

ORDINANCE NO. 2016-O-04

AN ORDINANCE OF THE CITY OF SONORA, TEXAS, REGULATING “OFF-STREET PARKING” OF HEAVYTRUCK PARKING; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY FOR VIOLATIONS HEREOF; PROVIDINGFOR PUBLICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Sonora is a general law city and Chapter 9 of the Texas Local Government Code; and

WHEREAS, the City has received a number of complaints concerning the overnight outdoor parking of tractor-trailers, semi trucks and semitrailers in residential zoned areas, commercial districts and on undeveloped property in the City; and

WHEREAS, the City Council deems it advisable and in the public interest to regulate “Off-Street Parking” and to enhance the City’s regulation of off-street parking by prohibiting the parking of large commercial vehicles in certain areas, the long term presence of which are incompatible with and detrimental to the appearance of residential and commercial properties and property values.

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

SECTION 1.

“Definitions”

Written notice means an official written police warning to said described vehicles which is left in a conspicuous place for the owner/operator to review. Information from the notice will be entered into the record management system database maintained by the police department.

Commercial property means property used for commercial retail and office parking. (Commercial properties in properly zoned areas that are authorized to do business at that location are not affected.)

Residential property means all residentially zones area both single family and multi-family.

Undeveloped property means those areas of land that are located in the City limits, whether located in any commercial, industrial or residential zone, upon which no certificates of occupancy have been issued.”

SECTION 2.

OFF-STREET PARKING

General provisions.

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"(I) Heavy truck parking. After written notice, it shall be unlawful for the owner or operator of the below listed vehicles to use outdoor storage or overnight outdoor parking of tractor-trailers, semi trucks, semitrailers, or other vehicles, having a gross vehicle weight rating of 26,000 pounds or more, in any residentially zoned area, commercial districts or undeveloped property. Construction equipment and vehicles having a gross vehicle weight rating of 26,000 pounds or more shall not be stored on lots in residential, commercial districts, or undeveloped land except, during the period of permitted construction, while loading/unloading at a commercial business, commercial businesses who operate said described vehicles that are kept on their property, or locations permitted by zoning."

SECTION 3.

That this ordinance shall be cumulative of all other ordinances of the City of Sonora and shall not repeal any of the provisions of such ordinances, except in those instances where provisions of such ordinances are in direct conflict with the provisions of this ordinance.

SECTION 4.

That it is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared void, ineffective or unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such voidness, ineffectiveness or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this ordinance, since the same would have been enacted by the City Council without the incorporation herein of any such void, ineffective or unconstitutional phrase, clause, sentence, paragraph or section.

SECTION 5.

That all rights or remedies of the City of Sonora, Texas, are expressly saved as to any and all violations of the City Code or any amendments thereto regarding off-street parking that have accrued at the time of the effective date of this ordinance; and as to such accrued violations, and all pending litigation, both civil or criminal, same shall not be affected by this ordinance but may be prosecuted until final disposition by the courts.

SECTION 6.

Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this ordinance shall be fined not more than Two Thousand Dollars (\$2,000.00) for all violations involving zoning, fire safety, or public health and sanitation, including dumping or refuse, and shall be fined Five Hundred Dollars (\$500.00) for all other violations of this ordinance. Each day that a violation is permitted to exist shall constitute a separate offense.

SECTION 7.

The City Secretary of the City of Sonora is hereby directed to publish in the official newspaper of the City of Sonora, the caption, penalty clause, and effective date clause of this

ordinance as authorized by Texas Local Government Code.

SECTION 8.

This ordinance shall be in full force and effect from and after its passage and publication as required by law, and it is so ordained.

PASSED AND APPROVED ON THIS 25th DAY OF APRIL, 2016.

ATTEST:



WANDA SHURLEY, MAYOR

Witnessed :



CITY SECRETARY