
ORDINANCE NO. 2025- ____

AN ORDINANCE OF THE CITY OF NEW BRAUNFELS, TEXAS, AMENDING CHAPTER 126, ARTICLE VII-PARKING, DIVISION 2, SEC. 126-355 UPDATING DOWNTOWN PARKING ZONE, OFFENSES AND PENALTIES, AND AUTHORIZING PAID PARKING; AND REPEALING SECTIONS 126-382 TO 126-395, RELATING TO METERS AND PAY STATIONS; REPEALING ALL LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY, PUBLICATION AND AN EFFECTIVE DATE.

Whereas, the City has extensively studied and further engaged with downtown stakeholders and property owners to improve the downtown parking environment and deploy best practices in parking management; and

Whereas, the City desires to update and expand its parking enforcement efforts to reflect current demand in downtown to increase parking turnover as a tool to support downtown businesses in the most convenient and popular parking spaces; and

Whereas, the City desires to implement paid parking in downtown as a revenue source for expanded enforcement efforts and to reinvest into future downtown parking improvements; and

Whereas, the City desires to update the downtown parking zone boundaries and the areas to be included as paid parking, as well as provide an exemption for disabled veterans.

Whereas, no parking meters or pay stations are currently installed or in use thus the repeal of that ordinance is recommended; and

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

SECTION1: That Chapter 126 “Traffic and Vehicles” Ordinance VII “Parking”, Division 2, Section 126-355 is amended as indicated below:

ARTICLE VII. - PARKING

Division 2. Prohibited Parking

Sec. 126-355. Downtown parking zone.

(a) *Definitions.* The following terms, as used in this section, have the following definitions:

Downtown parking zone shall mean the area comprised of the following public streets:

- (1) Main Plaza;
- (2) Seguin Avenue from Mill Street to Coll Street;
- (3) San Antonio Street from Gilbert Street to Academy Avenue;
- (4) Castell Avenue from Mill Street to Coll Street;

- (5) The south/west side of Market Street from E. Mill Street to E. San Antonio Street.



Motor vehicle, referred to here as vehicle, shall mean any mechanically or electrically powered device not operated on rails, upon which or by which any person or property may be transported upon a public street . The load on a motor vehicle or trailer attached to it, is considered part of the vehicle. Tractors and motorized machinery are included while self-propelled in transit or used for transportation.

Public parking means any parking spaces located on streets and other property owned by the City of New Braunfels, Texas.

- (b) *Downtown Parking and Registration.*

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- (1) Paid Downtown parking. There shall be a parking fee charged for all public parking spaces in the downtown parking zone between the hours of 10:00 a.m. and 10:00 p.m. daily, except that the first hour parked each day shall be free. Unless an exemption applies, the parking fee shall be paid by each vehicle at an hourly rate of \$2.00 for each parking space, with a maximum charge of \$10.00 per day per vehicle. Payment shall be made through the city's internet based point of sale application or other methods approved by the city. In areas with marked parking spaces, the vehicle must be parked within the marked space. If a designated parking enforcement agent determines that a vehicle is parked in more than one parking space or the vehicle is parked in a space that is legally occupied by another vehicle, then an additional fee of \$2.00 will be charged for each hour the vehicle remains parked. Once a parking fee is paid, the operator may not transfer the space to another vehicle. If a vehicle leaves and returns later in the same day when the fee is applicable, a new \$2.00 hourly fee will be charged. All fees collected from publicly owned parking spaces within the downtown parking zone will be deposited or transferred to the city's Downtown Parking Fund.
- (2) Registration required. Any vehicle parked in the Downtown Parking Zone must be registered with the city through its parking enforcement agent. Failure to register a vehicle shall constitute a civil offense pursuant to Sec. 126-357.1 - 360 and subject to a civil offense only.
- (c) *General Exceptions.* The terms of this section shall not apply in the following instances:
- (1) Vehicles with disabled veteran license plates will be exempt from registration requirements and parking fees.
- (2) When the city manager or designee determines that weather or other conditions do not warrant charging such fee, the fee may be temporarily suspended.
- (d) *Penalties.*
- (1) Any vehicle parked in violation of Section 126-355 will be subject to additional fees and civil enforcement, including immobilization or impoundment
- (Ord. No. 2009-50, § I, 7-27-09; Ord. No. 2011-14, § I, 1-24-11; Ord. No. 2019-45, § 2, 7-22-19)

