

**ORDINANCE NO. 2024-**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS AMENDING SECTION 126-381 TO INCLUDE PAID PARKING ON FAIR LANE BY RIVER ACRES PARK ON WEEKENDS AND HOLIDAYS FROM MAY 1- LABOR DAY AND ADDING FAIR LANE ON STREET PARKING AS AN ELIGIBLE LOCATION FOR THE RESIDENT PARKING PASS AND AMENDING SECTION 126-346 (f) TO INCLUDE A NO PARKING TOW AWAY ZONE TO ALLOW FOR EMERGENCY ACCESS; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SAVINGS CLAUSE; AND DECLARING AN EFFECTIVE DATE.**

**WHEREAS**, the City of New Braunfels has identified growing visitation at River Acres Park over the last 7 years making it harder for residents to visit this park during the peak season of May through September,

**WHEREAS**, the City of New Braunfels has Park Ranger and Police Department staff at River Acres Park during the peak river season to address growing concerns,

**WHEREAS**, visitors coming to River Acres Park are currently not contributing to the River Activities Fund through any user fees,

**WHEREAS**, residents wishing to park on Fair Lane would not have to pay a parking fee if they have their Resident Parking Pass properly displayed on their vehicle;

**WHEREAS**, the goal of adding paid parking to Fair Lane is to create an opportunity for spaces to be available for New Braunfels residents to park for free with the Resident Parking Pass

**WHEREAS**, there is a need to designate a no parking tow away zone to allow for reserved emergency access;

**WHEREAS**, the River Advisory Committee reviewed the proposed changes on January 18, 2024 and unanimously recommended the proposed ordinance for approval;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS:**

**SECTION 1**

THAT City of New Braunfels Code of Ordinances, Section 126-381 is hereby amended new language indicated using underlined font:

Sec. 126-381. Paid parking space and paid parking zones established.

(a) The below-listed zones may be diminished or extended and enlarged or other paid parking spaces or paid parking zones may be created when authorized by the city council. The following described areas are hereby established as paid parking zones:

(6) Fair Lane at River Acres Park. There shall be a parking fee charged for all parking spaces on the southern side of Fair Lane from the intersection of Fair Lane and Common Street for 520 feet, with the exception of a no parking zone for emergency

vehicles that starts 312 feet from the intersection of Fair Lane and Common Street and is 52 feet long. The parking fee will be charges between the hours of 8:00 a.m. and 7:00 p.m. on weekends and holidays from May 1 through Labor Day. Such parking fee shall be paid by the operator of each vehicle at the designated locations and shall be charged \$20.00 for every parking space utilized by a vehicle of any size. If city personnel determine that a vehicle is using more than one parking space, then an additional \$20.00 fee will be charged. Once paid by the operator, the space is not transferable to another vehicle. If a vehicle leaves and then returns later in the same day when the fee is applicable, a new \$20.00 fee will be charged to park in one space. All fees collected from this parking lot will go into the River Activities Fund.

(b) General exceptions.

(1) Vehicles with disabled veteran license plates will be exempt from parking fees.

(2) When it has been determined by the city manager or his designated representative that weather or other conditions do not warrant charging such a fee, it may be temporarily suspended.

(3) A resident parking pass shall be made available for users of the paid parking spaces and paid parking zones in subsections 126-381~~(b), (c), and (d)~~. (a) (2), (3), (4), (5), and (6).

For the purpose of section 126-381, the term "resident" applies to persons who reside within the city limits. There is no fee for the Resident Parking Pass and it shall be valid for three years. All holders of a Resident Parking Pass shall be entitled entry into Elizabeth Street parking area, East San Antonio Street on street parking, Mill Street parking, ~~and~~ Hinman Island Drive on street parking, and Fair Lane on street parking at no additional charge, daily, from May 1st through Labor Day for the purpose of parking their vehicles.

## **SECTION 2**

THAT City of New Braunfels Code of Ordinances, Section 126-346 (f) is hereby amended new language indicated using underlined font:

(150) On the south side of Fair Lane from a point 312 feet from the intersection of Fair Lane and Common Street easterly for a distance of 52 feet. Such no parking zone shall be designated as a tow-away zone.

## **SECTION 3**

**THAT** all other ordinances, or parts of ordinances, in conflict herewith are hereby repealed to the extent that they are in conflict.

## **SECTION 4**

**THAT** if any provisions of this ordinance shall be held void or unconstitutional, it is hereby provided that all other parts of the same which are not held void or unconstitutional shall remain in full force and effect.

## **SECTION 5**

**THIS** ordinance will take effect upon the second and final reading in accordance with the provisions of the Charter of the City of New Braunfels.

**PASSED AND APPROVED:** First reading this \_\_\_\_\_<sup>th</sup> day of February, 2024.

**PASSED AND APPROVED:** Second reading this \_\_\_\_\_<sup>nd</sup> day of March, 2024.

**CITY OF NEW BRAUNFELS**

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**NEAL LINNARTZ**, Mayor

**ATTEST:**

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**GAYLE WILKINSON**, City Secretary

**APPROVED AS TO FORM:**

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**VALERIA M. ACEVEDO**, City Attorney