

ORDINANCE NO. 2 - 2010

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MOULTON, TEXAS, AMENDING SECTION 12.04 AND SECTION 12.07 OF THE CODE OF ORDINANCES RELATING TO RESTRICTIONS ON THE PARKING OF MOTOR VEHICLES; AND PROVIDING FOR FINDINGS OF FACT; SEVERABILITY; REPEALER CLAUSE; AN EFFECTIVE DATE; AND PROPER NOTICE AND MEETING.

WHEREAS, the City Council of the City of Moulton, Texas, deems it necessary and proper and in the best interest of the citizens of Moulton to amend Section 12.04 and Section 12.07 of the Code of Ordinances of the City of Moulton entitled Truck Parking, to amend and clarify the regulations pertaining to the parking of commercial vehicles as hereinafter set forth; and

WHEREAS, the City Council of the City of Moulton pursuant to the authority in Texas Local Government Code § 601.001, desires to regulate the parking of vehicles; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MOULTON TEXAS, that:

Section 1. Finding of Facts. The facts and recitations contained in the preamble of this ordinance are hereby found and declared to be true and correct, and are incorporated by reference herein and expressly made a part hereof, as if copied verbatim.

Section 2. Amendments. The City Council of the City of Moulton hereby amends Sections 12.04 and Section 12.07 of the Code of the City of Moulton by adding a new Section 12.07.005 which shall read as follows:

12.07.005 PARKING ON RAILROAD LEASE PROPERTY

1. Permit Required: Overnight truck parking on the Railroad lease property east of Moore St. between Main St. and the Railroad tracks shall be by permit only. Permits will be available at City Hall during normal business hours..
2. The application for the permit shall contain such information as is required by the City as determined by the Chief of Police..
3. Penalty: Any person violating the terms of this article shall be fined in accordance with the general penalty provision found in section 1.01.009.

4. Impoundment of vehicles parked in violation of section: Any vehicle found stopped, standing or parked in violation of any provision of this section is subject to being removed and impounded at the owner's expense.
5. Traffic Control Devices: The Chief of Police or his designated representative is hereby authorized and directed to place or cause to be placed appropriate traffic control devices to effectuate the establishment of the no parking signs as herein provided.

Section 3 Severability. Should any sentence, paragraph, subdivision, clause, phrase, or section of this Ordinance be adjusted or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this Ordinance in whole or any part or provision thereof, other than the part so declared to be invalid, illegal or unconstitutional.

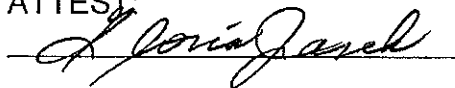
Section 4. Repealer Clause. The provisions of this ordinance shall be cumulative of all other ordinances or parts of ordinances governing or regulating the same subject matter as that covered herein; provided, however, that all prior ordinances or parts of ordinances inconsistent or in conflict with any of the provisions of this ordinance are hereby expressly repealed to the extent that such inconsistency is apparent. This ordinance shall not be construed to require or allow any act which is prohibited by any other ordinance.

Section 5. Effective Date. This Ordinance shall take effect immediately from and after its passage and publication as may be required by law.

Section 6. Proper Notice and Meeting. It is hereby officially found and determined that the meeting at which this ordinance was passed was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

PASSED AND APPROVED on the 11th day of Feb., 2010.

ATTEST:



THE CITY OF MOULTON:

By: 