ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING THE MESQUITE CITY CODE BY REVISING CERTAIN SECTIONS IN CHAPTER 9 (MOTOR VEHICLES AND TRAFFIC), ARTICLE VI (STOPPING, STANDING AND PARKING) FOR THE PURPOSE OF ALLOWING ANGLE PARKING IN CUL-DE-SACS AND KNUCKLES, OR PARTIAL CUL-DE-SACS, UNLESS OTHERWISE PROHIBITED AND UPDATING PROVISIONS WHEN PARKING MAY BE STRICTLY PROHIBITED IN SAID LOCATIONS; PROVIDING CONFLICTS RESOLUTION, SEVERABILITY, AND SAVINGS CLAUSES; PROVIDING A PENALTY NOT TO EXCEED FIVE HUNDRED DOLLARS ($500.00); PROVIDING FOR PUBLICATION OF THE CAPTION HEREOF; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, it is the intent of the City Council of the City of Mesquite, Texas ("**City Council**"), to protect the public health, safety, and welfare; and

WHEREAS, the City Council desires to revise the City Code for the purpose of updating the provisions related to parking within cul-de-sacs and knuckles, or partial cul-de-sacs, and making other general organizational updates; and

WHEREAS, the City of Mesquite, Texas ("**City**"), is a home-rule municipality acting under its Charter adopted, and amended, by the electorate pursuant to Article 11, Section 5 of the Texas Constitution and Chapter 9 of the Texas Local Government Code; and

WHEREAS, a home-rule municipality has full power of local self-government, pursuant to Texas Local Government Code, Title 2, Subtitle D, Chapter 51, Section 51.072(a); and

WHEREAS, the City shall have the power to enact and enforce ordinances necessary to protect health, life, and property, and to prevent and summarily abate and remove all nuisances, and to preserve and enforce good government, order, and security of the City and its inhabitants, pursuant to Article III, Section 2 of the Mesquite City Charter; and

WHEREAS, a home-rule municipality may enforce ordinances necessary to protect health, life, and property, and to preserve the good government, order, and security of the municipality and its inhabitants, pursuant to Texas Local Government Code, Title 2, Subtitle D, Chapter 54, Section 54.004, as amended; and

WHEREAS, upon full review and consideration of all matters attendant and related thereto, the City Council is of the opinion this ordinance should be approved and adopted.

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

SECTION 1. **Recitals Incorporated.**
The City Council hereby finds and determines the recitals made in the preamble of this ordinance are true and correct, and hereby incorporates such recitals here in the body of this ordinance as if copied in their entirety.

SECTION 2. **Mesquite City Code Text Amendment.**
Amending Chapter 9; Article VI – Stopping, Standing and Parking.
The Mesquite City Code is hereby amended as identified in **EXHIBIT A**, and shown as new in **EXHIBIT B**, and said exhibits are attached hereto and made a part hereof, and in all other respects, said Code, Chapters, and Articles shall remain in full force and effect.

SECTION 3. **Conflicts Resolution Clause.**
In the event of an irreconcilable conflict between the provisions of another previously adopted ordinance of the City of Mesquite and the provisions of this Ordinance, the provisions of this Ordinance shall be controlling.

SECTION 4. **Severability Clause.**
Should any word, sentence, paragraph, subdivision, clause, phrase, or section of this ordinance be adjudged or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said ordinance and the Mesquite City Code, as hereby or previously amended, which shall remain in full force and effect.

SECTION 5. **Savings Clause.**
An offense committed before the effective date of this Ordinance is governed by prior law and the provisions of the Mesquite City Code, as amended, in effect when the offense was committed, and the former law is continued in effect for this purpose.

SECTION 6. **Penalty Clause.**
Any violation of the provisions or terms of this ordinance by any "person," as defined in Mesquite City Code, Chapter 1, Section 1-2, shall be deemed a Class C Misdemeanor criminal offense, and upon conviction thereof, shall be subject to a penalty of fine, or any other general penalties, as provided in Mesquite City Code, Chapter 1, Section 1-6, as amended.

