

ORDINANCE 2017-1113

AN ORDINANCE OF THE TOWN OF ANTHONY, TEXAS REPEALING IN ITS ENTIRETY THE EXISTING NO PARKING ZONES ORDINANCE (ORDINANCE NO. 2013-484) AND REPLACING IT WITH THE ENACTMENT OF A NEW NO PARKING ZONES ORDINANCE REGULATING THE PARKING OF MOTOR VEHICLES ON PUBLIC STREETS IN RESIDENTIAL AREAS AND ON FRONT YARDS OF RESIDENTIAL PROPERTIES.

WHEREAS, the GOVERNING BODY did hold a duly noticed Public Hearing; and

WHEREAS, the GOVERNING BODY did consider testimony from staff and the public before reaching its decision; and

WHEREAS, pursuant to the statutory authority granted to the GOVERNING BODY as a municipality under Texas Local Government Code Section 51.001, the GOVERNING BODY may adopt, publish, amend, or repeal an ordinance, rule, or police regulation that: (1) is for the good government, peace, or order of the municipality or for the trade and commerce of the municipality; and (2) is necessary or proper for carrying out a power granted by law to the municipality or to an office or department of the municipality; and

WHEREAS, pursuant to the statutory authority granted to the municipality as a Type A General-Law Municipality under Texas Local Government Code Section 51.012, the municipality may adopt an ordinance, act, law, or regulation, not inconsistent with state law, that is necessary for the government, interest, welfare, or good order of the municipality as a body politic; and

WHEREAS, pursuant to the statutory authority granted to the municipality under Texas Local Government Code Section 601.001, the municipality may adopt an ordinance regulating the parking of motor vehicles on private property and may enforce the ordinance in the same manner that it enforces ordinances regulating parking in public no-parking zones, including the impoundment of offending vehicles; and

WHEREAS, the GOVERNING BODY does make the following finding:

1. That it is in the best interest of the public at large and to otherwise establish an aesthetic standardization and beautification of residential streets and front yards of residential properties within the municipal limits of the Town of Anthony, Texas.

BE IT ORDAINED BY THE GOVERNING BODY OF THE TOWN OF ANTHONY, TEXAS: that in consideration of the aforementioned findings and testimony, it hereby ordains that it does hereby approve the repeal in its entirety and

replacement of the existing no parking zones ordinance (Ordinance No. 2013-484) as follows:

Section I. AUTHORITY AND PURPOSE.

AUTHORITY: This Ordinance is adopted pursuant to the enabling provisions of Texas Local Government Code Section 51.001 and Section 51.012 and Section 601.001.

PURPOSE: The purpose of this ordinance is to repeal in its entirety the existing no parking zones ordinance (Ordinance No. 2013-484) and replace it with a more harmonious no parking zones ordinance for the purpose of establishing an aesthetic standardization and beautification of residential streets and residential front yards within the municipal limits of the Town of Anthony, Texas.

Section II. REPEAL OF NO PARKING ZONES ORDINANCE (ORDINANCE NO. 2013-484).

The existing no parking zones ordinance (Ordinance No. 2013-484) is hereby repealed in its entirety and replaced as more fully set out below.

Section III. ENACTMENT OF A NEW NO PARKING ZONES ORDINANCE.

Section 1. SHORT TITLE. This Ordinance may be cited as the “No Parking Zones Ordinance” of the Town of Anthony, Texas.

Section 2. DEFINITIONS. The following words, terms, phrases, and their derivations shall have the following meanings:

(a) **“Commercial Motor Vehicle”** means

- (1) a commercial motor vehicle, as defined by Section 522.003 of the Texas Transportation Code, and includes a vehicle meeting that definition regardless of whether the vehicle is used for a commercial purpose; or
- (2) a road tractor, truck tractor, pole trailer, or semitrailer, as those terms are defined by Section 541.201 of the Texas Transportation Code.

