

ORDINANCE NO. 092-032

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING SEC. 9-223, CHAPTER 9, MOTOR VEHICLES, OF THE CODE OF ORDINANCES, TOWN OF ADDISON, TEXAS; TO PROVIDE FOR REMOVAL OF VEHICLES BY WRECKER SERVICE; TO PROVIDE FOR REPEAL; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR A SAVINGS CLAUSE; TO PROVIDE FOR PENALTIES; AND TO PROVIDE AN EFFECTIVE DATE.

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

SECTION 1. That Sec. 9-223 of Chapter 9 of the Code of Ordinances, Town of Addison, Texas, is hereby amended to read as follows:

Sec. 9-223. Removal of Vehicles by Wrecker Service.

(a) A Wrecker Service may, without the consent of the Owner of an unauthorized vehicle, remove and store such vehicle at the expense of the Owner of the vehicle, if any if the following occurs:

(1) a sign or signs, specifying those Persons who may park in a private parking lot and prohibiting all others and specifying the name and phone number of the Wrecker Service towing the vehicle and the location where the vehicle is to be stored, are placed so that they are readable day or night from all entrances to the lot (however, signs need not be illuminated);

(2) the Wrecker Service has received written verification from the private parking lot owner that the Owner of the unauthorized vehicle has been actually notified by the parking lot owner that the vehicle will be towed away if it is not removed; or

(3) the unauthorized vehicle is obstructing an entrance, exit, fire lane or aisle of the parking lot.

(b) Otherwise, a Wrecker Service may not remove an unauthorized vehicle except under the direction of a peace officer or the Owner of such vehicle.

SECTION 2. That all ordinances of the City in conflict with the provisions of this ordinance be, and the same are hereby repealed and all other ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.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 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 Chapter 9, Motor Vehicles, of the Code of Ordinances, Town of Addison, Texas, shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 5. Any person, firm or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and, upon conviction, shall be punished by a penalty of fine only not to exceed the sum of Five hundred Dollars (\$500.00) for each offense, and each and every day such offense is continued shall constitute a new and separate offense.

SECTION 6. This ordinance shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the Town of Addison, and it is accordingly so ordained.

DULY PASSED BY THE CITY COUNCIL OF THE TOWN OF ADDISON,  
TEXAS, this the 26th day of May, 1992.

  
MAYOR

ATTEST:

  
CITY SECRETARY

Published  
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