

TITLE VII: TRAFFIC CODE

Chapter

70. GENERAL PROVISIONS

71. TRAFFIC RULES

72. STOPPING, STANDING, AND PARKING

73. TRAFFIC SCHEDULES

74. PARKING SCHEDULES

75. GOLF CARTS FOR CHRISTMAS PARCEL DELIVERY

76. TOWING SERVICES AND VEHICLE IMPOUNDS

CHAPTER 70: GENERAL PROVISIONS

Section

General Provisions

- 70.01 Authorized emergency vehicles
- 70.02 Definitions

Traffic-Control Devices

- 70.20 Devices to conform to state manual
- 70.21 Authority to place and maintain traffic-control devices
- 70.22 Obeying traffic-control devices
- 70.23 Prohibition against unauthorized signs or signals
- 70.24 Prohibition against alteration, defacing, or removal

- 70.99 Penalty

GENERAL PROVISIONS

§ 70.01 AUTHORIZED EMERGENCY VEHICLES.

(A) The driver of an authorized emergency vehicle, as the term authorized emergency vehicle is defined by state law, when responding to an emergency call or when in the pursuit of an actual or suspected violator of the law, or when responding to but not upon returning from a fire alarm, may exercise the privileges set forth in this section, but subject to the conditions herein stated.

(B) The driver of an authorized emergency vehicle may:

(1) Park or stand, irrespective of the provisions of this or any ordinance;

(2) Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation;

(3) Exceed the prima facie speed limits so long as he does not endanger life or property; and

(4) Disregard regulations governing direction of movement or turning in specified directions.

(C) The exemptions herein granted to an authorized emergency vehicle shall apply only when the driver of such vehicle in motion sounds audible signal by bell, siren, or exhaust whistle as may be reasonably necessary, and when the vehicle is equipped with at least one lighted lamp displaying a red light visible under normal atmospheric conditions from a distance of 500 feet to the front of such vehicle, except that an authorized emergency vehicle operated as a police vehicle need not be equipped with or display a red light visible from in front of the vehicle.

(D) The foregoing provisions shall not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons, nor shall such provisions protect the driver from the consequences of his reckless disregard for the safety of others.

(Ord. 366, passed 7-16-79)

§ 70.02 DEFINITIONS.

For the purpose of this title, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

"VEHICLE" or "VEHICLES." Any of the vehicles described in Texas Transportation Code § 541.201, as amended.

(Ord. 686, passed 12-20-04)

TRAFFIC-CONTROL DEVICES

§ 70.20 DEVICES TO CONFORM TO STATE MANUAL.

All traffic-control devices including signs, signals, and markings (pavement or curb) installed or used for the purpose of directing and controlling traffic within the city shall conform with the Texas Manual on Uniform Traffic Control Devices for Streets and Highways (hereafter called the Manual). Article 6701d, V.T.C.S., states: "All signs, signals, and markings erected or used by the city shall be uniform and be located so far as practicable according to the directions shown in the Manual throughout the city. All existing traffic-control devices and those erected in the future by the city being consistent with the Manual, state law, and this subchapter shall be official traffic-control devices."

(Ord. 366, passed 7-16-79)

§ 70.21 AUTHORITY TO PLACE AND MAINTAIN TRAFFIC-CONTROL DEVICES.

(A) The Board of Commissioners shall by ordinance or resolution direct that the City Engineer or Director of Public Works shall have the duty of erecting or installing upon, over, along, or beside any highway, street, or alley signs, signals, and markings, or cause the same to be erected, installed, or placed in accordance with this subchapter and consistent with the Manual. These traffic-control devices shall be installed immediately, or as soon as such specific device, sign, or signal can be procured.

(B) Whenever the City Engineer or Director of Public Works has erected and installed any official traffic-control device, signal, or sign at any location in the city, or has caused the same to be done under his direction, in obedience to this subchapter and the Manual, shall thereafter file a report with the City Secretary in writing and

signed officially by the City Engineer or Director of Public Works, stating the type of traffic-control device, sign, or signal, and when and where the same was erected and installed; the City Secretary shall file and maintain such report of the City Engineer or Director of Public Works among the official papers of the office of the City Secretary.