(b) **“Driveway”** means a surfaced area adjacent to a curb cut providing vehicular access between a street and an off-street parking area, including a circular driveway.

Acceptable surfaced areas shall consist of asphalt paving, concrete, concrete pavers or other comparable dust free surfacing. Surfaces shall be maintained in good condition, free of weeds, dust, trash and debris.

(c) “**Front Yard**” means a yard extending the full width of a lot between the front lot line and the front setback line.

* (d) “**Interior Side Yard**” means a yard extending the depth of a lot from the front setback line to the rear set back line between the side lot line and the side setback line.

(e) “**Lot**” means:

(1) a parcel of real property with a unique designation shown on a plat, record of survey, parcel map, or subdivision map recorded in the office of the County Clerk; or

(2) a parcel of real property established under zoning or subdivision regulations.

(f) “**Lot Line**” means a line or series of connected line segments bounding a lot.

(g) “**Motor Vehicle**” means a self-propelled vehicle designed for use on a highway and includes an inoperable motor vehicle.

(h) “**Rear Yard**” means a yard extending the full width of a lot between the rear lot line and the rear setback line, excluding any area located within the street side yard of a corner lot.

(i) “**Recreational Vehicle (RV)**” means both recreational vehicles that are motorized and non-motorized defined as follows:

(1) “**Motorized recreational vehicle**” means a motor home built on a truck or bus chassis or a van chassis which usually has a section overhanging the cab. All these vehicles are powered by internal combustion engines that run on gasoline, diesel, batteries or other fuel. Van campers and pickup truck campers are excluded from the recreational vehicle definition.

(2) “**Non-motorized recreational vehicle**” means a conventional travel trailer or a fifth wheel trailer utilized for recreational purposes and designed to be towed by a vehicle. Boats, horse trailers, utility trailers for storing recreational equipment or other equipment and all-terrain vehicles stored on trailers utilized for recreational purposes are considered non-motorized recreational vehicles. Pickup truck camper shells which have been removed from the vehicle and stored are considered non-motorized recreational vehicles and shall conform to the provisions of this title.

(j) **“Side Yard”** means a yard extending the depth of a lot from the front yard to the rear lot line between the side lot line and the side setback line. For a corner lot, a street side yard is a yard that extends from the front yard to the rear lot line.

(k) **“Yard”** means an open space on a lot adjoining a lot line.

Section 3. NO PARKING ZONES.

(a) A person may not park a motor vehicle in the front yard, side yard, or rear yard of a residential property, except in a driveway or a paved parking spaced depicted on an approved site plan as approved by the Town Inspector. Please see attached diagrams 1 and 2 for illustration purposes.

(b) A person may not park an RV or truck tractor on a residential property, except in a paved parking spaced situated in the interior side yard or rear yard depicted on an approved site plan as approved by the Town Inspector. Please see attached diagrams 3 and 4 for illustration purposes.

(c) A person may not park an RV on a public street or roadway in front of a residential property. Please see attached diagram 3 for illustration purposes.

(d) A person may not park a commercial motor vehicle on a public street or roadway in front of a residential property, except a truck tractor as provided by other Town ordinance. Please see attached diagrams 4, 5 and 6 for illustration purposes.

(e) A person may not park a commercial motor vehicle on a residential property, except a truck tractor as provided in (b) above. Please see attached diagrams 5 and 6 for illustration purposes.

(f) Eastside of Wildcat Dr. (Spur 6) from FM 1905 to a point five hundred (500) feet south.

Section 4. VIOLATION PENALTY.

A. Any person who shall violate any provisions of this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than five hundred dollars (\$500.00). Each day of a violation shall be considered a separate offense.

B. This Ordinance shall be enforced by issuance of a citation and may include the impoundment of offending vehicles.

Section IV. SEVERABILITY.

Should any section, paragraph, clause or provision of this Ordinance for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Ordinance.

Section V. REPEALER.