SECTION 7. **Publication.**
The descriptive caption of this ordinance shall be published in the City's official newspaper in accordance with Mesquite City Charter, Article IV, Section 24; and Texas Local Government Code, Chapter 52, § 52.013.

SECTION 8. **Effective Date.**
This ordinance after its passage and publication shall take effect on, and be in force from and after, five (5) days after publication thereof, in accordance with Mesquite City Charter, Article IV, Section 24, and it is accordingly so ordained.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, ON THE 17th DAY OF JUNE 2024.

Daniel Alemán, Jr .
Mayor

ATTEST:

Sonja Land
City Secretary

APPROVED AS TO LEGAL FORM:

David L. Paschall
City Attorney

EXHIBIT A

To Ordinance No. _____

MARK UP TO SECTIONS IN

City of Mesquite, Texas
Mesquite City Code

Chapter 9 – MOTOR VEHICLES AND TRAFFIC
ARTICLE VI. - STOPPING, STANDING AND PARKING

MESQUITE CITY CODE

* * *

Chapter 9 – MOTOR VEHICLES AND TRAFFIC

* * *

ARTICLE VI - STOPPING, STANDING AND PARKING

*[**Editor's Note:** Where applicable, please make the following revisions with additions identified in green font and underlined, and deletions identified in ~~red font with strikethrough~~.]*

DIVISION 2. - PROHIBITED IN SPECIFIC PLACES

* * *

Sec. 9-205. – Parking in cul-de-sacs and knuckles. ~~Reserved.~~

(a) *Purpose*. The purpose of this section is to provide minimum standards and provisions for when and how parking in cul-de-sacs and knuckles is permitted and prohibited.

(b) *Definitions*. For the purpose of this section, the following terms shall have the meanings as set out below:

Cul-de-sac means a short residential street open at one end and terminated by a circular turning area at the closed end.

Knuckle or *partial cul-de-sac* means an expansion of the outside curve beyond the regular curb line at a corner street intersection.

Partial cul-de-sac – See "Knuckle."

(c) *Parking spaces marked by lines*. Whenever parking spaces are marked by lines on the pavement, whether for parallel parking or angle parking, a vehicle must be parked entirely within the lines of the parking space.

(d) *Parallel parking permitted*.

(1) *In general*. Parallel parking shall be permitted in cul-de-sacs and knuckles unless otherwise prohibited in this article.

(2) *Method of parallel parking*. When parallel parking no person shall stand or park a vehicle in a roadway other than parallel with the edge of the roadway headed in the direction of lawful traffic movement with the right-hand wheels of the vehicle within eighteen (18) inches of the curb or edge of the roadway except as otherwise provided in this article.

(e) *Angle parking permitted*.

(1) *In general.* Angle parking shall be permitted in cul-de-sacs and knuckles unless otherwise prohibited in this article.

(2) *When prohibited*.

a. Angle parking shall not be permitted upon any federal-aid or state highway within this City unless the director of the Texas Department of Transportation determines that the roadway is of sufficient width to permit angle parking without interfering with the free movement of traffic.

b. When the Traffic Engineer has determined that the roadway is not of sufficient width to permit angle parking without interfering with the free movement of traffic, the City Manager and the Chief of Police are hereby authorized to erect signs indicating it shall be unlawful and an offense for any person to stand or park a vehicle at an angle in the vehicle turnaround of a cul-de-sac or knuckle.

(f) *Parking prohibited in certain locations*. The City Manager and the Chief of Police are hereby authorized to erect signs indicating it shall be unlawful and an offense for any person to stand or park a vehicle in the vehicle turnaround of a cul-de-sac or knuckle if the vehicle turnaround is less than ninety-six (96) feet in diameter, or under such other circumstances determined by the City Manager or Chief of Police.

(g) *Offense*. A person commits an offense if said person stands or parks a vehicle in violation of this section.

State law reference(s) — Similar provisions, V.T.C.A., Transportation Code § 545.303.