(C) It being unlawful for any person other than the City Engineer or Director of Public Works, acting pursuant to an ordinance or resolution of the city, to install or cause to be installed any signal, sign, or device purporting to direct the use of the streets or the activities on those streets of pedestrians, vehicles, motor vehicles, or animals, proof, in any prosecution for a violation of this subchapter or any traffic ordinance or resolution of the city, that any traffic-control device, sign, signal, or marking.
(Ord. 366, passed 7-16-79) Penalty, see § 70.99

§ 70.22 OBEYING TRAFFIC-CONTROL DEVICES.

The driver of any vehicle, motor vehicle, or animal shall obey the instructions of any official traffic-control device, sign, signal, or marking applicable thereto placed in accordance with this subchapter, the Manual and any ordinance or resolution directing that such traffic-control device, sign, or signal shall be installed or erected unless otherwise directed by a police officer, subject to the exceptions granted the driver of an authorized emergency vehicle permitted by § 70.01.

(Ord. 366, passed 7-16-79) Penalty, see § 70.99

§ 70.23 PROHIBITION AGAINST UNAUTHORIZED SIGNS OR SIGNALS.

(A) No persons shall place, maintain, or display upon or in view of any highway, street, or alley any unauthorized signs, signal, marking, or device which purports to be or is an imitation of or resembles an official traffic-control device or railroad sign or signal, or which attempts to direct the movement of traffic, or which hides from view or interferes with the effectiveness of any official control device or any railroad sign or signal.

(B) No person shall place or maintain nor shall any public authority permit upon any highway, street, or alley any traffic sign or signal bearing thereon any commercial advertising.

(C) This section shall not be deemed to prohibit the erection upon private property adjacent to highways, streets, or alleys of signs giving useful directional information and of a type that cannot be mistaken for official signs.

(D) Every such prohibited sign, signal, or marking is hereby declared to be a public nuisance, and the Chief of Police is hereby empowered to remove the same or cause it to be moved.
(Ord. 366, passed 7-16-79) Penalty, see § 70.99

§ 70.24 PROHIBITION AGAINST ALTERATION, DEFACING, OR REMOVAL.

No person shall without lawful authority attempt to or in fact alter, deface, injure, knock down, or remove any official traffic-control device, sign, or signal or any railroad sign or signal or any inscription, shield, or insignia thereon, or any part thereof.

(Ord. 366, passed 7-16-79) Penalty, see § 70.99

§ 70.99 PENALTY.

Any person, firm, or corporation who violates any of the provisions of this traffic code shall be deemed guilty of a misdemeanor and upon conviction shall be fined a sum not more than \$200 for each offense. Each day's continuance shall constitute a separate and distinct offense for each of those days.

CHAPTER 71: TRAFFIC RULES

Section

General Provisions

- 71.01 Stop intersections
- 71.02 Driving over fire hose
- 71.03 Following closely or delaying fire apparatus
- 71.04 Negligent collisions
- 71.05 Speed limits
- 71.06 Driving on private or public parking lots; license required

Equipment and Loads

- 71.20 Mufflers
- 71.21 Maximum allowable weight of concrete trucks allowed on roadways

GENERAL PROVISIONS

§ 71.01 STOP INTERSECTIONS.

The driver of a motor vehicle or other vehicle on a public street of the city shall, upon approaching an intersection of that public street with another public street, at which a stop signal is located, bring that motor vehicle or other vehicle to a full stop, and shall not proceed until the traffic on the intersected street, at such intersection, has passed.

(Ord. 161, passed 2-15-26) Penalty, see § 70.99

§ 71.02 DRIVING OVER FIRE HOSE.

It is unlawful for any person to drive an automobile or other vehicle or to drive any animal over any fire hose in the city.

(Ord. 121, passed 2-28-23; Am. Ord. 128, passed 1-7-24) Penalty, see § 70.99

§ 71.03 FOLLOWING CLOSELY OR DELAYING FIRE APPARATUS.

(A) Upon the approach of any vehicle or apparatus of the Fire Department of this city answering an alarm of fire, the driver of any vehicle other than a vehicle of the aforesaid Fire Department (and members of the Voluntary Fire Department) shall drive as closely as possible to the right hand curb and stop, and shall not follow within 600 feet after the vehicle or apparatus of the Fire Department has passed. No vehicle, except by direction of the Fire Chief, or other officer of the Fire Department, shall approach or park within 600 feet of a fire at any time. The sounding of the fire alarm of the city shall constitute notice of the probable approach of a vehicle of the Fire Department.

