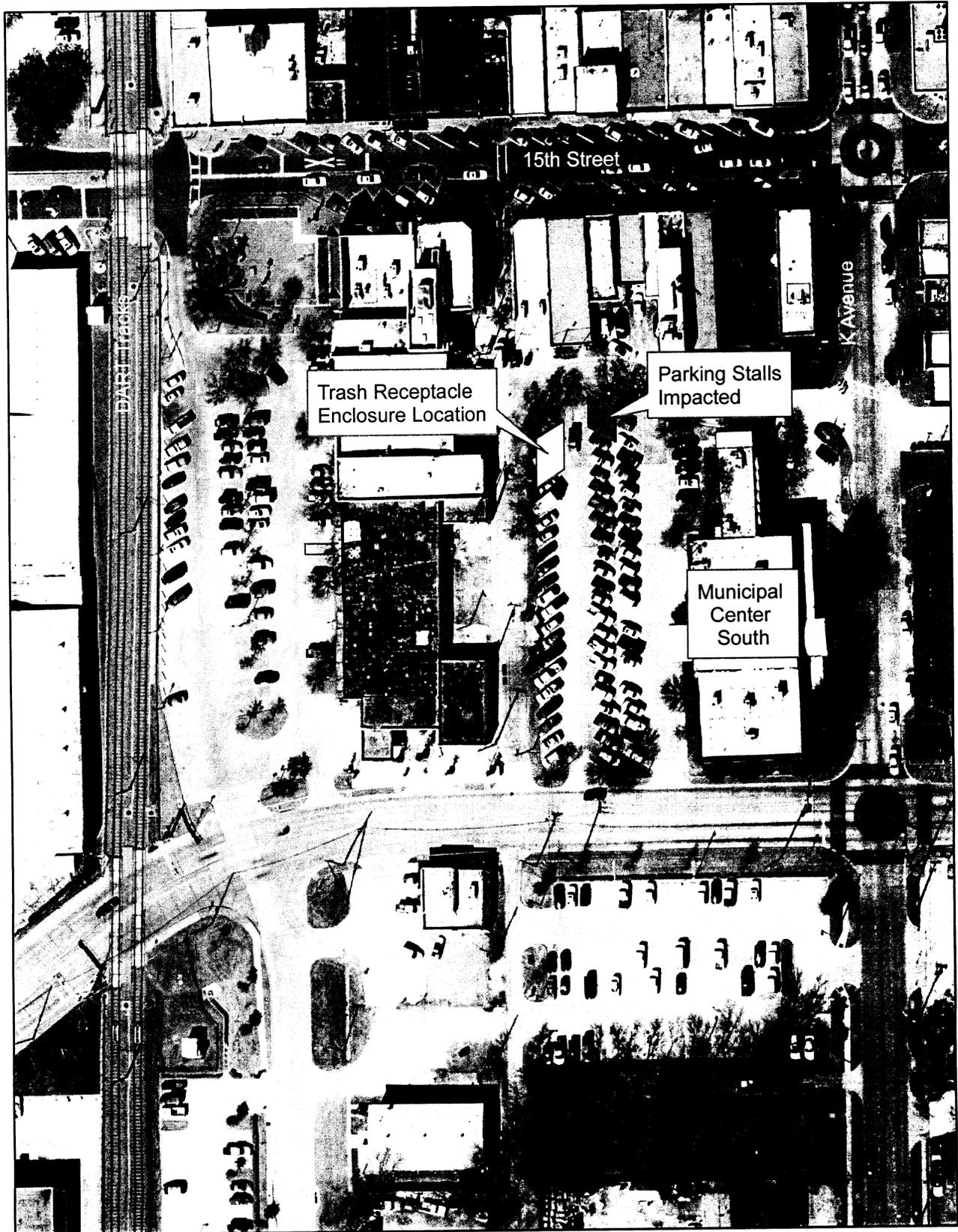


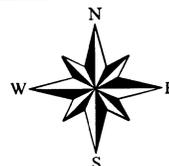


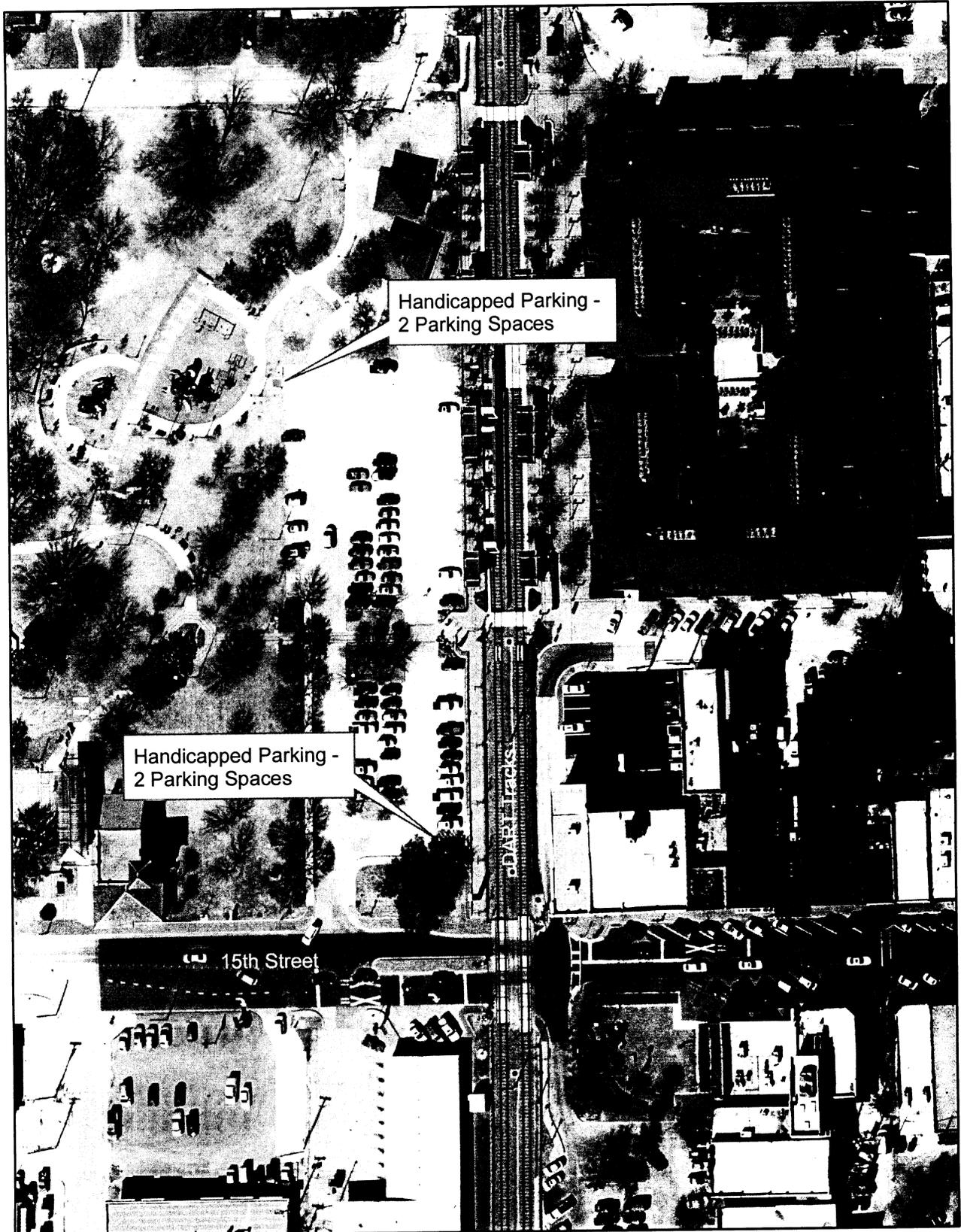
CITY OF PLANO COUNCIL AGENDA ITEM

CITY SECRETARY'S USE ONLY				
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory				
Council Meeting Date:		7-26-10		
Department:		Public Works & Engineering		
Department Head		Alan L. Upchurch		
Agenda Coordinator (include phone #): Irene Pegues (7198)				
CAPTION				
<p>An ordinance of the City of Plano, Texas, repealing Section 12-104.5 and enacting a new Section 12-104.5 to Chapter 12 (Traffic Code) of the City of Plano Code of Ordinances regulating the parking of motor vehicles in certain designated public parking lots within the Business Government district; 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.</p>				
FINANCIAL SUMMARY				
<input type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input checked="" type="checkbox"/> REVENUE <input type="checkbox"/> CIP				
FISCAL YEAR:	2009-10	Prior Year (CIP Only)	Current Year	Future Years
		0	0	0
Budget		0	0	0
Encumbered/Expended Amount		0	0	0
This Item		0	0	0
BALANCE		0	0	0
FUND(S): GENERAL FUND				
COMMENTS: Any revenue received via fines as a result of this Ordinance is undeterminable at this time.				
STRATEGIC PLAN GOAL: Passage of this Ordinance relates to the City's Goal of Financially Strong City with Service Excellence.				
SUMMARY OF ITEM				
<p>The Haggard Park public parking lot is located next to the Downtown Plano DART light rail station. Parking in the lot is time restricted to no more than 4 hours between the hours of 5:00 a.m. and 5:00 p.m. Monday through Friday. The Transportation Engineering Division (TED) has recently received requests from disabled veterans traveling to the Veterans Administration Hospital in Dallas for exemptions to the time limit, citing trip length and treatment times. While not specifically a DART parking lot, the four handicapped spaces in it are underutilized by both park and DART patrons. The TED supports unrestricted time use of these spaces by the disabled.</p>				
<p>The Sustainability and Environmental Services Department recently requested additional time limitations for two parking spaces in the public parking lot west of Municipal Center South. Early morning parking is blocking the access of the commercial waste contractor to the trash receptacles located in the northwest corner of the parking lot. The proposed time limitation between 4:00 a.m. and 7:30 a.m. will resolve this conflict. This ordinance is prepared for City Council consideration for implementing these City Code revisions. The TED supports adoption of this ordinance.</p>				
List of Supporting Documents:			Other Departments, Boards, Commissions or Agencies	
Location Maps			N/A	