All ordinances or resolutions or parts thereof, inconsistent with the provisions of this Ordinance are hereby repealed to the extent only of such inconsistency or conflict. This repealer shall not be construed to revive any ordinance or resolution or part thereof, heretofore repealed.

Section VI. EFFECTIVE DATE.

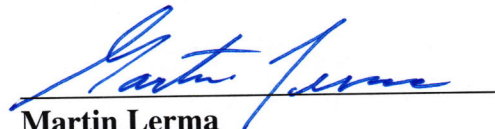
This ordinance shall be effective as provided by law.

Section VII. PROPER NOTICE & MEETING.

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code 551.

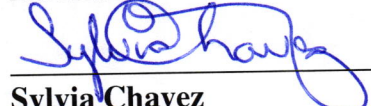
PASSED, ADOPTED AND APPROVED THIS 13th DAY OF November, 2017.

APPROVED:



Martin Lerma
Mayor

ATTEST:



Sylvia Chavez
Acting Town Clerk



ROLL CALL VOTE:

Mayor Pro-Tem Benjamin Romero

yes

Councilor Jose Garcia

yes

Councilor Shawn Weeks

yes

Councilor Joanna Rivera

absent

Councilor Eddie Chavez

yes

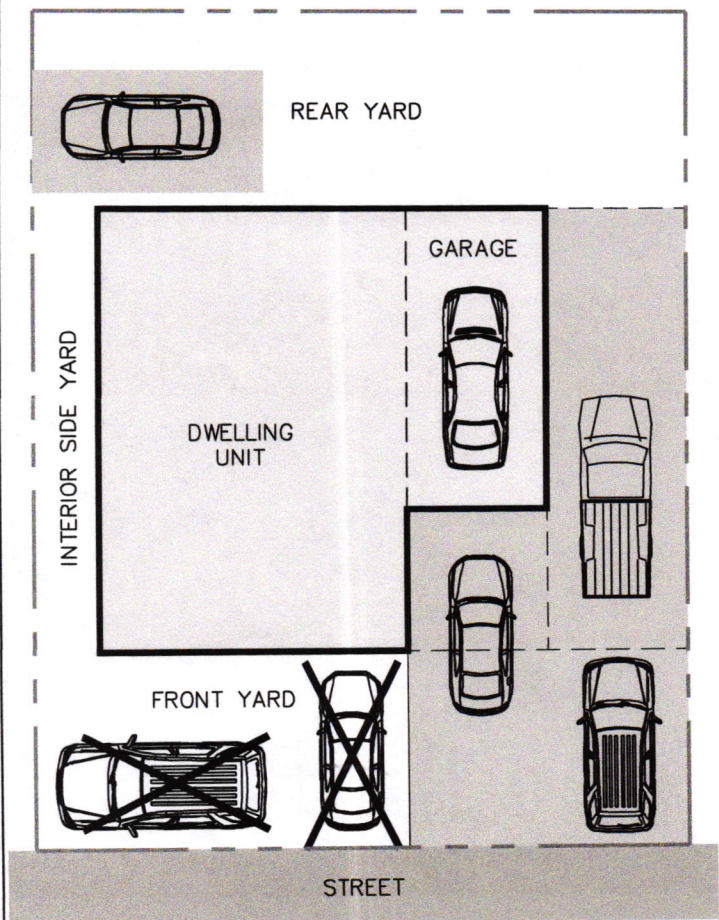


DIAGRAM 1
SCALE: NTS

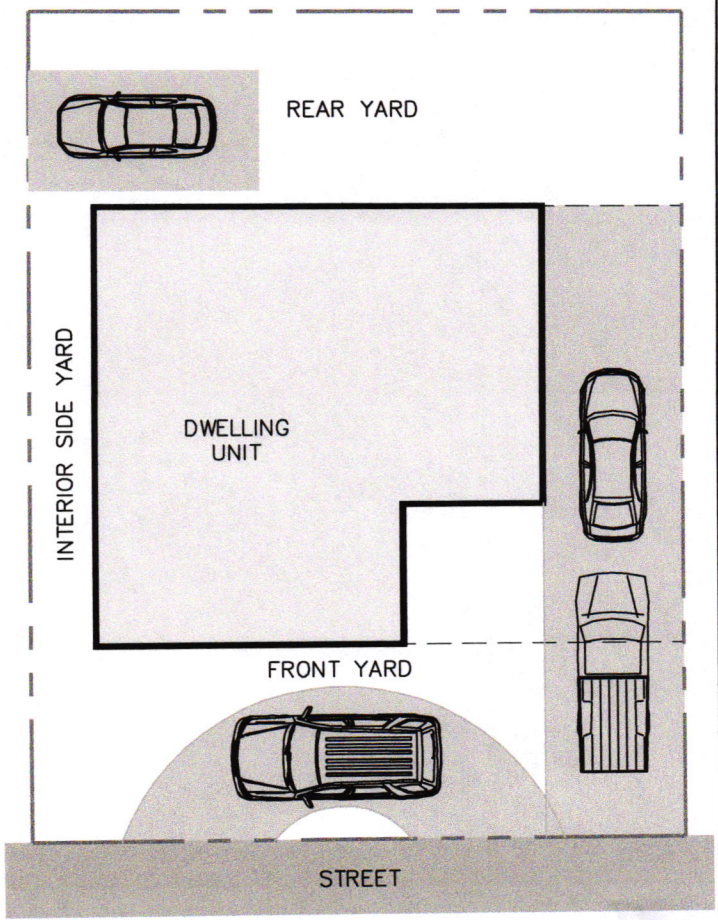


DIAGRAM 2
SCALE: NTS

TOWN OF ANTHONY

MOTOR VEHICLE FRONT AND SIDE YARD PARKING PROHIBITIONS

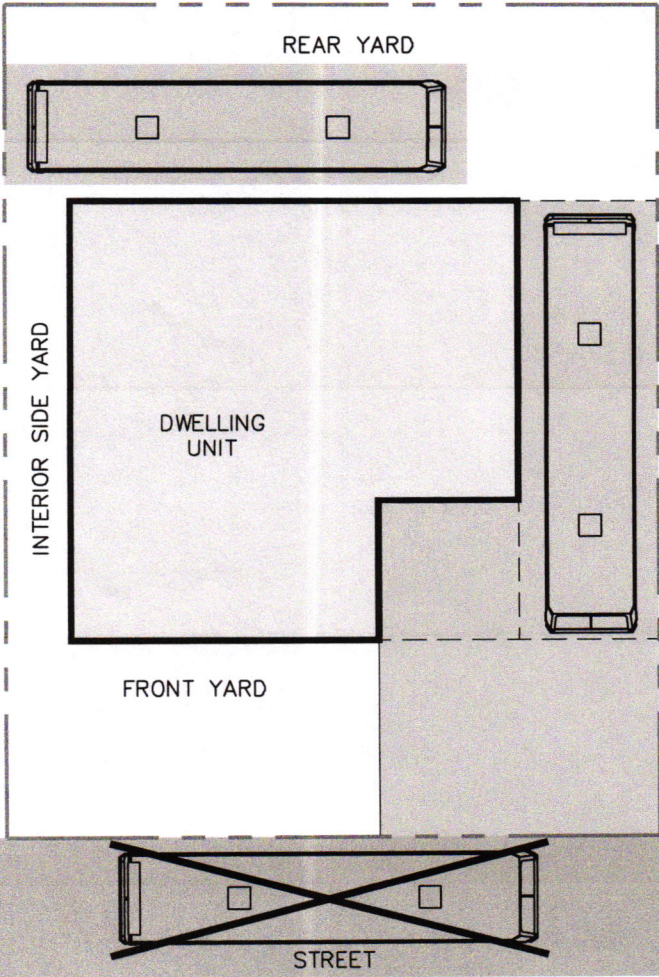


DIAGRAM 3
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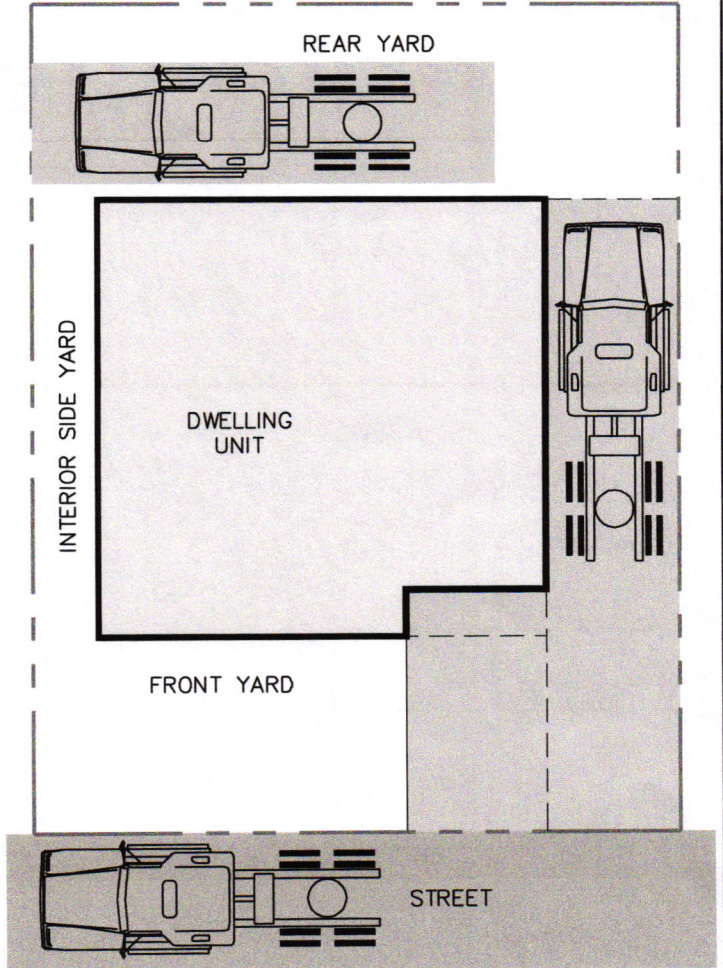


