

AN ORDINANCE AMENDING CHAPTER 86 OF THE CODE OF ORDINANCES OF THE CITY OF NEW BRAUNFELS, TEXAS, SECTION 86-7 EFFECTIVE UPON APPROVAL BY CHARGING A FEE FOR PARKING IN THE PARKING LOTS ON HINMAN ISLAND DRIVE AND EAST SAN ANTONIO STREET BETWEEN LIBERTY AVENUE AND THE COMAL RIVER BRIDGE; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SAVINGS CLAUSE.

WHEREAS, the City Council of the City of New Braunfels, Texas has determined that there is a public benefit to the collection of fees for parking; and

WHEREAS, the City Council of the City of New Braunfels, Texas has determined that certain parking areas have value that should be recognized; and

WHEREAS, the City Council of the City of New Braunfels, Texas has determined that parking in parking lots located on Hinman Island Drive, and on East San Antonio Street near the Comal river during the period of May 1 to Labor Day represents an opportunity to collect revenue that supports the funding for management of river operations and parking lot maintenance; and

WHEREAS, the City Council of the City of New Braunfels, Texas has determined that charging a parking fee at the parking lots located on Hinman Island Drive, and on East San Antonio Street during this time period would be born primarily by visitors to the community and would remove some of the burden of funding river operations from the residents of the City of New Braunfels, Texas; and

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

SECTION 1. The findings and recitations set out in the preamble to this Ordinance are found to be true and correct and they are hereby adopted by the City Council and made a part hereof for all purposes.

SECTION 2. AMENDMENTS.

That Chapter 86Section 86-7, subsections f and g of the New Braunfels Code of Ordinances shall be amended to read as follows, with new language indicated below by use of underlined font:

- (f) (1) *East San Antonio Street.* There shall be a parking fee charged for all parking spaces on the north side of East San Antonio Street between the intersection with South Liberty Avenue and the Comal River bridge between the hours of 8:00 a.m. and 7:00 p.m. daily 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 location will go into the River Activities Fund.
- (2) *Exceptions.*

- a. Vehicles with disabled veteran license plates will be exempt from parking fees.
 - b. 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. (g) (1) *Hinman Island Drive*. There shall be a parking fee charged for all parking spaces on Hinman Island Drive between the hours of 8:00 a.m. and 7:00 p.m. daily 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 \$30.00 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 \$30.00 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 \$30.00 fee will be charged to park in one space. All fees collected from this parking lot will go into the River Activities Fund.
- (2) *Exceptions.*
- a. A resident parking pass shall be available for residents to park in this location.
 - b. Vehicles with disabled veteran license plates will be exempt from parking fees.
 - c. 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.

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 _____, 2019.

PASSED AND APPROVED: Second reading this _____ day of _____, 2019.

CITY OF NEW BRAUNFELS, TEXAS

By: _____
Barron Casteel, Mayor

ATTEST:

Patrick D. Aten, City Secretary

APPROVED AS TO FORM:

Valeria M. Acevedo, City Attorney