

ORDINANCE NUMBER 2024 - 02

AN ORDINANCE BY THE TOWN COUNCIL OF THE TOWN OF LAGUNA VISTA REGULATING THE PARKING OR STORAGE OF CARS, TRUCKS, TRACTORS, TRAILERS, BOATS AND BOAT TRAILERS, OR OTHER VEHICLES ON THE STREET RIGHT-OF-WAY OF HARBOR VIEW, HARBOR TOWN, AND HARBOR POINT PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR PENALTIES; AND PROVIDING AN EFFECTIVE DATE.

**WHEREAS,** the Texas Transportation Code § 542.008 provides that traffic rules may be extended by a municipality with a population of 300 or more to privately owned or maintained roads within certain private subdivisions upon the request of certain individuals or entities; and,

**WHEREAS,** the Town of Laguna Vista is a duly incorporated municipality with a population of 300 or more; and,

**WHEREAS,** a request by the South Padre Island Golf Club Association, a Texas non-profit property owners associations, which own and maintain certain roads within the South Padre Island Golf Club, located wholly within the territorial limits of the Town of Laguna Vista, has been made on the Town of Laguna Vista, Texas pursuant to Texas Transportation Code § 542.008 to enforce certain traffic rules on said private roads; and,

**WHEREAS,** the Town recognizes its responsibility and authority to impose ordinances, acts, laws, or regulations that are necessary for the government of the Town, its interest, welfare, or good order of the Town as a body politic; and,

**WHEREAS,** the purpose of this Ordinance is to protect the public and provide for the government, interest, welfare or good order of the Town; and,

**WHEREAS,** the Town finds this ordinance in the interest of the municipality generally:

**BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF LAGUNA VISTA, TEXAS THAT:**

**Article I**

**Parking or Storage on Streets or Right-of-Way**

Parking or storage on the street or right-of-way is hereby prohibited on Harbor View, Harbor Town and Harbor Point and "Parking or storage" is hereby defined as the parking or storing of cars, trucks, tractors, trailers, boats and boat trailers, or other vehicles on street or street right-of-way, except temporarily disabled vehicles which are protected by flares or other approved signal devices, vehicles making deliveries or authorized emergency vehicles. Temporary disabled vehicles shall not be permitted at said location for more than three (3) hours.

**ARTICLE II**

**Signage**

All signs will be at least 12"x18" with the wording of "No Parking Any Time" with the sign and lettering being in contrast colors. All signs and maintenance of signs regulating parking will be the responsibility of the South Padre Island Golf Club Community Association and will be erected at the direction of the Chief of Police.

### ARTICLE III

#### REPEAL OF CONFLICTING ORDINANCES

All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

### ARTICLE IV

#### SEVERABILITY

It is hereby declared to be the intention of the Town Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable and, if any phrase, clause, sentence, paragraph, or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionally shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this ordinance, since the same would have been enacted by the Town Council without the incorporation of this ordinance of any such unconstitutional phrase, clause, sentence, paragraph, or section.

### ARTICLE V

#### PENALTY

Any person or persons violating any section of this article shall be guilty of a misdemeanor and upon conviction shall be subject to a fine not to exceed \$500.00 for each and every offense. Each continuing day of each violation shall be deemed a separate offense for which a separate fine may be assessed.

### ARTICLE V

#### EFFECTIVE DATE

This ordinance is effective upon adoption on second reading, except that every ordinance imposing any penalty, fine or forfeiture shall become effective only after having been published once in its entirety, or a caption that summarizes the purpose of the ordinance and the penalty for violating the ordinance in a newspaper designated as the official newspaper of the Town.

**FIRST READING - PASSED, APPROVED AND ADOPTED by the Town Council of the Town of Laguna Vista, Texas at the Regular Meeting on the 11th day of June 2024.**

**SECOND READING - PASSED, APPROVED AND ADOPTED by the Town Council of the Town of Laguna Vista, Texas at the Regular Meeting on the 9th day of July 2024.**

  
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Michael Carter, Mayor

ATTEST:

  
Crystal Chapa, City Secretary

For informational purposes – will not be included in final ordinance.

