# ORDINANCE NO. 2020-01

**AN ORDINANCE REPEALING ORDINANCE NO. 2006-21 AN ORDINANCE PROHIBITING PARKING AT ANY TIME SOUTH ON LEISURE DRIVE 47.5 FEET EAST AND 22.5 FEET WEST OF 214 LEISURE DRIVE; AND PROVIDING FOR THE DESIGNATION OF TOW AWAY ZONE; AND AMENDING CHAPTER 74 – PARKING SCHEDULE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE; AND REPEALING ANY ORDINANCE IN CONFLICT.**

**WHEREAS,** the City of Balcones Heights City Council have the authority to regulate the stopping, standing or parking of a vehicle as provided in the Texas Transportation Code §545.302; and

**WHEREAS,** Ordinance No. 2006-21 was adopted in response to citizen concerns of traffic safety along this portion of Leisure Drive due to excessive roadway parking; and

**WHEREAS**, citizens have again come to the City Council requesting the removal of the "No Parking" signs as no such traffic concerns have been observed in many years; and

**WHEREAS**, the City Council has the authority and duty to review City Code to ensure the Code is both contemporary and appropriate; and

**WHEREAS**, the City Council has reviewed the request to repeal Ordinance No. 2006-21 prohibiting parking on a portion of Leisure Drive and find support from both the Balcones Heights' Fire Chief and Chief of Police to repeal such regulation, it is recommended to repeal Ordinance No. 2006-21.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BALCONES HEIGHTS, TEXAS:**

**SECTION 1**. Repeal Ordinance No. 2006-21 prohibiting all On-Street parking of motor vehicles south on Leisure Drive 47.5 feet east and 22.5 feet west of 214 Leisure Drive.

**SECTION 2.** City Code, Chapter 74: Parking Schedule is hereby amended by repealing the requirements of this ordinance.

**SECTION 3. SEVERABILITY CLAUSE:** If any section, subsection, phrase, sentence or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be stricken from the ordinance, and such holding shall not affect the validity of the remaining portions thereof. The balance of the ordinance shall be construed as one instrument and as if the offending portion had not been included.

**SECTION 3. SAVINGS CLAUSE:** All ordinances or parts of ordinances, in conflict herewith are to the extent of such conflict hereby repealed. The balance of such ordinance is hereby saved from repeal.

**SECTION 4. EFFECTIVE DATE:** This Ordinance shall be effective immediately upon the passage hereof.

**PASSED AND APPROVED** this 27th day of January, 2020.

Suzanne de Leon
Mayor

Attest:

Delia R. Sanchez
City Secretary