

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 City of Plano Code of Ordinances to establish a no parking zone on the north side of Emerson Drive from Preston Meadow Drive to a point one hundred forty-five (145) feet west of Virginia Drive, 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, Emerson Drive is a twenty-six-foot-wide residential street with Preston Meadow Park on the north side and residential neighborhoods on the south side; and

WHEREAS, the Transportation Division received concerns about emergency vehicle access, especially during the peak hours of the park when a line of parked vehicles occupies each side of the street; and

WHEREAS, the Fire Marshal's office assessed the condition in the field and determined that a typical fire engine would not be able to maneuver through Emerson Drive with no gaps between parked vehicles during peak usage; and

WHEREAS, the Engineering Department initiated a CIP project to widen the street as a permanent resolution; and

WHEREAS, for an interim countermeasure, the Engineering Department recommends an amendment to a certain section of the Code of Ordinances to establish a no parking zone along and upon a certain section of Emerson Drive, within the city limits of the City of Plano in order to ensure safe passage of emergency vehicles.

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 a certain section of Emerson Drive 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 the addition of the following subsection:

“Emerson Drive:

- (1) Along the north side from its intersection with Preston Meadow Drive to a point one hundred forty-five (145) feet west of its intersection with Virginia Drive.”

Section III. 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 IV. 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 V. 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 FIVE HUNDRED AND NO/100 DOLLARS (\$500.00) for each offense. Each and every violation shall be deemed to constitute a separate offense.

Section VI. 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 VII. 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 November, 2022.

John B. Muns, MAYOR

ATTEST:

Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:

Paige Mims, CITY ATTORNEY