(B) All vehicles pertaining to the Fire Department of the city shall have prior right-of-way upon all the streets and avenues of the city. It shall be unlawful for any person, owner, driver, chauffeur, engineer, conductor, or any other person in charge or control of any buggy, wagon, carriage, automobile, engine, or any other vehicle propelled by whatsoever motive power, to carelessly, wantonly, willfully, or maliciously delay any fire apparatus of this city in going to or coming from any supposed or actual fire.

(Ord. 170, passed 1-6-30) Penalty, see § 70.99

§ 71.04 NEGLIGENT COLLISIONS.

(A) For the purpose of this section, "STATIONARY" shall mean unmoving, whether stopped, or placed temporarily or permanently.

(B) No person driving, operating, or in charge of any motor vehicle, shall, by negligence cause or suffer or permit the same to come in collision with any stationary vehicle or moving vehicle of any nature whatever, or with any street sign, street post, water plug, mail box, or any other stationary obstacle or object whatever, in any alley, avenue, highway, or other public place whatever, in the city. Violation of this section shall be known as the offense of negligent collision.

(C) Negligence for the purposes of this section shall not be ordinary negligence. Negligence for the purposes of this section is defined as the following conduct:

(1) Failure to keep proper lookout when such failure is so grossly flagrant as to cause, and be the sole cause of, a collision that results in injury to person or property.

(2) Failure to make timely application of brakes when such failure is so grossly flagrant as to cause, and be the sole cause of, a collision that results in injury to person or property.

(3) Failure to control direction of movement of the vehicle when such failure is so grossly flagrant as to cause, and be the sole cause of, a collision that results in injury to person or property.

(D) Sole cause shall mean only cause except that proof of another or other negligent acts by a person charged with violation of this section, which acts were contributing causes of the collision, shall not be a defense and shall not be proof that the act complained of was not the sole cause.

(Ord. 362, passed 11-20-78) Penalty, see § 70.99

§ 71.05 SPEED LIMITS.

(A) Findings. The highways, streets or alleys, or portions thereof, identified in subsection (B) below are hereinafter referred to in this section as "Designated Roadways." Based upon the results of an engineering and traffic investigation with respect to the Designated Roadways, the Board of Commissioners of the city finds that the *prima facie* speed limits established by Texas Transportation Code § 545.352 as they apply to the Designated Roadways are unreasonable and unsafe.

The Board of Commissioners of the city further finds that the speed limits established by it in division (B) below are reasonable and safe *prima facie* speed limits for the Designated Roadways. Accordingly, the Board of Commissioners of the city in accordance with Texas Transportation Code § 545.356, hereby alters the *prima facie* speed limits established by Texas Transportation Code § 545.352 for the Designated Roadways as provided in subsection (B) below.

(B) Prima facie speed limits. A speed in excess of the limits established by this subsection is not reasonable and prudent and is unlawful. The maximum reasonable and prudent speed and the highway, street or alley or portion thereof to which it applies is as follows:

<u>HIGHWAY, STREET OR ALLEY</u>	<u>PORTION OF HIGHWAY, STREET OR ALLEY</u>	<u>SPEED LIMIT (MILES PER HOUR)</u>
Ameron Rd.	North bound traffic from 900 Ameron Rd. to its intersection with Kramer Rd. but excluding those areas in marked school zones during those hours in which a lesser speed limit is required for such school zones	35
Ameron Rd.	South bound traffic from 300 Ameron Rd. to its intersection with the Daniel's Rd. "Y"	45
Ameron Rd.	North and south bound from the south end of Ameron Rd. to 2,075 feet north on Ameron Rd.	35
Bishop Rd.	From 1218 Bishop Rd. to its intersection with Daniels Rd. for all lanes of traffic in either direction	35
Davey Drive	From the intersection of East Williams Drive to the intersection of East Kramer Road; the 500 to 700 block of Davey Drive	25
FM 369	North bound from south city limits (mp. 1.860) to 9,820 feet north to SH 240 (mp. 0.00) 1.860 miles	45
FM 369	South bound from SH 240 (mp. 0.00) to 9,820 feet south to south city limits (mp. 1.860) 1.860 miles	45
FM 3429	North and south bound from the north end of FM 3429 to 554 feet south on FM 3429	45

