

CITY OF ROLLINGWOOD, TEXAS

ORDINANCE NO. 2012-05-02

**AN ORDINANCE OF THE CITY OF ROLLINGWOOD, TEXAS,
AMENDING SECTION 12.04.002 OF CHAPTER 12 OF THE CODE
OF ORDINANCES TO ADD PROVISIONS FOR PARKING BY
PERMIT ONLY AT AND NEAR CITY HALL; PROVIDING A
SAVINGS CLAUSE, REPEALING CONFLICTING LAWS AND
ESTABLISHING AN EFFECTIVE DATE**

WHEREAS, Section 12.04.002 of the Code of Ordinances of the City of Rollingwood specifies when and where parking by permit is allowed during the Austin City Limits Music Festival; and

WHEREAS, at City Council meetings on March 18, 2009, April 15, 2009, and May 20, 2009, the City Council of Rollingwood considered and voted on establishing certain parking regulations at and near City Hall at 403 Nixon Drive; and

WHEREAS, the parking regulations approved by the City Council in 2009 have not been adopted in the form of an ordinance; and

WHEREAS, at its meeting on April 18, 2012 the City Council confirmed the regulations earlier approved and desires to adopt an ordinance accurately reflecting such regulations;

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

SECTION 1. Section 12.04.002 of Chapter 12 of the Code of Ordinances of the City of Rollingwood, which section is entitled "Parking by permit only," is hereby amended by deleting the current section and replacing it in its entirety so that it shall read as follows:

Sec. 12.04.002 Parking by permit only

(a) Austin City Limits Music Festival. It is unlawful to park, cause to be parked or permit to remain parked any motor vehicle whether attended or unattended at the locations listed below, without first having obtained a parking permit from the city, on any date of the Austin City Limits Music Festival when held at Zilker Park or on any other days designated by a separate resolution adopted by the city council. Said parking by permit only zone shall be designated as a tow-away zone. Unauthorized motor vehicles may be towed at the expense of the owner of the motor vehicle. The city shall erect temporary signage in compliance with applicable law

to notify the public of the existence of the parking permit/tow-away zone during times the zone is in effect.

- (1) On both sides of Vale Street from its intersection with Rollingwood Drive northeast to its intersection with Bettis Boulevard.
- (2) On both sides of Bettis Boulevard from its intersection with Riley Road southeast to city's jurisdictional limit.
- (3) On both sides of Riley Road from its intersection with Timberline Drive northeast to its intersection with Bettis Boulevard.
- (4) On both sides of Pickwick Lane from its intersection with Vale Street northwest to its intersection with Riley Road.
- (5) On both sides of Farley Trail from its intersection with Pickwick Lane northwest to its intersection with Bettis Boulevard.
- (6) On the south side of Timberline Drive from its intersection with Riley Road east to its intersection with Rollingwood Drive.
- (7) On both sides of the 2600 block of Pickwick Drive from its intersection with Riley Road on the east to its intersection with Inwood Road on the west.

(b) City Hall: It is unlawful to park, cause to be parked or permit to remain parked any motor vehicle whether attended or unattended at the locations listed below, without first having obtained a parking permit from the city for parking at and near City Hall at 403 Nixon Drive. Said parking by permit only zone shall be designated as a tow-away zone. Unauthorized motor vehicles may be towed at the expense of the owner of the motor vehicle. The city shall erect signage in compliance with applicable law to notify the public of the existence of the parking permit/tow-away zone during times the zone is in effect. The chief of police is authorized to determine the location of such signage in compliance with applicable law, and once installed, the areas of restricted parking indicated by such signage shall be prima facie proof of the areas so restricted.

(1) In the 3200 block of Pickwick Lane.

(2) At those areas on Gentry Drive where at the time of adoption of this Ordinance, the curbing has been painted and designated "Permit Only" in yellow paint.

(c) Violations; penalty.

(1) It shall be a violation of this section for any person to:

(A) Park, cause to be parked or permit to remain parked any motor vehicle in those locations indicated without displaying a valid permit.

(B) Falsely represent himself or herself as being eligible for a permit, submitting false documents or otherwise making a false statement of material fact on an application for a permit.

(2) Any motor vehicle parked in violation of this section without displaying a valid permit may be issued a citation or be subject to immediate towing and impoundment or both.

(3) Conviction of a violation against the provisions of this section is a misdemeanor and subject to the fines provided for in section 1.01.009 of the Code of Ordinances of the city. Each day a violation continues will constitute a separate offense. This penalty will be cumulative of any other rights or remedies the city may have.

(4) In any prosecution for a violation of this section, proof that a temporary traffic-control device in compliance with applicable law was actually in place shall constitute prima facie evidence that the same was installed by the chief of police or his designee pursuant to the authority of this section.

(5) The above notwithstanding, it shall not be a defense in a prosecution under this section that there was no sign, that the sign was overturned, or that such sign was not sufficiently legible or in a proper position to be seen by the defendant or by an ordinarily observant person.

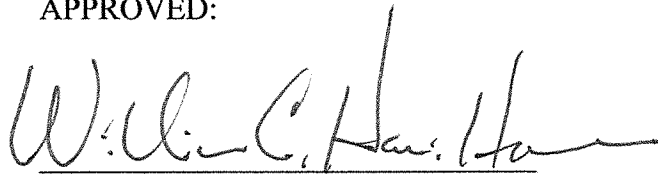
SECTION 2. All provisions of the ordinances of the City of Rollingwood in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict, and all other provisions of the ordinances of the City of Rollingwood not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 3. Should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Code of Ordinances as a whole.

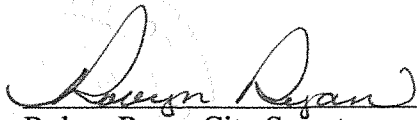
SECTION 4. This ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law in such cases provide.

APPROVED, PASSED AND ADOPTED by the City Council of the City of Rollingwood, Texas, on the 7th day of May, 2012.

APPROVED:


William C. Hamilton, Mayor

ATTEST:


Robyn Ryan, City Secretary