

## **ORDINANCE NO. 2016-**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS CREATING A DESIGNATED PERMIT AREA UNDER SECTION 82.189 OF THE SAN MARCOS CITY CODE THAT ALLOWS PARKING BY PERMIT ONLY AT ALL TIMES ON BOTH SIDES OF ELM HILL COURT BETWEEN NORTH LBJ DRIVE AND MEADOW PARKWAY; AMENDING THE TRAFFIC REGISTER TO REFLECT SUCH DESIGNATED PERMIT AREA; AND PROVIDING FOR AN EFFECTIVE DATE.**

### **RECITALS:**

1. Section 82.189 of the San Marcos City Code authorizes the creation of a Designated Permit Area upon the request of a property owner whose property abuts the requested Designated Permit Area, the submittal of a petition and fulfillment of the requirements of Section 82.189(b) of the San Marcos City Code.

2. The San Marcos Transportation Department has received a request and a petition for the creation of a Designated Permit Area that allows parking by permit only at all times on both sides of Elm Hill Court between North LBJ Drive and Meadow Parkway, as depicted in the map attached hereto and incorporated herein for all purposes as Exhibit "A."

3. City Transportation Department staff recommends the creation of this Designated Permit Area which will restrict parking to permit parking only during the hours indicated in paragraph 2.

4. A public hearing on the application as required by Section 82.189(d) of the San Marcos City Code was held on December 6, 2016.

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS:**

**SECTION 1.** All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council of the City of San Marcos, and are hereby approved and incorporated into the body of this ordinance.

**SECTION 2.** The City Council hereby approves the creation of a Designated Permit Area that allows parking by permit only at all times on both sides of Elm Hill Court between North LBJ Drive and Meadow Parkway, as depicted in Exhibit "A."

**SECTION 3.** No parking shall be allowed in the Designated Permit Area at any time without a valid permit and the Traffic Register is amended to reflect such restriction.

**SECTION 4.** If any word, phrase, clause, sentence, or paragraph of this ordinance is held to be unconstitutional or invalid by a court of competent jurisdiction, the other provisions of this ordinance will continue in force if they can be given effect without the invalid portion.

**SECTION 5.** All ordinances and resolutions or parts of ordinances or resolutions in conflict with this ordinance are repealed.

**SECTION 6.** This ordinance shall be in effect upon adoption on second reading.

**PASSED AND APPROVED** on first reading on December 6, 2016.

**PASSED, APPROVED AND ADOPTED** on December 20, 2016.

Daniel Guerrero  
Mayor

Attest:

Approved:

Jamie Lee Case  
City Clerk

Michael J. Cosentino  
City Attorney

**EXHIBIT A**  
Map of Designated Permit Area

**Elm Hill Ct. Residential Parking Zone**