<u>HIGHWAY, STREET OR ALLEY</u>	<u>PORTION OF HIGHWAY, STREET OR ALLEY</u>	<u>SPEED LIMIT (MILES PER HOUR)</u>
Gresham Rd. truck route)	West bound traffic from Gresham Rd. intersection with East Third St. to the city limits	35
Kramer Rd.	From Kramer Rd. intersection with Sugarbush St. to Farm to Market Rd. 369 for all lanes of traffic in either direction	35
Peyton St.	Its entire length, from beginning to end, for all lanes of traffic in either direction	20
Preston Rd.	Northwest and southeast bound from the intersection of Ameron and Preston Rds. to 1,000 feet west on Preston Rd.	35
Preston St.	North bound traffic from Preston Rd. intersection with Ameron Rd. to intersection with Jan Lee St.	35
School zones marked)	Within the marked areas	20
Sycamore Dr.	From Sycamore St. intersection with Patricia St. to intersection with Ashton Rd. for all lanes of traffic in either direction	35
Williams Dr.	From Williams Dr. intersection with the County Rd., for all lanes of traffic in either direction.	20

(C) Offense; penalty. A person commits an offense if the person operates a motor vehicle on a Designated Roadway or any portion thereof at a speed greater than that which is lawful pursuant to subsection (B) above. A person convicted of an offense under this section shall be punished by a fine of not less than \$1 or more than \$200.

(D) Altered speed limits effective upon posting of signs. A *prima facie* speed limit established by this section shall be effective when the city erects signs giving notice of the such speed limit. (Ord. 222, passed 9-27-54; Am. Ord. 605, passed 9-18-00; Am. Ord. 632, passed 12-17-01; Am. Ord. 677, passed 6-21-04; Am. Ord. 857, passed 6-16-14)

§ 71.06 DRIVING ON PRIVATE OR PUBLIC PARKING LOTS; LICENSE REQUIRED.

No person shall drive a motor vehicle on a private or public parking lot without a current valid driver's license issued by the State Department of Public Safety.

(Ord. 362, passed 11-20-78) Penalty, see § 70.99

EQUIPMENT AND LOADS

§ 71.20 MUFFLERS.

It shall be unlawful for any person to operate, run, or drive any automobiles, trucks, motorcycles, or other motor vehicles with an open muffler along the road, street, or driveway within the limits of the city.

(Ord. 56, passed 9-15-19) Penalty, see § 70.99

§ 71.21 MAXIMUM ALLOWABLE WEIGHT OF CONCRETE TRUCKS ALLOWED ON ROADWAYS.

Vehicles used exclusively to transport ready-mix concrete may be operated upon the public roads and highways under the jurisdiction of the city with a tandem axle load not to exceed 36,000 pounds, a single axle load not to exceed 12,000 pounds, and a gross load not to exceed 48,000 pounds.

(Ord. 346, passed 9-19-77) Penalty, see § 70.99

Cross-reference:

Load restrictions, see Ch. 73, Schedule II

CHAPTER 72: STOPPING, STANDING, AND PARKING

Section

- 72.01 Manner of parking
- 72.02 Certain vehicles prohibited from parking
- 72.03 Prohibiting certain vehicles and trailers from parking excessive periods of time
- 72.04 Overnight parking
- 72.05 Double parking
- 72.06 Handicapped parking
- 72.07 Parking of trucks and motor vehicles used in transportation of gasoline or liquified petroleum gases prohibited
- 72.08 Regulating residential parking
- 72.09 Presumption that owner of vehicle illegally parked same

§ 72.01 MANNER OF PARKING.

Any person parking an automobile or a motor vehicle on Third Street in the city limits shall park such automobile or motor vehicle parallel to the curb on that street, and angle, or angular, parking is hereby prohibited.

(Ord. 300, passed 8-18-69) Penalty, see § 70.99

§ 72.02 CERTAIN VEHICLES PROHIBITED FROM PARKING.

No vehicle with or without trailers, exceeding nine feet in height, 26 feet in length, or seven feet eight inches in width shall be parked for any period of time, except temporarily for the purpose of loading or unloading goods, furniture, or merchandise on any public street or alley.

(Ord. 363, passed 1-15-79) Penalty, see § 70.99

§ 72.03 PROHIBITING CERTAIN VEHICLES AND TRAILERS FROM PARKING EXCESSIVE PERIODS OF TIME.