DIAGRAM 4
SCALE: NTS

TOWN OF ANTHONY

RV & TRUCK TRACTOR FRONT AND SIDE YARD PARKING PROHIBITIONS

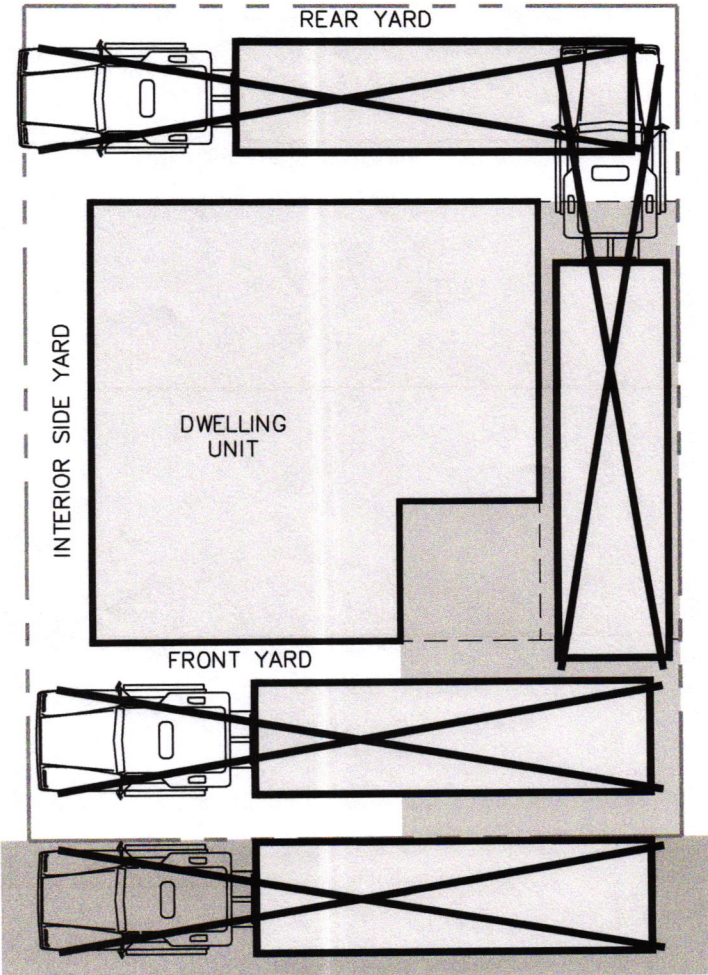


DIAGRAM 5
SCALE: NTS

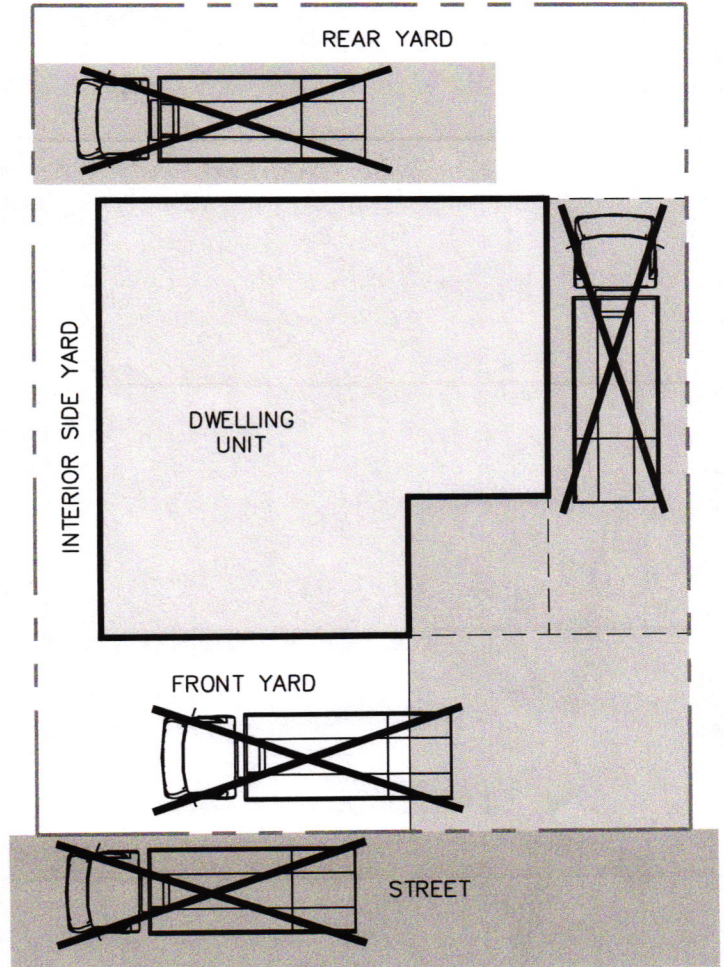


DIAGRAM 6
SCALE: NTS

TOWN OF ANTHONY

COMMERCIAL VEHICLE FRONT AND SIDE YARD PARKING PROHIBITIONS

Homesteader
Established 1973 **News**
PUBLISHER'S AFFIDAVIT

State of Texas
County of El Paso

BEFORE ME, the undersigned, a Notary Public, this day personally appeared RICHARD G. SHRUM, who duly affirms according to law, that he is the Publisher of WEST TEXAS COUNTY COURIER, a weekly newspaper having general circulation in El Paso County including the Upper and Lower Valley communities of Horizon, Socorro, Clint, Fabens, San Elizario, Tornillo, Anthony, Canutillo, Vinton, East Montana and other locations in El Paso County, Texas and that the publication of:

