

**ORDINANCE NO. 2015-**

**AN ORDINANCE OF THE CITY COUNCIL OF THE OF THE CITY OF SAN MARCOS, TEXAS AMENDING SECTION 82.170 OF THE SAN MARCOS CITY CODE BY MODIFYING THE RULES FOR LOADING OR UNLOADING OF PASSENGERS BY OPERATORS OF TAXICABS AND LIMOUSINES AND EXTENDING SUCH RULES TO DRIVERS OF TRANSPORTATION NETWORK COMPANY VEHICLES; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF ANY CONFLICTING PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.**

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

**SECTION 1.** Section 82.170 of the San Marcos City Code is hereby amended as set forth below. (Added text is indicated by underlining. Deleted text is indicated by ~~strikethroughs~~.)

**Sec. 82.170. Public carrier stops and stands.**

(a) The traffic engineer is authorized and required to establish bus stops, bus stands, taxicab stands and stands for other public carrier motor vehicles, on public streets, in places and in a number as the engineer determines to be of the greatest benefit and convenience to the public. Every bus stop, bus stand, taxicab stand or other stand shall be designated by appropriate signs or markings.

(b) The operator of a public carrier shall not stand or park the vehicle upon any street at any place other than a designated stand, except as provided in subsection (c) of this section.

(c) Where one is provided, the operator of a taxicab or limousine, or a TNC Driver (as defined under section 90.321 of this code) waiting for a prearranged ride customer shall use a stand designated by subsection (a) of this section for the purpose of loading and unloading of passengers. Where a stand is not provided, the operator of a taxicab or limousine, or a TNC Driver waiting for a prearranged ride customer shall not stand or park the vehicle upon any street. ~~The operator of a taxicab or limousine shall not stand or park the vehicle upon any street at any place other than in a stand designated as provided in subsection (a) of this section,~~ except for the purpose of and while actually engaged in the expeditious loading or unloading of passengers.

**SECTION 2.** In codifying the changes authorized by this ordinance, paragraphs, sections and subsections may be renumbered and reformatted as appropriate consistent with the numbering and formatting of the San Marcos City Code.

**SECTION 3.** 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 4.** All ordinances and resolutions or parts of ordinances or resolutions in conflict with this ordinance are repealed.

**SECTION 5.** This ordinance will take effect after its passage, approval and adoption on second reading.

**PASSED AND APPROVED** on first reading on March 15, 2016.

**PASSED, APPROVED AND ADOPTED** on second reading on April 5, 2016.

Daniel Guerrero  
Mayor

Attest:

Approved:

Jamie Lee Pettijohn  
City Clerk

Michael J. Cosentino  
City Attorney