

ORDINANCE NO. 2204

AN ORDINANCE OF THE CITY OF TERRELL, AMENDING CHAPTER 11: TRAFFIC REGULATIONS, SECTION 34: OVERNIGHT PARKING FOR STORAGE ON PAVED STREETS, PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TERRELL, TEXAS THAT:

The Code of Ordinances of the City of Terrell, Chapter 11, Section 34: Overnight Parking for Storage on Paved Streets is hereby amended to read as follows:

**Article I
General**

Section 34: Overnight Parking for Storage on Streets or Right-of-Way

Overnight parking for storage on any street or right-of-way is hereby prohibited. "Overnight parking for storage" is hereby defined as the habitual parking or storing of cars, trucks, tractors, or other vehicles on streets or rights-of-way during the hours from sundown to sunup, except temporarily disabled vehicles which are protected by flares or other approved signal devices. It is not the intention of this section to prohibit or interfere with passenger cars parked overnight where such parking is essential due to lack of other available parking.

**ARTICLE II.
REPEAL OF CONFLICTING ORDINANCES**

All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

**ARTICLE III.
SEVERABILITY**

It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable and, if any phrase, clause, sentence, paragraph, or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation of this ordinance of any such unconstitutional phrase, clause, sentence, paragraph, or section.

**ARTICLE IV.
PENALTY**

Any person or persons violating any section of this article shall be guilty of a misdemeanor and upon conviction shall be subject to a fine not to exceed \$500.00 for each and every offense. Each continuing day of each violation shall be deemed a separate offense for which a separate fine may be assessed.

**ARTICLE V.
EFFECTIVE DATE**

This ordinance will take effect immediately from and after its passage and the publication of the caption, as the law in such cases provides.

PASSED AND APPROVED this the 4th day of November, 2003.
PASSED AND ADOPTED this the 18th day of November, 2003.

APPROVED:

E. Rick Carmona, Mayor Pro tem

ATTEST:

John Rounsavall, City Secretary

APPROVED AS TO FORM:

Mary Gayle Ramsey, City Attorney