

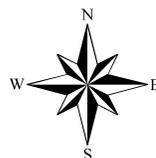


CITY OF PLANO COUNCIL AGENDA ITEM

CITY SECRETARY'S USE ONLY					
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory					
Council Meeting Date:	3/26/2012				
Department:	Public Works				
Department Head	Gerald Cosgrove				
Agenda Coordinator (include phone #): Linda Sweeney (X-7157)					
CAPTION					
An Ordinance of the City of Plano, Texas, amending Section 12-104.5(a) to Chapter 12, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Plano, Texas regulating the parking of motor vehicles in certain designated public parking lots within the downtown area; 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					
<input type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input checked="" type="checkbox"/> REVENUE <input type="checkbox"/> CIP					
FISCAL YEAR:	2011-12	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
BALANCE		0	0	0	0
FUND(S): GENERAL FUND					
COMMENTS: Any revenue received is undeterminable at this time.					
STRATEGIC PLAN GOAL: Amending the Code of Ordinances relates to the City's Goal of Financially Strong City with Service Excellence.					
SUMMARY OF ITEM					
The imminent completion of the building reconstruction project on the corner of J Avenue and 14 th Street, along with the loss of existing parking that will occur when the land development project at 15 th Street and I Avenue begins, will impact utilization of downtown parking infrastructure. In addition, the Dallas Area Rapid Transit's paid parking program at the Parker Road light rail station may also place additional demands on downtown parking supply. The parking lot south of 14 th Street between J Avenue and the DART light rail line is presently not time restricted as most of the downtown public parking areas are. To minimize the use of these currently unrestricted parking spaces by long term parking patrons, such as commuters, downtown workers, and residents, staff is proposing to time restrict the parking in this lot to 4 hours. The Transportation Engineering Division (TED) has prepared the attached ordinance restricting parking in the parking lot bounded by the DART light rail line, 14 th Street, and J Avenue to a 4 hour maximum limit for City Council consideration. The TED recommends approval of this ordinance.					
List of Supporting Documents:			Other Departments, Boards, Commissions or Agencies		
Location Map			N/A		



Public Parking Lot at 1309 J Avenue -
Proposed 4 Hour Parking Limit
5:00 a.m. to 5:00 p.m.
Monday through Friday



Transportation Engineering Division

An Ordinance of the City of Plano, Texas, amending Section 12-104.5(a) to Chapter 12, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Plano, Texas regulating the parking of motor vehicles in certain designated public parking lots within the downtown area; 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 City Council of the City of Plano enacted Ordinance 2002-9-38 on September 23, 2002 effectively regulating the length of time that parking is allowed in certain designated public parking lots in the downtown area; and

WHEREAS, since the adoption of Ordinance 2002-9-38 the need to manage parking utilization has been identified at additional public parking lots in the downtown area due to continued downtown business and residential development and changes in Dallas Area Rapid Transit parking policies; and

WHEREAS, the City Council of the City of Plano finds it necessary to prohibit the parking of motor vehicles for time periods in excess of four hours during the hours between 5:00 a.m. to 5:00 p.m. Monday through Friday without having a valid City of Plano issued parking permit prominently displayed in said vehicles.

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

Section I. Section 12-104.5(a) of Chapter 12, Motor Vehicles and Traffic of the City of Plano Code of Ordinances is hereby amended to read as follows:

“Sec. 12-104.5. - Parking in public lots in the downtown area.

(a) It shall be unlawful for any person to park a motor vehicle in the following public parking lots for a period in excess of four hours during the hours of 5:00 a.m. to 5:00 p.m. Monday through Friday without having a valid City of Plano issued parking permit prominently displayed in said vehicle:

The public parking lot bounded by the DART light rail line, 14th Street, J Avenue and a line running east-west 625 feet south of 14th Street.

The public parking spaces located in the Eastside Village II Development parking garage, located immediately west of Municipal Avenue between 14th Street and 15th Street.”

Section II. The Traffic Engineer of Plano is hereby authorized and directed to cause placement of traffic control signs at the entrances to the designated public parking lots and at other locations as deemed necessary to give adequate notice to all persons of the time restrictions and penalties in effect for these parking lots.

Section III. 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 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 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 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 immediately upon its passage and publication as required by law.

DULY PASSED AND APPROVED this 26th day of March, 2012.

Phil Dyer, MAYOR

ATTEST:

Diane Zucco, CITY SECRETARY

APPROVED AS TO FORM:

Diane C. Wetherbee, CITY ATTORNEY