



Legislation Details (With Text)

File #:	18-0602	Version:	3	Name:	Ordinance Amend Veh Towing Sec 38-42
Type:	Ordinance	Status:		Status:	Consent Agenda
File created:	9/7/2018	In control:		In control:	City Council Regular
On agenda:	9/27/2018	Final action:		Final action:	
Title:	Presentation, possible action, and discussion on an ordinance amending Chapter 38, "Traffic and Vehicles," Article II, "Stopping, Standing and Parking," Division I, "Generally," Section 38-42 by adding language for towing unlawfully parked vehicles.				
Sponsors:	Debbie Eller				
Indexes:					
Code sections:					
Attachments:	CH 38 Sec 38-42 Ord Amend				

Date	Ver.	Action By	Action	Result
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Presentation, possible action, and discussion on an ordinance amending Chapter 38, "Traffic and Vehicles," Article II, "Stopping, Standing and Parking," Division I, "Generally," Section 38-42 by adding language for towing unlawfully parked vehicles.

Relationship to Strategic Goals:

- Core Services and Infrastructure
- Diverse Growing Economy

Recommendation(s): Staff recommends approval of this ordinance amendment.

Summary: This amendment is proposed to add Sec. 38-42 (c) Any motor vehicle unlawfully parked or violating any provisions in this Article whether parked on or in any public parking lot or structure, public property, street, road, highway or alley may be towed at the owner’s or operator’s expense.

At the July 26, 2018 City Council meeting, an ordinance amendment was adopted to allow the creation of a passenger pick-up zone in the surface parking lot in Northgate. This zone creates a safe place for Rideshare drivers, taxi drivers, and CARPOOL to pick-up and drop-off passengers in Northgate. This zone also assists in improving pedestrian safety in the Northgate District by reducing the practice of dropping-off and picking-up passengers in unsafe areas and will address the traffic and pedestrian congestion previously experienced on Boyett. This zone also leaves the designated fire lane clear for emergency response.

The passenger pick-up zone is in effect from 9:00 p.m. to 3:00 a.m. Signage has been installed to indicate this change in operation. However, there is a challenge with having the spaces cleared by 9:00 p.m. This amendment will allow for non-compliant vehicles to be towed at the owner's expense if vehicles remain in the passenger pick-up zone after 9:00 p.m.

Budget & Financial Summary: N/A

Attachments: Ordinance Amendment

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 38, “TRAFFIC AND VEHICLES,” ARTICLE II, “STOPPING, STANDING AND PARKING,” DIVISION 1 “GENERALLY,” SECTION 38-42, OF THE CODE OF ORDINANCES OF THE CITY OF COLLEGE STATION, TEXAS, BY AMENDING CERTAIN SECTIONS RELATING TO TOWING UNLAWFULLY PARKED VEHICLES; PROVIDING A SEVERABILITY CLAUSE; DECLARING A PENALTY; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS:

PART 1: That Chapter 38, “Traffic and Vehicles,” Article II, “Stopping, Standing and Parking,” Division 1 “Generally,” Section 38-42 of the Code of Ordinances of the City of College Station, Texas, be amended as set out in **Exhibit “A”** attached hereto and made a part of this Ordinance for all purposes.

PART 2: If any provision of this Ordinance or its application to any person or circumstances is held invalid or unconstitutional, the invalidity or unconstitutionality does not affect other provisions or application of this Ordinance or the Code of Ordinances of the City of College Station, Texas, that can be given effect without the invalid or unconstitutional provision or application, and to this end the provisions of this Ordinance are severable.

PART 3: That any person, corporation, organization, government, governmental subdivision or agency, business trust, estate, trust, partnership, association and any other legal entity violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punishable by a fine of not less than twenty five dollars (\$25.00) and not more than five hundred dollars (\$500.00) or more than two thousand dollars (\$2,000) for a violation of fire safety, zoning, or public health and sanitation ordinances, other than the dumping of refuse. Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense.

PART 4: This Ordinance is a penal ordinance and becomes effective ten (10) days after its date of passage by the City Council, as provided by City of College Station Charter Section 35.

PASSED, ADOPTED and APPROVED this _____ day of _____, 20__.

ATTEST:

APPROVED:

City Secretary

Mayor

APPROVED:

City Attorney

EXHIBIT A

That Chapter 38, "Vehicles and Traffic," Article II, "Stopping, Standing and Parking," Division II "Generally," Section 38-42 of the Code of Ordinances of the City of College Station, Texas, is hereby amended to read as follows by adding:

(c) Any motor vehicle unlawfully parked or violating any provisions in this Article, whether parked on or in any public parking lot or structure, public property, street, road, highway or alley may be towed at the owner's or operator's expense.