No person shall park on any city street or alley for a period longer than 72 continuous hours any trailer, semi-trailer, boat-trailer, trailer house, or other nonmotorized device or equipment designed or intended to be towed upon the public streets by means of attachment to a motor vehicle or other self-propelled vehicle or equipment; nor any motorized, self-propelled motor home or other motor vehicle containing or intended to contain permanently installed sleeping facilities or human sanitary treatment or disposal facilities.

(Ord. 363, passed 1-15-79) Penalty, see § 70.99

§ 72.04 OVERNIGHT PARKING.

No person shall leave standing or parked in any public street, alley, or other public places any vehicle or automobile of any

character which is unable to operate, unattended for a longer continuous period of time than 24 hours.

(Ord. 363, passed 1-15-79) Penalty, see § 70.99

§ 72.05 DOUBLE PARKING.

(A) For the purpose of this section the following definitions shall apply unless the context clearly indicates or requires a different meaning.

(1) "ALL STREETS." Public streets, public highways, thoroughfares, and alleyways and designated by the recorded plat of the city, whether those streets are marked by street signs or not.

(2) "VEHICLE." All automobiles, trucks, tractors, or any form of self-propelled mechanism, whether mounted on wheels, trucks, or tracks.

(B) It shall be unlawful to double park, that is to park in the second line of traffic, counting left from the curb on Third Street in the city between Avenue D and the railroad tracks, and on Avenue C from Second Street to Fourth Street.

(C) A violation of this section shall be charged against the operator of any vehicle so parked in a manner in conflict with this section, regardless of the ownership of that vehicle.

(Ord. 230, passed 12-12-55) Penalty, see § 70.99

§ 72.06 HANDICAPPED PARKING.

(A) A person commits an offense if the person is neither temporarily or permanently disabled nor transporting a temporarily or permanently disabled person and parks a vehicle with such special device or displaying a disabled person identification card in a parking space or parking area designated specifically for the disabled by a person who owns or controls private property used for parking.

(B) A person commits an offense if the person parks a vehicle neither displaying the special device nor displaying a disabled person identification card in a parking space or parking area designated specifically for the disabled by a person who owns or controls private property used for parking.

(C) A person commits an offense if the person parks a vehicle so that the vehicle blocks an access or curb ramp or any other architectural improvement designed to aid the disabled.

(D) A person commits an offense if he lends an identification card issued to him under this act to a person who uses the identification card in violation of this section.

(E) The special device and disabled person identification card referenced in this section refers to the special devices and identification cards provided by the State Department of Highways and Public Transportation in accordance with Art. 6675a - 5e.1, Sec. 1(a), V.T.C.S.

(F) A parking space or area designated for the disabled is one which is marked by:

(1) An international wheelchair emblem clearly painted on the parking space; or

(2) A vertical sign four feet above the space bearing the international wheelchair emblem. If several disabled spaces are adjacent to each other, the spaces may be designated by a vertical sign five feet above each end space bearing the international wheelchair emblem and an arrow showing the designation of adjacent spaces.

(G) Any parking space or area designated in accordance with division (F) above shall constitute prima facie evidence that the owner or controller of a private parking lot has designated such space for disabled parking.

(H) An offense committed under this section shall be a Class C misdemeanor.

(Ord. 424, passed 12-16-85) Penalty, see § 70.99

§ 72.07 PARKING OF TRUCKS AND MOTOR VEHICLES USED IN TRANSPORTATION OF GASOLINE OR LIQUIFIED PETROLEUM GASES PROHIBITED.

It shall hereafter be unlawful for any person, firm, or corporation, to park or to permit to be parked upon any street, alley, or other public place of the city, any truck or other motor vehicle used in transporting gasoline or liquified petroleum gases, except where such trucks or motor vehicles are actually engaged in unloading gasoline or liquified petroleum gases at a filling station or other place where such gasoline or liquified petroleum gases are sold at retail or at a place where same is being lawfully used for domestic or commercial purposes.

(Ord. 242, passed 3-23-60) Penalty, see § 70.99

§ 72.08 REGULATING RESIDENTIAL PARKING.

(A) Location. A minimum of 75% of residential home occupants/owners of a standard street block within the city limits of

the City of Burkburnett must sign a petition to regulate parking on their block and present it to the City Secretary. In addition, a brief description of the parking problem for that particular block must be attached.

(B) Parking regulation. The City Manager will consider the petition and/or take action to regulate the parking for the affected area in accordance with City Council approved guidelines. The regulated parking will be a two hour parking zone during standard school hours (8:00 a.m. to 3:30 p.m.) Monday through Friday.

