

ORDINANCE NO. 14-08

AN ORDINANCE OF THE CITY OF SOUTH PADRE ISLAND, TEXAS, AMENDING CHAPTER 18 OF THE CODE OF ORDINANCES, TO ADD SECTION 18-19.3, PROHIBITING PARKING ON THE STREETS WEST OF LAGUNA BLVD IN THE "E" DISTRICT UNLESS THE VEHICLE DISPLAYS A HURRICANE RETURN STICKER; PROVIDING FOR EXCEPTIONS FOR DELIVERY AND SERVICE VEHICLES, PROVISIONS FOR VISITOR AND LANDSCAPING PERMITS IN ROW; AND PROVIDING FOR CITY COUNCIL TO APPROVE THE RULES AND PROCEDURE FOR THE ISSUANCE OF VISITORS AND LANDSCAPING PERMITS; PROVIDING FOR A PENALTY FOR VIOLATION NOT TO EXCEED FIVE HUNDRED DOLLARS (\$500.00); PROVIDING FOR SEVERABILITY; AND AUTHORIZING PUBLICATION IN CAPTION FORM.

WHEREAS, the City Council has determined that there is excessive traffic congestion by non-residents driving and parking on the right-of-way streets and unpaved right-of-way west of Laguna Boulevard (bay-ending streets) and located in the "E" District; and

WHEREAS, the residents living on these streets have difficulty accessing their property and have noticed damage to the landscaping located in the unpaved right-of-way from the public; and

WHEREAS, the City Council has determined that in the "E" District, parking should be prohibited on these bay-ending streets west of Laguna Boulevard, unless the vehicle displays a hurricane return sticker; and

WHEREAS, the City Council has determined that said Sec. 18-19.3 should be added to provide that a hurricane return sticker issued by the City of South Padre Island will be an authorized sticker for parking and that the City Council may approve regulations and procedures for the issuance of Visitor and landscaping permits.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SOUTH PADRE ISLAND, TEXAS:

Section 1. Chapter 18 of the Code of Ordinances of the City of South Padre Island is hereby amended to add the following section, as follows:

"Sec. 18-19.3 Restricted Parking on Residential Streets in "E" District West of Laguna Boulevard.

- (A) No person shall stop, stand or park a vehicle in or on the street Right-of-way of the bay-ending streets in the "E" District that are west of the Right-of-way line of Laguna Boulevard unless said vehicle has affixed in the upper left portion of their windshield and displays a hurricane return sticker issued by the City of South Padre Island.
- (B) Residents holding a driver's license indicating a South Padre Island address or a utility bill for a South Padre Island address or a rental contract of 30 days or longer for property located on any of these bay-ending streets in the "E" District that are west of Laguna Boulevard may obtain a visitors permit from City Hall that will be valid for a specified date to allow for gatherings at private homes. Such visitor's permit must be hung on the rear view mirror that will be dated and will be discarded after the date of use.

- (C) Service vehicles (i.e. air conditioning company vehicles, plumbing vehicles, etc) as well as delivery vehicles may park on said streets for a maximum of two (2) hours without displaying or obtaining a permit. Such service or delivery vehicles must contain markings on the vehicle indicating their business.
- (D) A person shall not be deemed guilty of violating this Section if such standing, stopping or parking is necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic control device, or for a shuttle bus that is picking up or discharging passengers.
- (E) The City Council may approve rules, regulation or procedures for the issuance of visitor and landscaping permits pursuant to this Sec. 18-19.3.
- (F) City Hall may issue landscaping permits to landowners to landscape the unpaved portions of the rights-of-way located on bay ending streets, west of Laguna Boulevard and located in the "E" District if their property is adjacent to or abuts the rights-of-way.
- (G) The City will post appropriate signage to indicate that these bay-ending streets in this district are not a public thoroughfare and that parking is restricted to residents or individuals with permits.

Section 2. This Ordinance repeals all portions of any prior ordinances or parts of ordinances of the Code of Ordinances in conflict herewith.

Section 3. Any violation of this Ordinance may be punished by a fine not to exceed Five Hundred Dollars (\$500.00) for each offense or for each day such offense shall continue and the penalty provisions of Section **21-1** of the Code of Ordinances is hereby adopted and incorporated for all purposes.

Section 4. If for any reason any section, paragraph, subdivision, clause, phrase, word or provision of this Ordinance shall be held invalid or unconstitutional by final judgment of a court of competent jurisdiction, it shall not affect any other section, paragraph, subdivision, clause, phrase, word or provision of this Ordinance for it is the definite intent of this City Council that every section, paragraph, subdivision, clause, phrase, word or provision hereof be given full force and effect for its purpose.

Section 5. This Ordinance shall become effective when published in summary form or by publishing its caption.

PASSED, APPROVED AND ADOPTED on First Reading, this 21st day of May 2014.

PASSED, APPROVED AND ADOPTED on Second Reading, this 4th day of June 2014.

ATTEST:


Susan Hill, City Secretary



CITY OF SOUTH PADRE
ISLAND, TEXAS


Robert N. Pinkerton, Jr., Mayor