

ORDINANCE NO. 2202

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF ALAMO HEIGHTS, TEXAS, AMENDING CHAPTER 18, TRAFFIC, SECTION 18-152 BY ALLOWING PERMIT PARKING ON SCHOOL DAYS FROM 8:00 AM TO 5:00 PM ON WINTERGREEN DRIVE, EAST AND WEST SIDES OF THE STREET BETWEEN PRIMROSE PLACE AND ROSEMARY AVENUE; PROVIDING FOR A PENALTY; REPEALING ALL PARTS OF ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; AND OPEN MEETINGS CLAUSE.

WHEREAS, the regulation of traffic, motor vehicles and conveyances upon all public streets, roadway and right-of-ways within the City limits of the City of Alamo Heights (the "City") is essential and necessary to protect the traveling public and to preserve and protect the public safety of the City; and

WHEREAS, sections 311.001 and 542.202(a) (10) of the Texas Transportation Code provides that a municipality has exclusive control over and under the public highways, streets, and alleys of the municipality and the authority to designate which streets will have no parking locations; and

WHEREAS, student parking on streets around the Alamo Heights High School has given cause for concern to residents of streets having students' vehicles parked in front of their homes and, occasionally on both sides of the street and parking on narrow residential streets creates difficulty for access and egress, minimizes visibility and can impede the travel of large emergency response vehicles; and

WHEREAS, the proposed addition of restricted permit parking on Wintergreen Drive, east and west sides, would provide the same relief to residents having properties adjacent to Wintergreen Street with side driveways as has been experienced on Primrose from Broadway to Wintergreen, as well as other neighborhood areas around the school;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ALAMO HEIGHTS, TEXAS THAT:

SECTION 1: Findings. The recitals are hereby found to be true and correct and are hereby incorporated as part of this Ordinance.

SECTION 2: Amendments to Chapter 18. Chapter 18 ("Traffic") Section 18-152 shall be amended, which is entitled "Schedule G-Parking Prohibited or Limited on Certain Streets" which shall be amended to include restricted permit parking on school days from 8:00 AM to 5:00 PM:

Sec. 18-152. - Schedule B – Schedule G-Parking Prohibited or Limited on Certain Streets

Permit parking only on school days from 8:00 a.m. to 5:00 p.m.

Wintergreen Drive, east and west sides, between Primrose Place and Rosemary Avenue

SECTION 3. All remaining provisions of Chapter 18 ("Traffic ") Section 18-152, "Schedule G-Parking Prohibited or Limited on Certain Streets" shall remain unchanged except for the amendment to add the street underlined in Section 2 of this Ordinance.

SECTION 4. Conflicting Ordinances or Resolutions. All resolutions or ordinances or parts thereof conflicting or inconsistent with the provisions of this ordinance as adopted and amended herein, are hereby REPEALED to the extent of such conflict. In the event of a conflict or inconsistency between this ordinance and any other resolution, code or ordinance of the City, or parts thereof, the terms and provisions of this ordinance shall govern.

SECTION 5. Severability. If any section, subsection, sentence, clause, phrase, or word of this ordinance is declared unconstitutional or invalid for any purpose, the remainder of this ordinance shall not be affected thereby and to this end the provisions of this ordinance are declared to be severable.

SECTION 6. Open Meetings. It is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

SECTION 7. Effective Date. This ordinance shall be effective from and after its approval and passage in accordance with the Texas Local Government Code and the city charter.

PRESENTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ALAMO HEIGHTS, TEXAS THIS 27TH DAY OF MARCH 2023.



BOBBY ROSENTHAL, MAYOR

ATTEST:



ELSA T. ROBLES, CITY SECRETARY



APPROVED AS TO FORM:



RICHARD LINDNER, CITY ATTORNEY