* * *

DIVISION 3. - STOPPING FOR LOADING OR UNLOADING ONLY

* * *

Sec. 9-224. - Reserved. ~~Parking prohibited in cul-de-sacs.~~

~~(a) *Definition*. *Cul-de-sac* means a short minor street having but one (1) vehicular access to another street and terminated by a vehicle turnaround.~~

~~(b) *Prohibition*. The city manager and the chief of police are hereby authorized to erect signs indicating it shall be unlawful and an offense for any person to stand or park a vehicle in the vehicle turnaround of a cul-de-sac if the vehicle turnaround is less than ninety-five (95) feet in diameter.~~

~~(Ord. No. 3778, § 1, 11-21-05)~~

* * *

EXHIBIT B

To Ordinance No. _____

SHOWN AS NEW SECTIONS IN

City of Mesquite, Texas
Mesquite City Code

Chapter 9 – MOTOR VEHICLES AND TRAFFIC
ARTICLE VI. - STOPPING, STANDING AND PARKING

MESQUITE CITY CODE

* * *

Chapter 9 – MOTOR VEHICLES AND TRAFFIC

* * *

ARTICLE VI - STOPPING, STANDING AND PARKING

* * *

DIVISION 2. - PROHIBITED IN SPECIFIC PLACES

* * *

Sec. 9-205. – Parking in cul-de-sacs and knuckles.

(a) *Purpose*. The purpose of this section is to provide minimum standards and provisions for when and how parking in cul-de-sacs and knuckles is permitted and prohibited.

(b) *Definitions*. For the purpose of this section, the following terms shall have the meanings as set out below:

Cul-de-sac means a short residential street open at one end and terminated by a circular turning area at the closed end.

Knuckle or *partial cul-de-sac* means an expansion of the outside curve beyond the regular curb line at a corner street intersection.

Partial cul-de-sac – See "Knuckle."

(c) *Parking spaces marked by lines*. Whenever parking spaces are marked by lines on the pavement, whether for parallel parking or angle parking, a vehicle must be parked entirely within the lines of the parking space.

(d) *Parallel parking permitted*.

(1) *In general*. Parallel parking shall be permitted in cul-de-sacs and knuckles unless otherwise prohibited in this article.

(2) *Method of parallel parking*. When parallel parking no person shall stand or park a vehicle in a roadway other than parallel with the edge of the roadway headed in the direction of lawful traffic movement with the right-hand wheels of the vehicle within eighteen (18) inches of the curb or edge of the roadway except as otherwise provided in this article.

(e) *Angle parking permitted*.

(1) *In general.* Angle parking shall be permitted in cul-de-sacs and knuckles unless otherwise prohibited in this article.

(2) *When prohibited*.

a. Angle parking shall not be permitted upon any federal-aid or state highway within this City unless the director of the Texas Department of Transportation determines that the roadway is of sufficient width to permit angle parking without interfering with the free movement of traffic.

b. When the Traffic Engineer has determined that the roadway is not of sufficient width to permit angle parking without interfering with the free movement of traffic, the City Manager and the Chief of Police are hereby authorized to erect signs indicating it shall be unlawful and an offense for any person to stand or park a vehicle at an angle in the vehicle turnaround of a cul-de-sac or knuckle.

(f) *Parking prohibited in certain locations*. The City Manager and the Chief of Police are hereby authorized to erect signs indicating it shall be unlawful and an offense for any person to stand or park a vehicle in the vehicle turnaround of a cul-de-sac or knuckle if the vehicle turnaround is less than ninety-six (96) feet in diameter, or under such other circumstances determined by the City Manager or Chief of Police.

(g) *Offense*. A person commits an offense if said person stands or parks a vehicle in violation of this section.

State law reference(s) — Similar provisions, V.T.C.A., Transportation Code § 545.303.

* * *

DIVISION 3. - STOPPING FOR LOADING OR UNLOADING ONLY

* * *

Sec. 9-224. - Reserved.

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