

ORDINANCE NO. 084-030

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING CHAPTER 9. MOTOR VEHICLES AND TRAFFIC OF THE CODE OF ORDINANCES, TOWN OF ADDISON, TEXAS; PROVIDING FOR TRAFFIC AND PARKING CONTROLLERS; PROVIDING FOR DUTIES AND RESPONSIBILITIES OF SUCH TRAFFIC AND PARKING CONTROLLERS; PROVIDING FOR MISCELLANEOUS PROVISIONS RELATING TO TRAFFIC AND PARKING CONTROLLERS; PROVIDING FOR A PENALTY; PROVIDING FOR CONFLICTING SECTIONS; PROVIDING FOR A REPEAL CLAUSE; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

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

SECTION 1. That the Code of Ordinances of the Town of Addison, Texas, Chapter 9. Motor Vehicle and Traffic is hereby amended by adding Section 9-73 as follows:

Sec. 9-73. Duties, Responsibilities, etc. of Traffic and Parking Controllers.

(a) Persons employed by the Police Department of the City as traffic and parking controllers are authorized to issue municipal court citations for any traffic or parking violation within the City in the same manner as regular officers of the Police Department, and are authorized to impound vehicles in violation of parking and fire lane regulation in the same manner as officers of the Police Department.

(b) It shall be the duty of the traffic and parking controllers to direct and guide motor vehicles and pedestrian traffic in the City as directed by the Chief of Police.

(c) Traffic and parking controllers are hereby authorized to direct traffic by voice, hand or signal, in conformance with

traffic laws; provided, that in the event of a fire or other emergency, to expedite traffic, or to protect pedestrians, traffic and parking controllers may direct traffic as conditions may require, notwithstanding the provisions of the traffic law.

(d) Traffic and parking controllers shall be deemed to be paid law enforcement officers for the purposes of qualifying for survivors' assistance benefits under the provisions of Article 6228F, Vernons Annotated Texas Statutes. Controllers, however, shall not be considered regular members of the Police Department within the meaning of State law governing regular police personnel.

(e) Traffic and parking controllers, while in performance of their duties, shall be deemed to be engaged in the performance of a governmental function.

(f) Traffic and parking controllers, while in performance of their duties, shall have the power to arrest, limited to situations arising out of the performance of their specific duties.

(g) Controllers shall not be armed with firearms.

SECTION 2. That any person, firm or corporation violating any of the provisions of this Ordinance, shall upon commission be deemed guilty of a misdemeanor, and shall be subject to a fine not to exceed the sum of Two Hundred and no/100 Dollars (\$200.00) for each offense, and each day such violation continues shall constitute a separate offense.

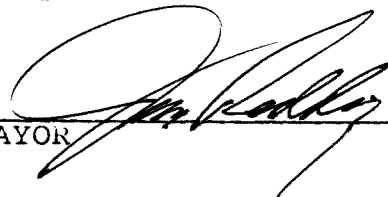
SECTION 3. That should any paragraph, sentence, subdivision, clause, phrase or section of this ordinance be adjudged or be held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision thereof other than the part so decided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

SECTION 4. That all ordinances of the City in conflict with the provisions of this ordinance be, and the same are hereby

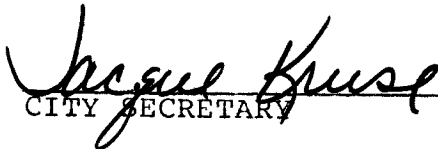
repealed and all other ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 5. The fact that the present Code does not provide for traffic and parking controllers and is therefore inadequate to properly safeguard the general public, health and safety, creates an urgency and an emergency, and requires this Ordinance to become effective immediately upon its passage and publication of the caption as the law in such cases provides.

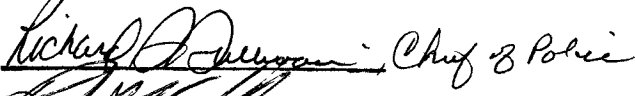

DULY PASSED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS, this the 8<sup>th</sup> day of May, 1984.

  
MAYOR

ATTEST:

  
CITY SECRETARY

APPROVED AS TO FORM:

  
Chief of Police  
  
\_\_\_\_\_