

An Ordinance of the City of Plano, Texas amending Section 12-101, Prohibited on certain streets at all times, of Article V, Stopping, Standing and Parking, Chapter 12, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Plano, Texas to establish no parking zones on certain sections of Park Vista Road, within the city limits of the City of Plano; and providing a penalty clause, a repealer clause, a severability clause, a savings clause, a publication clause, and an effective date.

WHEREAS, the recently-constructed Heritage Ridge development included the reconstruction of a portion of Park Vista Road that crosses the Kansas City Southern (KCS) rail line near its southern end; and

WHEREAS, the crossing has been designated as a quiet zone where trains are not required to sound their horns if a raised median, railroad gates, signs, and pavement marking are provided; and

WHEREAS, on-street parallel parking spaces were added as a part of the reconstruction of Park Vista Road, which introduced a condition where large vehicles or vehicles parked improperly could potentially prevent the clear passage of vehicles approaching and departing the railroad crossing; and

WHEREAS, a Federal Railroad Administration (FRA) inspector identified the parking areas as a potential concern in the future when the nearby development was completed and residents began parking in these areas; and

WHEREAS, the proposed parking restrictions are for life safety purposed in order to minimize the potential for motorists to become stuck on the railroad tracks; thus, minimizing the potential for train collisions; and

WHEREAS, the Transportation Engineering Division of the City of Plano proposes to amend a certain section of the Code of Ordinances to establish no parking zones along and upon Park Vista Road from a point five hundred twenty (520) feet south of its intersection with Glenscape Circle and the KCS railroad tracks, within the city limits of the City of Plano in order to provide for the safety of the general public within the area.

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

Section I. It shall be unlawful for any person to stop, stand, or park a motor vehicle along certain sections of Park Vista Road described herein, except when necessary to avoid conflict with other traffic or in compliance with law or directions of a police officer.

Section II. Section 12-101, Prohibited on certain streets at all times, of Article V, Stopping, Standing and Parking, Chapter 12, Motor Vehicles and Traffic, of the Code of Ordinances, City of Plano, Texas, is hereby amended by addition of the following Subsection:

"Park Vista Road:

- (1) Along both sides of Park Vista Road from a point five hundred twenty (520) feet south of its intersection with Glenscape Circle to the Kansas City Southern railroad tracks."

Section III. The Traffic Engineer of Plano is hereby authorized and directed to cause placement or removal of traffic control signs along the portions of the roadways described herein, and such sign shall give notice to all persons of the prohibition against stopping, standing, or parking in these areas.

Section IV. All provisions of the ordinances of the City of Plano, codified or uncoded, in conflict with the provisions of this Ordinance are hereby repealed, and all other provisions of the Ordinances of the City of Plano, codified or uncoded, not in conflict with the provisions of this Ordinance shall remain in full force and effect.

Section V. It is the intention of the City Council that this Ordinance, and every provision hereof, shall be considered severable, and the invalidity or unconstitutionality of any section, clause, provision or portion of this Ordinance shall not affect the validity or constitutionality of any other portion of this Ordinance.

Section VI. Any violation of any provision or term of this ordinance shall be a Class C Misdemeanor offense. Any person, firm, corporation, or association who is adjudged guilty of a Class C Misdemeanor offense under this ordinance shall be punished by a fine not to exceed TWO HUNDRED AND NO/100 DOLLARS (\$200.00) for each offense. Each and every violation shall be deemed to constitute a separate offense.

Section VII. The repeal of any Ordinance or part of an Ordinance effectuated by the enactment of this Ordinance shall not be construed as abandoning any action now pending under or by virtue of such Ordinance or as discontinuing, abating, modifying, or altering any penalty accruing or to accrue, or as affecting any rights of the municipality under any section or provisions of any Ordinances at the time of passage of this Ordinance.

Section VIII. This Ordinance shall become effective from and after its passage and publication as required by law and after all necessary signs and pavement markings have been installed.

DULY PASSED AND APPROVED this 28th day of June, 2021.

John B. Muns, MAYOR

ATTEST:

Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:

Paige Mims, CITY ATTORNEY