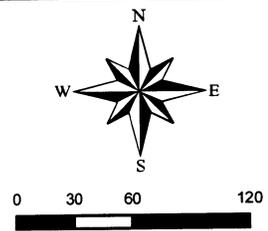


Municipal Center South Parking Lot -
No Parking Zone
4:00 a.m. - 7:30 a.m.





Haggard Park Parking Lot -
Handicapped Parking



An ordinance of the City of Plano, Texas, repealing Section 12-104.5 and enacting a new Section 12-104.5 to Chapter 12 (Traffic Code) of the City of Plano Code of Ordinances regulating the parking of motor vehicles in certain designated public parking lots within the Business Government district; 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, Ordinance 2002-9-38 included all parking spaces within each certain designated public parking lot without regard to use or location; and

WHEREAS, disabled veterans traveling on the Dallas Area Rapid Transit light rail from the Downtown Plano Station to the Veterans Administration Hospital in Dallas are using the handicapped parking spaces in the Haggard Park public parking lot; and

WHEREAS, disabled veterans traveling on the Dallas Area Rapid Transit light rail from the Downtown Plano Station to the Veterans Administration Hospital in Dallas have recently made requests for exemptions from the time limitations imposed on the handicapped parking spaces in the Haggard Park public parking lot; and

WHEREAS, the City Council of the City of Plano finds it appropriate to exempt the handicapped parking spaces in the Haggard Park public parking lot from the time limitation imposed on the parking lot for the benefit of the disabled; and

WHEREAS, the City of Plano has recently constructed screening surrounding the public trash receptacles in the parking lot of Municipal Center South; and

WHEREAS, access to service these trash receptacles is from within the public parking lot serving Municipal Center South; and

WHEREAS, access to the trash receptacles from the Municipal Center South public parking lot has been blocked by parked vehicles, thereby causing the waste management contractor to be unable to service the trash receptacles; and

WHEREAS, the City Council of the City of Plano finds it necessary to prohibit parking between the hours of 4:00 a.m. and 7:30 a.m. in certain designated parking spaces in the Municipal Center South public parking lot in order to provide access to the trash receptacles and 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. Section 12-104.5 of Chapter 12 (Traffic Code) of the City of Plano Code of Ordinances is hereby repealed and the following is adopted to read in its entirety 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 spaces located in the Eastside Village II Development parking garage, located immediately west of Municipal Avenue between 14th Street and 15th Street.

(b) It shall be unlawful for any person to park a motor vehicle in the following public parking lot for a period in excess of four hours during the hours of 5:00 a.m. to 5:00 p.m. Monday through Friday:

Haggard Park parking lot bounded by 15th Street, H Avenue, 16th Street and the DART light-rail line.

This provision shall not apply to a motor vehicle parked with a valid City of Plano issued parking permit prominently displayed in said vehicle or a motor vehicle parked in a designated handicap parking space when the vehicle displays a valid handicap placard or handicap license plate.

(c) It shall be unlawful for any person to park a motor vehicle in the public parking lots bounded by 15th Street, K Avenue, 14th Street and the DART rail line 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, except that when signs are placed giving notice thereto, parking shall be prohibited in certain designated parking spaces between the hours of 4:00 a.m. and 7:30 a.m.”

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 from and after its passage and publication as required by law.

DULY PASSED AND APPROVED this 26th day of July, 2010.

Phil Dyer, MAYOR

ATTEST:

Diane Zucco, CITY SECRETARY

APPROVED AS TO FORM:

Diane C. Wetherbee, CITY ATTORNEY