

## **ORDINANCE NO. 2018-**

**AMENDING THE CITY OF NEW BRAUNFELS, TEXAS, CODE OF ORDINANCES CHAPTER 126- TRAFFIC AND VEHICLES, SECTION 126-368(M)-WATER RECREATION ZONES; TIME LIMIT, TO EXPAND THE NO LOADING OR UNLOADING OF WATER-ORIENTED RECREATION EQUIPMENT ZONE TO E. MATHER STREET AND S. WASHINGTON AVENUE; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SAVINGS CLAUSE AND ESTABLISHING AN EFFECTIVE DATE.**

WHEREAS, this amendment to the no loading or unloading zones was initiated by a recommendation from citizens who attended a public input meeting of the River Advisory Committee for comments on the Comal River Improvement Project; and

WHEREAS, this amendment will expand the existing zone that prohibits loading and unloading of water-oriented recreation equipment in this neighborhood to include both sides of E. Mather Street from S. Union Avenue to Washington Avenue, as well as extend the coverage on Washington Avenue up to the E. Mather Street; and

WHEREAS, regulating this activity will reduce traffic congestion in this residential area which is in the best interest of the health, safety and welfare of the community.

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

### **Section 1**

The findings and recitations set out in the preamble to this Ordinance are found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes.

### **Section 2**

That Chapter 126, Section 126-368(m) is amended to read as follows:

#### **Sec. 126-368. - Water recreation zones; time limit.**

(m) It shall be unlawful for any operator to stop, stand or park any vehicle (other than vehicles with valid parking permits for Designated Permit Area A) in his possession or under his control to load or unload passengers and water-oriented recreational equipment between the hours of 8:00 a.m. and 12:00 a.m. (midnight) from March 1 to October 31 at the following locations:

- (1) On both sides of E. Lincoln Street from the intersection of S. Union Avenue in a easterly direction to the end of E. Lincoln Street.
- (2) On both sides of S. Washington Street from E. Lincoln Street to E. Mather Street.
- (3) On both sides of Cross River Street from S. Union Avenue to S. Washington Avenue.
- (4) On both sides of E. Mather Street from S. Union Avenue to S. Washington Street.

### **Section 3**

It is hereby declared to be the intention of the City 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 should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance.

### **Section 4**

All provisions of the Code of Ordinances of the City of New Braunfels not herein amended or repealed shall remain in full force and effect. All Ordinances or parts thereof in conflict herewith are repealed to the extent of such conflict only.

### **Section 5**

In accordance with the provisions of the City Charter, this Ordinance may be read and published by descriptive caption only. This Ordinance has been publicly available in the office of the City Secretary prior to its adoption.

**PASSED AND APPROVED:** First reading this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

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### **CITY OF NEW BRAUNFELS, TEXAS**

By: \_\_\_\_\_  
**Barron Casteel, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Patrick D. Aten, City Secretary**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**Valeria M. Acevedo, City Attorney**