(C) Enforcement. The Police Department of the City of Burkburnett will have the responsibility and authority to enforce any regulated parking areas in accordance with previously established motor vehicle laws and ordinances. All published parking fines and penalties would be applicable to this section. This regulated parking zone will not be enforced on non-school days. Additionally, affected residents may, with prior coordination with the City of Burkburnett Police Department waive this parking regulation for extenuating circumstances, i.e., funerals, receptions, etc. for a specified period of time. (Ord. 564, passed 8-17-98)

§ 72.09 PRESUMPTION THAT OWNER OF VEHICLE ILLEGALLY PARKED SAME.

In any prosecution charging a violation of any law or regulation governing the standing or parking of a vehicle, proof that the particular vehicle described in the complaint was parked in violation of any such law or regulation, together with proof that the defendant named in the complaint was, at the time of such parking, the registered owner of that vehicle, shall constitute in evidence a prima facie presumption that the registered owner of the vehicle was the person who parked or placed it at the point where and during the time in which the violation occurred.

(Ord. 899, passed 6-20-16)

CHAPTER 73: TRAFFIC SCHEDULES

Schedule

- I. One-way streets
- II. Load restrictions

SCHEDULE I. ONE-WAY STREETS.

The following streets and alleys are hereby established and designated as one-way streets or alleys, and it shall be unlawful for any person to operate a vehicle on said streets or alleys in a direction other than that permitted by this schedule:

<u>STREET OR ALLEY</u>	<u>BETWEEN</u>	<u>DIRECTION</u>	<u>HOURS</u>	<u>ORD. NO.</u>	<u>DATE</u>
Ave. F	Cottonwood St. and College St.	Northward	Between 8:00 a.m. and 4:30 p.m. on days when the public schools are in session	345	8-22-77
East College St.	Ave. F and South Ave. D	Westward	Between 8:00 a.m. and 4:30 p.m. on days when the public schools are in session	686	2-21-05
Alley behind Chaparral Circle	Entire alley located behind Chaparral Circle	Southward by entering at the north intersection of the alley with Chaparral St. and exiting at the south intersection of the alley with Chaparral St.	At all times	686	2-21-05

<u>STREET</u> <u>OR ALLEY</u>	<u>BETWEEN</u>	<u>DIRECTION</u>	<u>HOURS</u>	<u>ORD.</u> <u>NO.</u>	<u>DATE</u>
Alley between 3rd and 4th Streets	North Avenue D and North Avenue C	Westward	At all times	692	3-21-05

(Am. Ord. 934, passed 5-21-18) Penalty, see § 70.99

SCHEDULE II. LOAD RESTRICTIONS.

(A) (1) It shall be unlawful to operate any vehicle on the following streets in excess of the weight stated:

<u>STREET</u>	<u>DESCRIPTION</u>	<u>GROSS WEIGHT</u>	<u>ORD. NO.</u>	<u>DATE</u>
Jewel St.	From Bishop to Sheppard Rd.	4,000 pounds	448	5-16-88
Kiowa St.	From Apache to Preston	4,000 pounds	418	6-17-85
Mohawk St.	From Apache to Coulter	4,000 pounds	418	6-17-85
Sioux St.	From Pawhuska to Red Fox	4,000 pounds	418	6-17-85
Tejas St.	From Apache to Preston	4,000 pounds	418	6-17-85
Third St.	From Avenue B to Avenue D	One ton	287	6-3-68

(2) It shall be unlawful to operate a motor vehicle in excess of such weight on the above - described streets, except for the purpose of making delivery or picking up a load, in which case that vehicle may be driven on such street for not more than the minimum distance necessary for such purpose.

(B) Penalty. Any person or persons, firm, or corporation who violates any of the provisions of this schedule or who fails to comply with this schedule shall be deemed guilty of a misdemeanor and upon conviction shall be fined a sum not less than \$25 nor more than \$200 for each offense and each day's continuance of a failure to comply therewith shall constitute a separate and distinct offense for each of said days. (Ord. 448, passed 5-16-88)

2001 S-13

[Next printed page is p. 23]

CHAPTER 74: PARKING SCHEDULES

Schedule

- I. Restricted parking
- II. Limited parking

SCHEDULE I. RESTRICTED PARKING.

The following vehicles are restricted from parking on the following streets.

