

An Ordinance of the City of Plano, Texas repealing and replacing Subsection (c) of Section 12-104, Three Hour Parking, of Article V, Stopping, Standing and Parking, Chapter 12, Motor Vehicles and Traffic, of the City of Plano Code of Ordinances to allow for either physical or electronic City of Plano issued parking permits, and to restrict the use of City of Plano issued parking permits to the designated 3-hour public parking lots 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 City of Plano Transportation Engineering Division manages the downtown parking permit program, which historically utilized physical hang tag parking permits; and

WHEREAS, the Engineering Department in conjunction with Plano Police Department and Technology Solutions has implemented an electronic parking permit system utilizing an online portal for merchants and City Staff to manage permits and allows the Plano Police Department to utilize automated license plate readers for enforcement; and

WHEREAS, the existing Ordinance requires the display of a valid City of Plano physical hang tag and does not have provisions for electronic parking permits; and

WHEREAS, the former physical hang tag parking permits included a statement that the permit was not valid for on-street parking, which is not stated in the current Ordinance and would not be visible to a permittee utilizing an electronic parking permit; and

WHEREAS, the parking permits will allow parking in the lots designated in Section 12-104 (b) and will not allow on-street parking as described in Section 12-104(a); and

WHEREAS, Section 12-104 (c) of the Code of Ordinances shall be repealed and replaced to allow use of electronic parking permits and to restrict the use of the parking permits to those three-hour public parking lots described in Section 12-104 (b).

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

Section I. Subsection (c) of Section 12-104, Three-hour parking, of Article V, Stopping, Standing and Parking, Chapter 12, Motor Vehicles and Traffic, of the Code of Ordinances, City of Plano, Texas, is hereby repealed and replaced with the following:

“(c) The provisions of this section shall not apply to:

(1) any motor vehicle parked in any three-hour public parking lot as described in section (b) of this article with a valid City of Plano issued parking permit prominently displayed in said vehicle, or a valid City of Plano issued electronic parking permit.

(2) a motor vehicle stopped, standing, or parked in a designated privileged parking space when the vehicle displays a valid disabled parking placard or license plate and meets all requirements of V.T.C.A. Transportation Code, Ch. 681.”

Section II. All provisions of the Ordinances of the City of Plano, codified or uncodified, 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 uncodified, not in conflict with the provisions of this Ordinance shall remain in full force and effect.

Section III. 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 IV. 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 V. 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 VI. This Ordinance shall become effective from and after its passage and publication as required by law.

PASSED AND APPROVED on the 24th day of April, 2023.

John B. Muns, MAYOR

ATTEST:

Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:

Paige Mims, CITY ATTORNEY