

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF DENTON, TEXAS PROHIBITING PARKING ON THE SOUTH SIDE OF HICKORY STREET FROM AVENUE B TO WELCH STREET; PROVIDING A REPEALER CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR A PENALTY NOT TO EXCEED \$500 FOR VIOLATIONS OF THIS ORDINANCE; PROVIDING THAT VIOLATIONS OF THIS ORDINANCE SHALL BE GOVERNED BY CHAPTER 18 OF THE CODE OF ORDINANCES OF THE CITY OF DENTON; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Update to the Pedestrian and Bicycle Linkage Component of the Denton Mobility Plan (the "Bike Plan"), adopted by the City Council in February 2012, designates Hickory Street as a bike route with a bike lane as the on-street bike facility; and

WHEREAS, bike lanes are in place on Hickory Street from Bonnie Brae Street to Avenue C, and from Welch Street to Cedar Street; and

WHEREAS, adding bike lanes on Hickory Street from Avenue C to Welch Street will connect the existing bike lanes and create a complete corridor from Bonnie Brae Street to the Downtown Denton Transit Center; and

WHEREAS, adding bike lanes on Hickory Street from Avenue C to Welch Street requires the removal of on-street parking on the south side of Hickory Street from Avenue B to Welch Street; and

WHEREAS, the University of North Texas is supportive of the parking removal which abuts their property; and

WHEREAS, businesses on Hickory Street were notified with a mailed letter of the proposal to remove the above-referenced parking, a public meeting was held at the Traffic Safety Commission on May 1, 2017, and an Open House was held on Wednesday, May 17, 2017; and

WHEREAS, the Traffic Safety Commission considered this item on Monday, June 5, 2017, taking public comment, and approved the removal of parking along the south side of Hickory Street from Avenue B to Welch Street by a vote of 6 to 0; NOW THEREFORE

THE COUNCIL OF THE CITY OF DENTON HEREBY ORDAINS:

SECTION 1: When signs and/or marking or any combination thereof are in place giving notice thereof, no person shall park a vehicle on the south side of Hickory Street from Avenue B to Welch Street.

SECTION 2: The provisions of Section 1 prohibiting the parking of vehicles shall apply on the designated portion of the above named street, except when it is necessary to stop a vehicle to avoid conflict with other traffic, or in compliance with the direction of a police officer, or official traffic control device.

SECTION 3: All provisions of the ordinances of the City of Denton in conflict with the provisions of this ordinance as related to the above parking restriction are hereby repealed, and all

other provisions of the ordinances of the City of Denton not in conflict with the provisions of this ordinance, shall remain in full force and effect, including a prior restriction of parking on the south side of Hickory Street, starting one hundred fifty feet (150') east of Avenue A to Welch Street.

SECTION 4: If any section, subsection, paragraph, sentence, clause, phrase, or word in this ordinance, or application thereof to any person or circumstances is held invalid by any court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this ordinance, and the City Council of the City of Denton, Texas hereby declares it would have enacted such remaining portions despite any invalidity.

SECTION 5: Save and except as amended hereby, all the provisions, sections, subsections, paragraphs, sentences, clauses, and phrases of the Code of Ordinances shall remain in full force and effect.

SECTION 6. Any person found liable of violating this Ordinance by a court of competent jurisdiction shall be fined a sum not to exceed five hundred dollars (\$500). Each day that a provision of this ordinance is violated shall constitute a separate offense. The disposition of parking citations issued pursuant to this Ordinance shall be governed by Division 3 titled "Parking Violations Division" of Chapter 18 of the Code of Ordinances.

SECTION 7. This Ordinance, providing for a penalty, shall become effective 14 days from the date of its passage, and the City Secretary is hereby directed to cause the caption of this ordinances to be published twice in the *Denton Record-Chronicle*, the official newspaper in the City of Denton, Texas, within 10 days of the date of its passage.

PASSED AND APPROVED this the _____ day of _____, 2017

CHRIS WATTS, MAYOR

ATTEST:
JENNIFER WALTERS, CITY SECRETARY

BY: _____

APPROVED AS TO LEGAL FORM:
AARON LEAL, INTERIM CITY ATTORNEY

BY:  _____