That Chapter 126 "Traffic and Vehicles" Ordinance VII "Parking", Division 4, is repealed as indicated below:

ARTICLE VII. - PARKING

~~Division 4. Metered and Pay Station Parking~~

~~Sec. 126-382. -- Installation and maintenance; authority of the chief of police.~~

~~The chief of police is hereby authorized to provide for the installation, regulation, maintenance, control, operation and use of paid parking spaces and parking zones on any street or part of a street where parking is limited as to time by this article and where, in his opinion, the use of such parking meters would tend to reduce overparking in violation of this article. The chief of police is further authorized to maintain such parking spaces and zones.~~

~~(Ord. No. 2019-25, § II, 4-8-19)~~

~~Sec. 126-383. -- Location.~~

~~(a) The chief of police or the parks and recreation director for paid parking within parks may use parking meters and parking pay stations to assist in the enforcement of parking time restrictions.~~

~~(b) A parking meter must:~~

~~(1) Be installed adjacent to the parking space it monitors or be labeled to indicate the space;~~

~~(2) Indicate the maximum uninterrupted time a vehicle may remain parked in the space during any parking occasion; and~~

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- (3) ~~Display the amount of time a vehicle may remain legally parked in the space after the deposit of payment.~~
- (c) ~~A parking pay station must:~~
- (1) ~~Be installed on the same city block or at the same city-owned or controlled parking lots or facilities as the paid parking space or paid parking zone it monitors;~~
 - (2) ~~Indicate the maximum uninterrupted time a vehicle may remain parked within the paid parking space or the paid parking zone during any parking occasion; and~~
 - (3) ~~Either:~~
 - a. ~~Measure and store the amount of time a vehicle may remain legally parked after the deposit of payment; or~~
 - b. ~~Issue a receipt that indicates the amount of time a vehicle may remain legally parked after the deposit of payment.~~
- (d) ~~A parking meter or a parking pay station shall indicate the hours and days that paid parking time limits are in effect.~~
- (e) ~~A parking meter or a parking pay station shall indicate the amount of the fee for parking a vehicle.~~
- (f) ~~The chief of police or the parks and recreation director for paid parking within parks shall equip parking meters and parking pay stations to accept coins in denominations appropriate to pay the fee for parking a vehicle.~~

(Ord. No. 2019-25, § II, 4-8-19)

~~Sec. 126-384. — Marking spaces; method of parking.~~

- (a) ~~Marking spaces.~~ Individual parking spaces within an on-street parking meter zone are designated by the individual meter poles. Individual parking spaces for off-street parking facilities are designated by lines or numbers or both. The city need not designate individual spaces in the on-street pay-station zones, but pay-station zones should have signs at both ends of the zone.
- (b) ~~Method of parking in paid parking spaces.~~
- (1) ~~A person must park a vehicle completely within the delineated parking space.~~
 - (2) ~~A person may not park a vehicle in a paid parking space that is legally occupied by another vehicle.~~
- (c) ~~Method of parking in paid parking zones.~~ A person must park a vehicle completely within posted signs for the zone.

(Ord. No. 2019-25, § II, 4-8-19)

~~Secs. 126-385, 126-386. — Reserved.~~

~~Sec. 126-387. — Fee due for parking vehicle.~~

- (a) ~~Unless exempted by a provision in this section, a person parking a vehicle in a paid parking space or paid parking zone shall immediately pay the parking fee due.~~
- (b) ~~A person must deposit U.S. coins in denominations accepted by the parking meter or parking pay station or use a credit card or bank debit card to pay the parking fee.~~
- (c) ~~A person may not use foreign currency in a parking meter or a parking pay station.~~
- (d) ~~A person may not deposit more than the amount of payment necessary to obtain the maximum parking time limit allowed during a parking occasion.~~
- (e) ~~If parking a vehicle in a space monitored by a pay and display station, a person shall immediately attach the pay station receipt to the inside of the vehicle's windshield adjacent to the curb. The receipt must be placed in a position so that it can be read from outside of the vehicle.~~
- (f) ~~A person may not park at a paid parking space with an inoperable parking meter unless the person pays at the nearest pay and display station and attaches the receipt to the window as required in subsection (e).~~
- (g) ~~A person may not park in a paid parking zone monitored by a pay and display station without a receipt from the nearest operable pay and display station.~~
- (h) ~~Where a meter or a parking zone accepts digital payment and a printed receipt is not provided, display of a printed receipt on the dashboard for digital payments is not required.~~

