

**ORDINANCE NO. B23-09-19**

**AN ORDINANCE OF THE CITY OF SAVOY, TEXAS, ESTABLISHING A NO-PARKING ZONE AT THE INTERSECTIONS OF HIGHWAY 56/W. HAYES STREET AND FARM TO MARKET ROAD 1752 IN THE CITY OF SAVOY, TEXAS, AND PROHIBITING PARKING IN ANY AREA ON OR ALONG SIDE HIGHWAY 56/W. HAYES STREET WITHIN 150 FEET OF ITS INTERSECTION WITH FARM TO MARKET ROAD 1752; AUTHORIZING THE POSTING OF NO PARKING AND TOW-AWAY ZONE SIGNS; AUTHORIZING TOWING; PROVIDING OPEN MEETING, SEVERABILITY, FEES, PENALTY, FINE NOT TO EXCEED \$500.00 PER OCCURRENCE AND RELATED CLAUSES.**

**WHEREAS**, the City of Savoy, Texas (City) has received complaints regarding the visibility at the intersection of Highway 56/W. Hayes Street (Highway 56) and Farm To Market Road 1752 (FM 1752) in the City of Savoy, including complaints that parked vehicles are interfering with visibility and traffic safety and said vehicles entering and exiting the roadway in this area create additional hazards for the driving public, especially as related to the Savoy Volunteer Fire Department;

**WHEREAS**, it has been determined by the City Council of the City of Savoy, Texas, that the creation of a No-Parking Area on both the north and south side of Highway 56 where it intersects with FM 1752 will increase pedestrian and motor vehicle safety and protect access for fire, police and emergency vehicles;

**WHEREAS**, pursuant to Texas Transportation Code 311.002, Savoy, a general law city, has exclusive control over the highways, streets, and alleys of the municipality;

**WHEREAS**, Texas Transportation Code Section 542 provides that a local authority may regulate traffic in a manner that does not conflict with Texas Transportation Code including regulating the stopping, standing, or parking of a vehicle;

**WHEREAS**, Texas Transportation Code Section 545 recognizes the power of a municipality to regulate the parking of commercial motor vehicles and other matters;

**WHEREAS**, Texas Transportation Code Section 545 recognizes the power of a municipality to regulate the parking by the erection of an official sign that prohibits stopping;

**WHEREAS**, the City of Savoy, Texas, has the authority to adopt ordinances and regulations restricting and regulating flow of traffic located within the city limits;

**WHEREAS**, the City of Savoy, Texas (herein the "City"), has the authority to adopt ordinances and regulations to impose towing, immobilization and fees pursuant to Occupations Code Chapter 2308; and,

**WHEREAS**, the regulations and restrictions created in this ordinance are in the best interest of the health, safety and welfare of the citizens of Savoy and the public.

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

**Section 1. Adoption of Findings of Fact.** The findings and recitations set out in 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 as findings of fact.

**Section 2. Creation of No-Parking Zone – Highway 56 and FM 1752.**

- A. No Parking Area Established.** A No-Parking Area is hereby established on the north and south sides of Highway 56 running 150 feet both east and west from the intersection of Highway 56 and FM 1752. Exhibit 1, consisting of two visual depictions, is incorporated herein by reference and further visually indicates this No Parking Area, but said No Parking Area is intended to encompass the entire areas on both sides of Highway 56 in the designated areas.
- B. Parking Prohibited.** Parking, stopping and standing is prohibited on the north and south sides of Highway 56 in any location along Highway 56 and within 150 feet, both east and west, from the intersection of Highway 56 and FM 1752, Savoy, Texas. It shall be unlawful for any person to stop, stand or park in said No Parking Area except on an emergency basis.
- C. Signage and Marking Authorized.** City staff is authorized to mark and designate the north and south sides of Highway 56 in any location along Highway 56 and within 150 feet, both east and west, from the intersection of Highway 56 and FM 1752, Savoy, Texas, as a No Parking Area and establish it as a no-parking zone and a tow-away zone. The erection of no parking and tow-away signs is specifically authorized and directed. When official signs or markings are as authorized herein, no person shall stop, stand, store or park a vehicle, trailer or other items in any such designated place. When signs are erected reading substantially, “No Parking, Tow Away Zone,” no person shall stop, park, store or stand any vehicle, trailer or item on the area.

**Section 3. Penalty.** Any person violating a provision of this ordinance shall be guilty of a misdemeanor, and upon conviction shall be subject to a fine not to exceed \$500.00 for each offense, and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues. Each incident is a separate violation. Unauthorized vehicles, trailers, and items may be towed, immobilized, or removed as authorized by law. Fees may be charged as authorized by law.

**Section 4. Towing Provision.** Any vehicle (specifically including any trailer) or item found parked, stored or standing in violation of this ordinance may be towed away, and the owner of such vehicle, trailer or item shall be civilly liable to the person or entity doing such towing for the reasonable cost thereof. The police department may direct any vehicle, trailer or item violating

a provision of this ordinance to be towed or removed, and such towing and removal will be at the owner's expense.

