



# CITY OF PLANO COUNCIL AGENDA ITEM

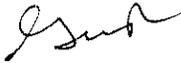
<b>CITY SECRETARY'S USE ONLY</b>				
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory				
Council Meeting Date:		01/26/2015		
Department:		Police		
Department Head		Gregory W. Rushin		
Agenda Coordinator (include phone #): <b>Pam Haines, ext 2538</b>				
<b>CAPTION</b>				
An Ordinance of the City of Plano, Texas amending Section 14-7 of Chapter 14, Offenses – Miscellaneous of the Code of Ordinances of the City of Plano, Texas thereby providing that roller skates and similar devices are prohibited in certain areas of the Legacy Town Center district and Legacy West; and providing a repealer clause, a severability clause, a savings clause, a penalty clause, a publication clause, and an effective date.				
<b>FINANCIAL SUMMARY</b>				
<input type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input checked="" type="checkbox"/> REVENUE <input type="checkbox"/> CIP				
FISCAL YEAR: <b>2014-15</b>	<b>Prior Year (CIP Only)</b>	<b>Current Year</b>	<b>Future Years</b>	<b>TOTALS</b>
Budget	0	0	0	<b>0</b>
Encumbered/Expended Amount	0	0	0	<b>0</b>
This Item	0	0	0	<b>0</b>
<b>BALANCE</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>FUND(S):     GENERAL FUND</b>				
<p><b>COMMENTS:</b> The financial impact of this agenda item is undeterminable, but will increase the existing revenue from citations issued for roller skates and similar devices in the prohibited areas, and will be directly correlated with the number of additional citations issued annually. The additional revenues cannot be projected at this time, but will be included in future Municipal Court Revenue Budgets.</p> <p><b>STRATEGIC PLAN GOAL:</b> Amending the City Ordinance to prohibit roller skates and similar devices in certain areas of the Legacy Town Center District and Legacy West relates to the City's Goals of Financially Strong City with Service Excellence, Safe Large City, Great Neighborhoods - 1st Choice to Live, Exciting Urban Centers and Strong Local Economy.</p>				
<b>SUMMARY OF ITEM</b>				
This revision of the current ordinance is necessary to define the geographical area in which roller skates and similar devices are prohibited. At the request of the Police Department, Legacy Town Center district and Legacy West is included in this geographical area in which the conduct is prohibited.				
List of Supporting Documents:			Other Departments, Boards, Commissions or Agencies	
Memo, Ordinance				



# Memorandum

**Date:** January 12, 2015

**To:** LaShon Ross, Deputy City Manager

**From:** Gregory W. Rushin, Chief of Police 

**Subject:** Proposed Change Prohibiting Roller Skates and Skateboarding in Certain Areas

The popularity of Legacy Town Center, especially on the weekends, has created a hazard for pedestrians who are sharing the sidewalks and other public walkways with people on skateboards and other similar transportation devices. This proposed change will expand the current prohibition of bicycles, roller skates, skateboards, and other similar transportation devices in the downtown and Haggard Park areas to the Legacy Town Center and the upcoming Legacy West development.

I recommend the prohibition on wheeled transportation devices be expanded to include the Legacy Town Center and Legacy West development.

**An Ordinance of the City of Plano, Texas amending Section 14-7 of Chapter 14, Offenses – Miscellaneous of the Code of Ordinances of the City of Plano, Texas thereby providing that roller skates and similar devices are prohibited in certain areas of the Legacy Town Center district and Legacy West; and providing a repealer clause, a severability clause, a savings clause, a penalty clause, a publication clause, and an effective date.**

**WHEREAS**, Section 14-7 of Chapter 14 Offenses – Miscellaneous of the Code of Ordinances of the City of Plano, Texas prohibits the use or operation of roller skates or other similar devices within public areas of designated places; and

**WHEREAS**, on April 27, 2009, the City Council of the City of Plano enacted Ordinance No. 2009-4-21 to amend Section 14-7 of Chapter 14 Offenses – Miscellaneous of the Code of Ordinances of the City of Plano, Texas in its entirety, prohibiting roller skates and similar devices in certain areas of Memorial Park; and

**WHEREAS**, staff recommends the prohibition of roller skates and similar devices in certain areas of the Legacy Town Center district and Legacy West to protect the public’s health, safety, and welfare; and

**WHEREAS**, after consideration of the recommendation of staff and all matters attendant and related thereto, the City Council is of the opinion that it is in the best interest of the City and its citizens that Section 14-7 of Chapter 14 Offenses – Miscellaneous of the Code of Ordinances of the City of Plano, Texas be amended to prohibit roller skates and similar devices in certain areas of the Legacy Town Center district and Legacy West.

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

**Section I.** Section 14-7 of Chapter 14 Offenses – Miscellaneous of the Code of Ordinances of the City of Plano, Texas is hereby amended to read as follows:

**“Sec. 14-7. Roller skates and similar devices prohibited within certain areas; exceptions.**

(4) Legacy Town Center district from Headquarters Road to Tennyson Parkway and from Parkwood Boulevard to Dallas Parkway.

(5) Legacy West from Legacy Drive to Highway 121 and Dallas North Tollway.”

**Section II.** All provisions of the Code of 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 Code of 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 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, or section of this Ordinance shall be declared unconstitutional or invalid by any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any other remaining phrase, clause, sentence, paragraph or section of this Ordinance.

**Section IV.** The repeal of any Ordinance or part of Ordinances 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 at the time of passage of this ordinance.

**Section V.** Any violation of the provisions or terms of this ordinance by any person, firm or corporation shall be a misdemeanor offense and shall be subject to a fine in accordance with Section 1-4(b) of the City Code of Ordinances for each offense. Every day a violation continues shall constitute a separate offense.

**Section VI.** This Ordinance shall become effective immediately upon its passage and publication as required by law.

**DULY PASSED AND APPROVED** this the 26th day of January, 2015.

\_\_\_\_\_  
Harry LaRosiliere, MAYOR

ATTEST:

\_\_\_\_\_  
Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:

\_\_\_\_\_  
Paige Mims, CITY ATTORNEY