Town of Anthony, TX
Public Notice
Ord. 2017-1113 Passed

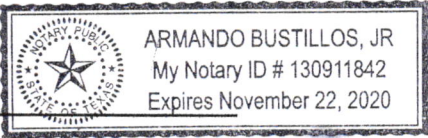
of which the annexed is a true copy, was published in said paper on 12/14/17 and (no) subsequent week(s);

and that the rate charged therefore \$ 250.00 for (1) insertion(s), is not in excess of the commercial rate charged private individuals.

Richard G. Shr
RICHARD G. SHRUM, PUBLISHER

SUBSCRIBED AND AFFIRMED BEFORE ME this 14TH day of DECEMBER, 2017.

[Signature]
NOTARY PUBLIC in and for
the State of Texas



Printed name of notary

My commission expires (date): _____

net

OF OFFENDING VEHICLES.

Equal Opportunity Employer

WTCC: 01-05-18

This ordinance shall be published and shall take effect on the 21st day of December, 2017.

TOWN OF ANTHONY, TX PUBLIC NOTICE

PASSED AND APPROVED the 13rd day of November, 2017.

ORDINANCE NO. 2017-1113

Mary Carter Town Clerk

WTCC: 12-14-17

THE PURPOSE OF ORDINANCE 2017-1113 IS TO REPEAL IN ITS ENTIRETY THE EXISTING NO PARKING ZONES ORDINANCE (ORDINANCE NO. 2013-484) AND REPLACE

MOTORCYCLE

2005 Harley Davidson Road King Classic. Like new - 8,800 miles. \$7,500. Clear title. (915) 472-6975.

High School juniors Maite Chavez and Britany Nuñez in a ceremony held at the Bowie Fine Arts Theater Wednesday, Dec. 6. Both girls attend the CCTE's Veterinary Assistant program.

To be inducted into the National Technical Honor Society a student must maintain a 3.5 GPA and be enrolled in a career and technical education program. "I felt proud of myself that I met the qualifications," Nuñez said. "It can be a lot of work at times to maintain my grades, but if I apply myself I can get it all done."

Chavez and Nuñez began the program this year and are on course to graduate high school next year with certifications as Vet Techs. For Chavez,



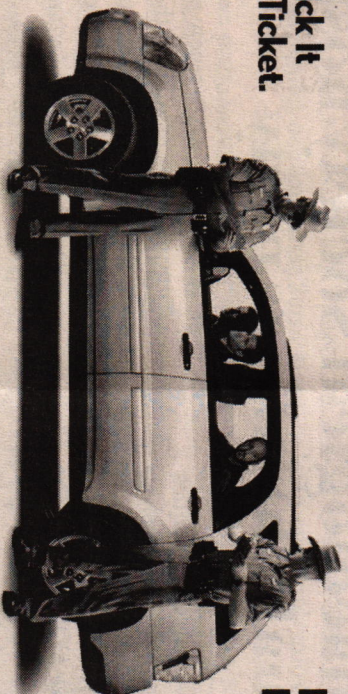
- Photo courtesy Fabens ISD

SMART LADIES - Britany Nunez and Maite Chavez on stage of the Bowie Fine Arts Theater after their induction into the National Technical Honor Society.

induction into the NTHS means this opens up more scholarship opportunities for me."

Both girls plan to use their certificates as soon as they graduate to work at Veterinary clinics while they pursue their college degrees. "I hope that

Click It or Ticket.



Even in the back seat.