<u>STREET</u>	<u>DESCRIPTION</u>	<u>ORD. NO.</u>	<u>DATE</u>
Preston St.	Any truck over 1/2-ton	313	5-22-72

Penalty, see § 70.99

SCHEDULE II. LIMITED PARKING.

Parking is limited as described below on the following streets:

<u>STREET</u>	<u>BETWEEN</u>	<u>SIDE</u>	<u>TIME LIMIT</u>	<u>ORD. NO.</u>	<u>DATE</u>
Avenue C	Third St. to alleyway between Second St. and Third St.	to	East 15 minutes	230	12-12-55

Penalty, see § 70.99

Section

75.01	Definitions
75.02	Allowable period of use
75.03	Location restrictions
75.04	Required equipment
75.05	Operators
75.99	Penalty

§ 75.01 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

"ALLOWABLE USERS." An entity whose primary business is the delivery of parcels.

"GOLF CART." As assigned by Texas Transportation Code § 502.001.

"PUBLIC HIGHWAY." As assigned by Texas Transportation Code § 502.001.
(Ord. 830, passed 11-19-12)

§ 75.02 ALLOWABLE PERIOD OF USE.

Golf carts operated by allowable users may be used on public highways for Christmas parcel delivery from 12:00 a.m. on November 15 to 11:59 p.m. on December 31 of each year.
(Ord. 830, passed 11-19-12)

§ 75.03 LOCATION RESTRICTIONS.

Golf carts may be operated on public highways with a speed limit of not more than 35 mph.
(Ord. 830, passed 11-19-12)

§ 75.04 REQUIRED EQUIPMENT.

Golf carts used for Christmas parcel delivery shall be equipped with headlamps, tail lamps, reflectors, a parking brake, and mirrors. All golf carts shall be clearly marked with the name of the company delivering parcels.
(Ord. 830, passed 11-19-12)

§ 75.05 OPERATORS.

Golf carts shall only be operated by allowable users with a valid driver's license that authorizes the person to operate a motor vehicle on public highways. Operators shall obey all state and local traffic laws.

(Ord. 830, passed 11-19-12)

§ 75.99 PENALTY.

Any person, or persons, or firm, or corporation who violates any of the provisions of this chapter or who fails to comply with this chapter shall be deemed guilty of a misdemeanor and upon conviction shall be fined a sum of not less than \$25 and not more than \$200 for each offense and each day's continuance of failure to comply therewith shall constitute a separate and distinct offense for each day.

(Ord. 830, passed 11-19-12)

CHAPTER 76: TOWING SERVICES AND VEHICLE IMPOUNDS

Section

- 76.01 Authority to impound vehicles for no insurance or no valid driver's license
- 76.02 Establish non-consent towing fees and storage fees

§ 76.01 AUTHORITY TO IMPOUND VEHICLES FOR NO INSURANCE OR NO VALID DRIVER'S LICENSE.

(A) A police officer is authorized to remove or caused the removal of a motor vehicle from a public place to a place designated by the Chief of Police when the motor vehicle is involved in an accident or stopped by a police officer for an alleged violation of a city or state traffic law or other law applicable to the operation of a motor vehicle on the roadway and the motor vehicle's owner or operator fails to show:

(1) Evidence of financial responsibility as required under Texas Transportation Code, Chapter 601; or

(2) A valid driver's license appropriate for the type of vehicle operated by the operator of the motor vehicle. A suspended license is not considered to be valid.

(B) Prior to impoundment of the motor vehicle for failure to show evidence of financial responsibility, the police officer shall verify the status of financial responsibility by utilizing or obtaining the utilization of a verification program established pursuant to Texas Transportation Code, Chapter 601, Subchapter N.

(C) Prior to impoundment of the motor vehicle for failure to show a valid driver's license appropriate for the type of vehicle operated by the operator of the motor vehicle, the police officer shall verify the status of licensure by utilizing or obtaining the utilization of a database of valid motor vehicle licenses.

(Ord. 912, passed 1-16-17)

§ 76.02 ESTABLISH NON-CONSENT TOWING FEES AND STORAGE FEES.

In addition to the permissible fees charged by the towing company for towing a vehicle, a vehicle impound fee of \$20 for each vehicle taken into the control and custody of the Police Department or its duly authorized agent or operator is hereby fixed as the charge for initiation of a vehicle impoundment, which shall be collected by the Police Department before the impounded vehicle is released.

(Ord. 912, passed 1-16-17)

