

ORDINANCE NO. 609

AN ORDINANCE OF THE CITY OF ADDISON PROHIBITING THE PARKING OF BUSES AND TRUCKS WITH MORE THAN THREE QUARTER TON RATED CAPACITY OVERNIGHT WITHIN AREAS ZONED SINGLE FAMILY, DUPLEX OR APARTMENT UNDER THE ZONING ORDINANCE OF THE CITY OF ADDISON; FINDING THAT THE PARKING OF SUCH TRUCKS AND TRAILERS CONSTITUTE A NUISANCE DETRIMENTAL TO THE GENERAL PUBLIC WELFARE OF THE CITIZENS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO HUNDRED DOLLARS (\$200.00) FOR EACH OFFENSE; PROVIDING AN EFFECTIVE DATE AND DECLARING AN EMERGENCY.

WHEREAS, the City of Addison is authorized to prohibit nuisances within its city limits under the provisions of Article 1175, Vernon's Revised Civil Statutes; and,

WHEREAS, the City of Addison is of the opinion that the overnight parking of buses and trucks with a rated capacity of more than three quarter ton in areas zoned Single Family, Duplex or Apartment District zoning under the Comprehensive Zoning Ordinance creates a nuisance and hazard to persons residing in such residential areas and should be prohibited; and,

WHEREAS, the parking of buses and trucks within residential areas within the City of Addison creates dangerous and hazardous conditions to children residing in such residential areas because of the attraction of such vehicles to children and because of the large amounts of gasoline contained within such vehicles; and,

WHEREAS, the overnight parking of buses and trucks with a rated capacity of more than three quarter ton in residential areas creates an apprehension of danger on the part of such residents and constitutes an annoyance to the people in the neighborhoods and should be prohibited, now, therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ADDISON, TEXAS:

SECTION 1. That it shall be unlawful and an offense for any person to park overnight, or between the hours of midnight and 6:00 a.m., any truck-tractor, road-tractor, semi-trailer, bus, truck or trailer, when such truck or trailer has a manufacturer's rated capacity in excess of three-fourths ton, upon property within any area zoned as either Single-Family, Duplex or Multiple-Family District zoning under the Zoning Ordinance of the City.

SECTION 2. That this ordinance shall not prevent the parking or standing of the above described vehicles in such zoned areas for the purpose of expeditiously loading and unloading passenger, freight, or merchandise.

SECTION 3. That any person, firm or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction in the Municipal Court shall be subject to a fine not to exceed the sum of Two Hundred Dollars (\$200.00) for each offense, and each and every day said violation continues shall constitute a separate offense.

SECTION 4. That should any word, phrase, section, sentence, or portion of this ordinance be held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said ordinance which shall continue in full force and effect.

SECTION 5. The fact that the present ordinances of the City of Addison do not prohibit the parking of buses and trucks in residential areas overnight or during the hours of midnight to 6:00 A.M., and the fact that the parking of such trucks and buses within residential areas creates hazardous conditions to persons residing in such areas, creates an urgency and an emergency and requires that this ordinance shall take effect immediately upon its adoption, and the publication of the caption of said ordinance, as the law in such cases provides.

DULY ADOPTED by the City Council of the City of Addison, Texas, on this the 26 day of August, 1980.


MAYOR

ATTEST:


CITY SECRETARY