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State law now requires both adults and children to be buckled up in the front or back seat. A child less than 8 years old, unless taller than 4 feet 9 inches, must ride in a child safety seat. Most children between 4 and 8 years old will need a booster seat to be safe and comply with the law. Fines range from \$25 to \$250, plus court costs. TexasClickItorTicket.com



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CryptoQuip Answer

Comic strip about a young waif girl with the ability to change forms: "Little Morphin' Annie".

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eight-hour workday during the labor movement of the late 19th century.

On Dec. 29, 1878, the Cuban professional baseball league holds its first game. Baseball was introduced in Cuba around 1864 by students returning home from studying in the U.S.

On Dec. 30, 1803, Francis Lewis, signer of the Declaration of Independence, dies in New York City, at the age of 90. Lewis' patriotism came at a high cost. The British army destroyed his Long Island estate and took his wife prisoner in 1776.

On Dec. 31, 1968, the Soviet Union's TU-144 supersonic airliner makes its first flight. In 1973 at the Paris Air Show, the TU-144 broke up from stress at 1,500 feet when a French Mirage spy aircraft photographing the TU-144 from above forced its pilot to abruptly level off.

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Classified Ads

LEGALS

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IT WITH A MORE
HARMONIOUS
NO PARKING
Z O N E S
ORDINANCE FOR
ESTABLISHING
AN AESTHETIC
STANDARDIZATION
A N

BEAUTIFICATION
OF RESIDENTIAL
STREETS AND
RESIDENTIAL
FRONT YARDS
WITHIN THE
M U N I C I P A L
LIMITS OF
THE TOWN
OF ANTHONY,
TEXAS.

ANY PERSON
WHO SHALL
VIOLATE ANY
PROVISIONS OF
THIS ORDINANCE
SHALL BE
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MISDEMEANOR,
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EACH DAY OF
A VIOLATION
SHALL BE
CONSIDERED
A SEPARATE
OFFENSE.

THIS ORDINANCE
SHALL BE
E N F O R C E D
BY ISSUANCE
OF A CITATION
AND MAY
INCLUDE THE
IMPOUNDMENT

Carrillo leads ESL classes in Fabens

By Denise Peña
Special to the Courier

FABENS – While looking for a way to give back to the community, Fabens High School Principal Ruben Carrillo noted a need for students' parents to learn English. This prompted Carrillo to begin hosting free adult English as a Secondary Language classes in the evenings.

Every Tuesday or Thursday, depending on the week, from 5:00 to 7:00 p.m. these students meet in a computer lab on campus and work with two programs geared at helping them learn English. The first hour is dedicated to *Memrise*, a self-paced, online program. The next hour is for learning phonetics as a group with the program *Johnny Can Spell*.



– Photo courtesy Fabens ISD
HEAD OF THE CLASS – Principal Ruben Carrillo, standing, helps parents in the Fabens Independent School District learn English.

“Our student population includes a high number of English Language Learners, so it goes without saying that their parents are also needing the opportunity to learn the language,” Carrillo said. “In this way, the parents and the students can help each other.”

Núñez, Chavez, inducted into NTHS

By Denise Peña
Special to the Courier

FABENS – The National Technical Honor Society of the Center for Career and Technical Education inducted Fabens



Moments in Time The History Channel

• On Dec. 25, 1914, just after midnight on Christmas morning, the World War I troops of Germany, Russia, France and Britain cease fire and come out of the trenches for singing carols, exchanging presents and even a game of soccer. It was one of the last examples of chivalry between enemies in warfare.

• On Dec. 26, 1973, “The Exorcist,” a horror film starring actress Linda Blair as a girl possessed by an evil spirit, makes its debut in theaters. It earned a reputation as one of the scariest movies in history.

• On Dec. 27, 1941, the federal Office of Price Administration initiates its first World War II rationing program: No driver would be permitted to own more than five automobile tires. To conserve rubber (and gasoline), the national “Victory Speed Limit” was set at 35 mph.

• On Dec. 28, 1869, The Knights of Labor hold the first Labor Day ceremonies in American history. First established as a secret society of Philadelphia