

O R D I N A N C E N O. 023

AN ORDINANCE FORBIDDING THE STORING OR PARKING OF ANY TRUCK, TRAILER, MOTOR VEHICLE OR WHEELED VEHICLE OF ANY KIND UPON PUBLIC STREETS WITHIN THE TOWN OF ANNETTA SOUTH, TEXAS, EXCEPT AS PROVIDED HEREIN; DECLARING VIOLATION OF THIS ORDINANCE A NUISANCE; PROVIDING RULES FOR THE IMPOUNDING OF ILLEGALLY STORED AND PARKED VEHICLES, AND THERE REDEMPTION; PROVIDING A PENALTY FOR THE VIOLATION OF THE ORDINANCE; CONTAINING A SAVING CLAUSE AND AN EFFECTIVE DATE.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE TOWN OF ANNETTA SOUTH, TEXAS:

SECTION I.

The following words shall have the following meanings, respectively, as used in this ordinance:

- (a) "Gross weight" shall mean the gross weight of all vehicles joined together and moved as a unit, including the contents thereof.
- (b) "Residential street" shall mean any street, or any part of a street, excluding private drives, where the property abutting both sides of the street is zoned for residential purposes, that is, having property abutting on both sides zoned "A" One-Family, "B" One-Family, "C" Multiple Family, or "D" Multiple Family, or any combination thereof under the zoning classification of the Town.
- (c) "Parking" shall mean parking, sitting or standing unattended, but it shall not include the temporary stopping of permissible vehicles at the edge of the roadway for the expeditious loading or unloading of passengers, freight or merchandise.

SECTION II.

It shall be unlawful for any person, firm or corporation to park any of the following vehicles upon any residential street within the corporate limits of the TOWN OF ANNETTA SOUTH, Texas:

- (a) A vehicle with a rated capacity of more than one-ton according to the manufacturer's classification.
- (b) A boat.
- (c) A trailer.

(Section II - Continued)

- (d) Any combination of connected vehicles, including trailers.
- (e) Recreational vehicles (Motor homes).
- (f) Construction vehicles and equipment, unless working.
- (g) Camp trailers.
- (h) Farm implements or animal husbandry implements.

SECTION III.

It shall be unlawful for the owner or operator of any motor vehicle or trailer to park or store the same at any time, or for any length of time, upon any street or public right-of-way within the corporate limits of the TOWN OF ANNETTA SOUTH, Texas, unless there is displayed on said motor vehicle or trailer, a valid Texas license for said motor vehicle or trailer, or other license valid under State law.

SECTION IV.

If any vehicle is found upon any public street of the Town in violation of any of the provisions of this ordinance, and the identity of the operator cannot be determined, the owner or person in whose name such vehicle is registered shall be deemed prima facie responsible for such violation.

SECTION V.

Any motor vehicle, trailer or other vehicle found standing or parked within the corporate limits of the TOWN OF ANNETTA SOUTH, Texas, in violation of the provisions of this ordinance, shall be deemed a nuisance. Such vehicle shall be subject to removal by any police officer of the Town, or at the direction of the Mayor or Street Superintendent of the Town, and taken to police headquarters, or such other place as shall be designated for that purpose by the Board of Aldermen of the TOWN OF ANNETTA SOUTH, and there kept in police custody until application for its redemption shall be made by the owner thereof, or his duly authorized agent.

SECTION VI.

Any vehicle impounded under the provisions of the foregoing section of this ordinance may be released to the possession of the owner or his duly authorized agent, upon proof of ownership and authority and payment to the Town of the sum of \$25.00, together with all costs of removal, towing and storage that may have accrued against said vehicle.

SECTION VII.

It shall be the duty of the Town Marshal or Town Secretary to notify the owner of any impounded vehicle in writing of the impounding of said vehicle and the costs accruing against same, if such owner and his address can be ascertained. Any vehicle so impounded that has not been redeemed within six months shall be subject to public sale at auction as unclaimed property.

SECTION VIII.

Any person, firm or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction, shall be fined in any sum not to exceed \$200 for each offense. Each day that offense or violation continues, shall be deemed to constitute a separate offense.

SECTION IX.

Every section, and every provision of every section, of this ordinance is hereby declared to be a separate section or provision, and the holding of any section or provision, or any part thereof, unconstitutional, invalid or unenforceable for any cause or reason whatsoever, shall not affect the validity of any other section or provision hereof.

SECTION X.

This ordinance shall be in full force and effect immediately upon its passage and approval, and publication as by law required.

PASSED AND APPROVED by the Board of Aldermen of the TOWN OF ANNETTA SOUTH, Texas, this 9th day of January, 1986.

APPROVED:

Carl Robbins
Mayor



ATTEST:

John S. Shrosky
Town Secretary