue, along the south side, from State Highway 36 (1st Street) to Carlisle Street—7:30 a.m. to 6:00 p.m.

Dyer Avenue, along the north and south sides, from Carlisle Street to Mulcahy Street—7:30 a.m. to 6:00 p.m.

Herndon Drive, along the east or west sides, between Avenue H and Mustang Avenue—8:00 a.m. to 5:00 p.m.

Houston Street, along the east and west sides, from Avenue L to Avenue M—7:30 a.m. to 6:00 p.m.

Houston Street, along the east and west sides, from Dyer Avenue to Texas Avenue—7:30 a.m. to 6:00 p.m.

Lory Street, along the east and west sides from Airport Avenue to Mons Avenue—11:00 p.m. to 9:00 a.m.

Mulcahy Street, along the east and west sides, from Avenue L to Texas Avenue—7:30 a.m. to 6:00 p.m.

Old Creek Drive, along the east side, from Avenue N to Rockwood Drive—8:00 a.m. to 5:00 p.m.

Rockwood Drive, along the north side, from Old Creek Drive to Green Gate Drive—8:00 a.m. to 5:00 p.m.

Rockwood Drive, along the south side, from Old Creek Drive to a point seventy-five (75) feet east—8:00 a.m. to 5:00 p.m.

Rockwood Drive, along the south side, from a point one hundred ninety (190) feet from Old Creek Drive to Green Gate Drive—8:00 a.m. to 5:00 p.m.

(b) There shall be no parking on the following streets or portions of streets between the hours specified:

San Jacinto Street, along the west side, from Avenue H (US 90A) to Avenue I (FM 1640), between the hours of 7:00 p.m. to 7:00 a.m.”

Section 2. When any person is charged with having parked or left standing a vehicle in a "No Parking" Zone designated hereof, proof that the vehicle was, at the date and time of the offense alleged, owned by the person charged with the offense shall constitute *prima facie* evidence that the vehicle was parked or left standing at the place by the owner, but the owner shall have the right to introduce evidence to show that such vehicle was not parked by him or her as charged in the complaint.

Section 3. The City Manager is hereby authorized and directed to cause the placement of official traffic control devices giving notice of the "No Parking" Zone as described above.

Section 4. Any person who shall fail to observe and comply with a duly posted traffic control device erected pursuant to this Ordinance, or who shall in any manner violate any provision of this Ordinance, shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined in an amount of not less than \$1.00 nor more than \$200.00.

Section 5. In the event any section, paragraph, subdivision, clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstance 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 of provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Rosenberg, 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. All ordinances or parts inconsistent or in conflict herewith are, to the extent of such inconsistency or conflict, hereby repealed.

Section 7. This Ordinance shall become effective immediately upon its passage and approval as provided by law.

PASSED AND APPROVED by a vote of 7 "ayes" in favor, 0 "noes" against, and 0 abstentions on this first and final reading in full compliance with the provisions of Section 3.10 of the Charter of the City of Rosenberg, Texas on this the 5 day of November 2024.

ATTEST:

Danyel Swint
Danyel Swint, TRMC, CITY SECRETARY

APPROVED:

William Benton
William Benton, MAYOR

APPROVED AS TO FORM:

Bud M.
CITY ATTORNEY
Randle Law Office, Ltd., L.L.P.