(Ord. No. 2019-25, § II, 4-8-19)

~~Sec. 126-388. — Time limits on paid parking.~~

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- ~~(a) Paid parking time limits for parking spaces are established in section 126-381.~~
~~(b) The city council shall establish the maximum uninterrupted time a person may continuously park a vehicle for each parking occasion.~~
~~(c) When paid parking time limits are in effect, a person may not park a vehicle for more than the maximum parking time limit established by the city council for each parking occasion.~~
~~(d) A vehicle may not be moved and reparked in the same paid parking space or paid parking zone to avoid violating the maximum parking time limit for each parking occasion.~~
~~(e) When paid parking time limits are in effect, a person may not allow a vehicle to remain parked in a paid parking space or a paid parking zone when the authorized parking time has expired.~~
~~(Ord. No. 2019-25, § II, 4-8-19)~~

~~Sec. 126-389. — Use of slugs prohibited.~~

~~It shall be unlawful to deposit or cause to be deposited in any parking meter or parking pay station any slug, device or other substitutes for coins of the United States.~~

~~(Ord. No. 2019-25, § II, 4-8-19)~~

~~Sec. 126-390. — Damaging or tampering with meters.~~

~~It shall be unlawful for any person to deface, injure, tamper with, open, break or destroy any parking meter or parking pay station, installed under the authority of this article, or otherwise to willfully impair its usefulness.~~

~~(Ord. No. 2019-25, § II, 4-8-19)~~

~~Secs. 126-391, 126-392. — Reserved.~~

~~Sec. 126-393. — Violations — Report; notice.~~

- ~~a. Penalties. Any person who shall violate any provision of this section or fail to comply with any of the provisions herein, shall be guilty of a misdemeanor, and upon conviction shall be fined a sum not exceeding \$200.00. Each day any violation of this section continues shall constitute a separate and distinct offense.~~
- ~~(b) Towing of vehicles. In addition to being cited for violations of this section, such vehicles can be towed at the discretion of the city manager, the chief of police, or the parks and recreation director for vehicles towed within city parks, or their designated representatives. All towing costs incurred shall be the responsibility of the vehicle owner or operator. The installation and erection of appropriate signs is hereby authorized.~~
- ~~(c) It is the duty of the police department, through its parking enforcement section, or of such other city employees as may be designated by the city manager, to enforce the provisions of this article and prosecute offenders. Parking violation notices should contain the number of the parking meter or pay station at which the vehicle is parked, the name of the state and number of the vehicle's license plate; the nature of the violation, and any other facts, a knowledge of which is necessary to a thorough understanding of the circumstances attending such violation.~~

~~(Ord. No. 2019-25, § II, 4-8-19)~~

~~Sec. 126-394. — Reserved.~~

~~Sec. 126-395. — Same — Presumptive evidence.~~

~~The presence of a vehicle in a paid parking zone (a) when the paid for time shown on adjacent parking meter is expired, (b) when the paid for time shown on the relevant pay-by-space station has expired, or (c) when the paid for time shown on the pay-and-display station receipt has expired is prima facie evidence (x) that the vehicle has been parked beyond the legal period of time fixed by this article, or (y) that the operator did not deposit proper payment.~~

~~(Ord. No. 2019-25, § II, 4-8-19)~~

SECTION 2: This Ordinance shall be and is hereby declared to be cumulative to all other ordinances of the City of New Braunfels relating to parking within the City of New Braunfels, and same shall not operate to repeal or affect any such ordinance or ordinances except insofar as the provisions of such ordinance or ordinances are inconsistent or in conflict with the provisions of this Ordinance, in which instance or instances those provisions shall be and they are hereby repealed.

SECTION 3: That if any provisions of this Ordinance shall be held void, illegal, or unconstitutional, it is hereby provided that all other parts of the same which are not held void, illegal or unconstitutional shall remain in full force and effect.

SECTION 4: Effective date and publication: This Ordinance shall become adopted upon its second reading, signature, and filing with the City Secretary's Office; however, it will not take effect until it has been published in a newspaper of general circulation at least one time within ten (10) days after its final passage, as required by the City Charter of the City of New Braunfels.

PASSED AND APPROVED: First reading this ____ day of _____, 2025.

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CITY OF NEW BRAUNFELS, TEXAS

NEAL LINNARTZ, Mayor
ATTEST:

Gayle Wilkinson, City Secretary

APPROVED AS TO FORM:

Valeria M. Acevedo, City Attorney