**Section 5. Amendment of Ordinances.** All prior ordinances of the City or parts thereof conflicting or inconsistent with the provisions of this Ordinance, are hereby amended to the extent of such conflict. In the event of a conflict or inconsistency between this Ordinance and any other code or ordinance of the City, the terms and provisions of the more stringent ordinance shall govern. Nothing in this ordinance is intended to lessen any requirement, restriction or regulation existing in state law.


**Section 6. Severability.** If any provision of this Ordinance or the application of any provision to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications hereof which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

**Section 7. Effective Date.** This Ordinance shall take effect immediately upon its adoption by the City Council and publication as required by the Local Government Code.

**Section 8. Open Meetings.** That it is hereby officially found and determined that the meeting at which this Ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551, Tex. Gov't. Code.

PASSED AND APPROVED, this the 19 day of September, 2023.

ATTEST:

  
Melissa Rickman, City Secretary

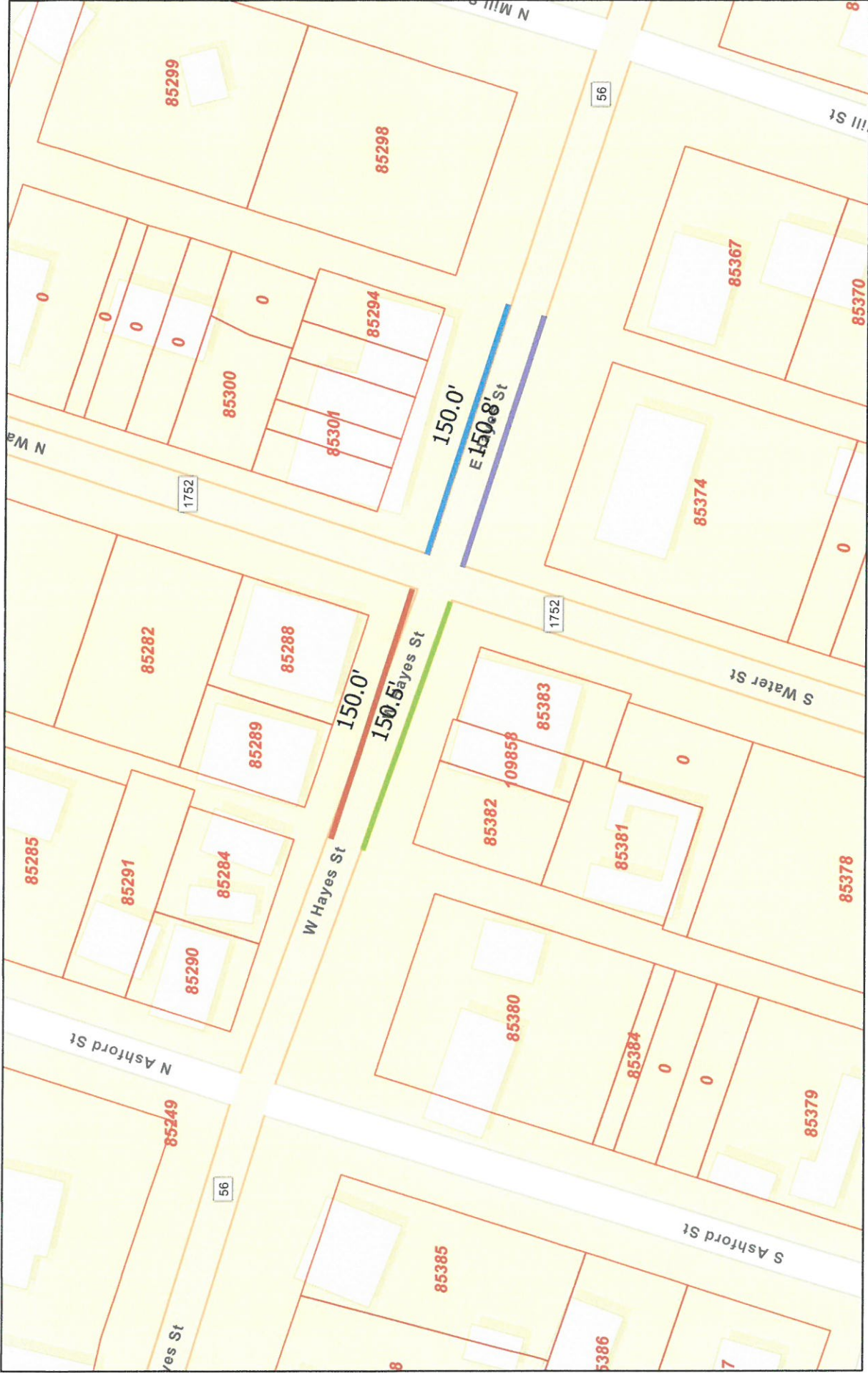


  
Joe Petree, Mayor

**EXHIBIT 1**

VISUAL DEPICTIONS OF NO PARKING/TOW AWAY ZONE

# Fannin CAD Web Map



9/15/2023, 11:16:20 AM

-  Abstracts
-  Parcels

Disclaimer: This product is for informational purposes only and has not been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of boundaries.

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No Parking Ordinance