

ORDINANCE NO. 094-028

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS AMENDING CHAPTER 9, MOTOR VEHICLES AND TRAFFIC, OF THE CODE OF ORDINANCES OF THE CITY BY ADDING A NEW SECTION 9-54 REQUIRING A PERSON ENGAGED IN THE PARKING OF VEHICLES FOR A VALET PARKING SERVICE OR THE EQUIVALENT THEREOF TO WEAR REFLECTIVE CLOTHING DURING ANY TIME FROM A HALF HOUR AFTER SUNSET TO A HALF HOUR BEFORE SUNRISE AND AT CERTAIN OTHER TIMES DESIGNATED HEREIN; PROVIDING THAT SUCH RESTRICTIONS SHALL APPLY ONLY TO A COMMERCIAL ESTABLISHMENT OR ACTIVITY AND TO THOSE PERSONS ENGAGED IN THE PARKING OF VEHICLES WHO CROSS A PUBLIC STREET OR OTHER PUBLIC RIGHT-OF-WAY ACCESSIBLE TO MOTOR VEHICLES; PROVIDING DEFINITIONS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY OF NOT LESS THAN ONE DOLLAR (\$1.00) AND NOT GREATER THAN FIVE HUNDRED DOLLARS (\$500.00) FOR EACH OFFENSE AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED EACH DAY DURING OR ON WHICH A VIOLATION OCCURS OR CONTINUES; PROVIDING AN EFFECTIVE DATE.

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


1. Amendments. Chapter 9, Motor Vehicles and Traffic, of the Code of Ordinances of the City is hereby amended as set forth in Exhibit "A" attached hereto and by reference made a part hereof for all purposes.
2. Severability. If any part or provision of this Ordinance or application thereof to any person or circumstance is held invalid or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this Ordinance, and the City Council hereby declares it would have passed such remaining portions of this Ordinance despite such invalidity, which remaining portions shall remain in full force and effect.
3. Savings, Repealer. This Ordinance shall be cumulative of all other ordinances of the City affecting the parking of vehicles or the operation of a valet parking service and shall not repeal any of the provisions of those ordinances except in those instances where provisions

of those ordinances are in direct conflict with the provisions of this Ordinance.

4. Penalty. It shall be unlawful for any person to violate any provision of this Ordinance, and any person violating or failing to comply with any provision of this Ordinance shall be fined, upon conviction, not less than One Dollar (\$1.00) nor more than Five Hundred Dollars (\$500.00), and a separate offense shall be deemed committed upon each day during or on which a violation occurs or continues.


5. Effective Date. This Ordinance shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the Town of Addison.

DULY PASSED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS,
on this the 26 day of April, 1994.



Rich Beckert, Mayor

ATTEST:



Carmen Moran, City Secretary

[SEAL]

APPROVED AS TO FORM:

Ken Dippel, City Attorney

Published
5/12/94



EXHIBIT "A"

AMENDMENTS TO CHAPTER 9, MOTOR VEHICLES AND TRAFFIC,
CODE OF ORDINANCES
TOWN OF ADDISON, TEXAS

A new Section 9-54 to Chapter 9 of the Code of Ordinances is hereby added to read as follows:

Section 9-54. Valet Parking Services - Reflective Clothing.

(a) *Definitions.* For purposes of this Section, the term "valet parking service" shall mean the provision of a driver or drivers to operate and park a person's vehicle at the person's destination so that the person and any passengers may unload and load from the vehicle.

(b) *Reflective clothing required of parkers.* Any person engaged in the parking of vehicles for a valet parking service shall, during that time between a half hour after sunset and a half hour before sunrise, wear reflective clothing. Such reflective clothing shall be adequate to reflect brightly the headlights from a motor vehicle and shall consist of not less than 144 square inches of fluorescent orange material appearing on both the chest and back.

(c) *Application.* This Section shall apply only to a valet parking service provided in connection with a commercial establishment or commercial activity and does not apply to occasional valet parking service provided at a private residence or in connection with a social or fund-raising activity. This Section shall further apply only in those instances where a valet parking service is providing its services such that a person engaged in the parking of vehicles must cross a public street or other public right-of-way which is accessible by motor vehicles.