



**CITY OF PLANO  
COUNCIL AGENDA ITEM**

<b>CITY SECRETARY'S USE ONLY</b>	
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory	
Council Meeting Date:	1-25-10
Department:	Public Works & Engineering
Department Head	Alan L. Upchurch
Agenda Coordinator (include phone #): Irene Pegues X-7152	

**CAPTION**

An ordinance of the City of Plano, Texas, amending Section 12-102(e) and adding Section 12-102(f) to Chapter 12 (Traffic Code) of the City of Plano Code of Ordinances to prohibit the stopping, standing, or parking of motor vehicles on a certain section of Gifford Drive and to prohibit the parking of vehicles on a certain section of Gifford Drive, within the City limits of the City of Plano; declaring it unlawful and a misdemeanor to park motor vehicles upon such sections of such roadways within the limits herein defined; providing a fine for criminal penalties not to exceed \$200.00 for each offense; and providing a repealer clause, a severability clause, a savings clause, a publication clause, and an effective date.

**FINANCIAL SUMMARY**

NOT APPLICABLE   
  OPERATING EXPENSE   
  REVENUE   
  CIP

FISCAL YEAR:	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	0	0	0	0
Encumbered/Expended Amount	0	0	0	0
This Item	0	0	0	0
<b>BALANCE</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

**FUND(S):**

**COMMENTS:** Any revenue received via fines as a result of this Ordinance is undeterminable at this time.

**SUMMARY OF ITEM**

After reviewing and testing various student drop-off and pick-up strategies for reducing traffic congestion in front of Rice Middle School, Plano Independent School District staff has requested a change in the utilization of the east curb of Gifford Drive between Russell Creek Drive and Kalgan Circle from No Parking, Stopping, or Standing from 8:00 to 8:45 A.M. and from 3:00 to 4:00 P.M. to No Parking from 8:00 to 8:45 A.M. and from 3:00 to 4:00 P.M. This change will allow parents to use the street curb along the frontage of the school for dropping off and picking up students on school days and should result in reduced traffic congestion on Gifford Drive. In order to effectuate this change, Transportation Engineering Division staff have prepared the attached ordinance revising Section 12-102 of the Plano City Code for City Council consideration. The Transportation Engineering Division supports adoption of this ordinance.

List of Supporting Documents: Location Map	Other Departments, Boards, Commissions or Agencies N/A
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An ordinance of the City of Plano, Texas, amending Section 12-102(e) and adding Section 12-102(f) to Chapter 12 (Traffic Code) of the City of Plano Code of Ordinances to prohibit the stopping, standing, or parking of motor vehicles on a certain section of Gifford Drive and to prohibit the parking of vehicles on a certain section of Gifford Drive, within the City limits of the City of Plano; declaring it unlawful and a misdemeanor to park motor vehicles upon such sections of such roadways within the limits herein defined; providing a fine for criminal penalties not to exceed \$200.00 for each offense; and providing a repealer clause, a severability clause, a savings clause, a publication clause, and an effective date.

**WHEREAS**, the Transportation Engineering Division of the City of Plano and the staff of Rice Middle School of the Plano Independent School District have cooperatively studied measures to reduce the chronic traffic congestion in front of the school during student drop-off and pick-up periods; and

**WHEREAS**, the current no parking, stopping, or standing zones along Gifford Drive in front of Rice Middle School contributes to chronic traffic congestion; and

**WHEREAS**, permitting the stopping or standing of motor vehicles along the east side of Gifford Drive in front of Rice Middle School will expedite the drop-off and pick-up of students during the school day and assist in ameliorating the chronic traffic congestion on Gifford Drive in front of Rice Middle School; and

**WHEREAS**, the City Council of the City of Plano finds it necessary to distinguish between the limits of where the parking of motor vehicles is prohibited and the stopping and standing of motor vehicles is prohibited along Gifford Drive within the City limits of the City of Plano in order to provide for the safety of the general public within the area; and

**WHEREAS**, the City Council of the City of Plano finds it necessary to prohibit parking of motor vehicles along a certain section of Gifford Drive 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 the section of Gifford 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.** It shall be unlawful for any person to park a motor vehicle along the section of Gifford Drive described herein, except when necessary to avoid conflict with other traffic or in compliance with law or directions of a police officer.

**Section III.** Section 12-102(e) of Chapter 12 (Traffic Code) of the City of Plano Code of Ordinances is hereby amended by the repeal of the following Subsection:

*Gifford Drive* along the east and west sides of Gifford Drive from its intersection with Russell Creek Drive north to Kalgan Circle for Rice Middle School between the hours of 8:00 a.m. to 8:45 a.m. and 3:00 p.m. to 4:00 p.m. on school days.

**Section IV.** Section 12-102(e) of Chapter 12 (Traffic Code) of the City of Plano Code of Ordinances is hereby amended by the addition of the following Subsection entitled and to read as follows:

*“Gifford Drive, along the west side of Gifford Drive from its intersection with Russell Creek Drive north to Kalgan Circle for Rice Middle School between the hours of 8:00 a.m. to 8:45 a.m. and 3:00 p.m. to 4:00 p.m. on school days.”*

**Section V.** Section 12-102(f) of Chapter 12 (Traffic Code) of the City of Plano Code of Ordinances is hereby enacted to read in its entirety as follows:

“(f) When signs are erected or curbs marked giving notice to such effect, it shall be unlawful for any person to park a motor vehicle, except when necessary to avoid conflict with other traffic or in compliance with law or directions of a police officer, along the following portions of the following streets on school days during the times specified below:

*Gifford Drive, along the east side of Gifford Drive from its intersection with Russell Creek Drive north to Kalgan Circle for Rice Middle School between the hours of 8:00 a.m. to 8:45 a.m. and 3:00 p.m. to 4:00 p.m. on school days.”*

**Section VI.** The Traffic Engineer of Plano is hereby authorized and directed to cause placement of traffic control signs at each approach to 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 this area.

**Section VII.** 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 VIII.** 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 IX.** Any person, firm, or corporation violating any of the provisions of this Ordinance shall be guilty of a misdemeanor and, upon conviction in the Municipal Court, shall be subject to 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 X.** 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 XI.** This Ordinance shall become effective from and after its passage and publication as required by law.

**DULY PASSED AND APPROVED this 25th day of January, 2010.**

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Phil Dyer, MAYOR

ATTEST:

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Diane Zucco, CITY SECRETARY

APPROVED AS TO FORM:

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Diane C. Wetherbee, CITY ATTORNEY