

**ORDINANCE NO. 2013-52**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ODESSA, TEXAS; AMENDING SECTION 10-104(2)(C) ENTITLED "SPECIAL OFF-STREET AND CERTAIN ON-STREET PARKING REGULATIONS" OF ORDINANCE 80-4 ENTITLED "ZONING ORDINANCE CITY OF ODESSA, TEXAS" AS ADOPTED BY SECTION 14-2-1 OF THE CITY CODE OF ORDINANCES ENTITLED "ZONING ORDINANCE"; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION; AND DECLARING AN EFFECTIVE DATE.

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

**Section 1.** That Section 10-104(2)(c) entitled "Special Off-Street and Certain On-Street Parking Regulations" of Ordinance 80-4 entitled "Zoning Ordinance City of Odessa, Texas" as adopted by Section 14-2-1 of the City Code of Ordinances entitled "Zoning Ordinance", is hereby amended to read as follows:

(c)- 1 In the above listed zoning districts, the parking or storing of the following either on public or private property, street, or alley is prohibited:

- (1) commercial vehicles over 1 ½ tons or 17,000 pounds GVW;
- (2) commercial vehicles over 32' in length; and
- (3) commercial or non-commercial trailers. (Parking or storage of these trailers is allowed, except on a street, sidewalk, or alley.)

Gross Vehicle Weight, "GVW", is the maximum permissible loaded weight of the originally equipped vehicle.

(c)- 2 In LC and LI zones, parking or storage of commercial or non-commercial trailers is prohibited on any street or sidewalk in front of any property developed for residential use.

It shall be a defense to prosecution that the vehicle in question is being used on a temporary basis (no more than 72 hours) for loading and unloading.

**Section 2.** That should any section, clause or provision of this ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this ordinance or any other ordinance of the City as a whole or any part thereof, other than the part so declared to be invalid.

**Section 3.** That any person violating the provisions of this ordinance shall be deemed guilty of a misdemeanor and shall be punished by a fine not exceeding \$200.00 as provided in Section 1-1-9, "General Provisions" Charter, Odessa City Code, which section is adopted by reference and made a part hereof.

**Section 4.** That the caption and penalty clause of this ordinance shall be published in the Odessa American, a newspaper of general circulation in the City of Odessa, in compliance with the provisions of Article 1176b-1, T.R.C.S.

**Section 5.** That this ordinance shall become effective on January 1, 2014.

The foregoing ordinance was first approved on the 10th day of September, A.D., 2013, by the following vote:

Roger T. McNeil	AYE
Dewey Bryant	AYE
Barbara Graff	AYE
Dean Combs	AYE
Sandra Carrasco	AYE

The foregoing ordinance was adopted on second and final approval on the 24th day of September, A.D., 2013, by the following vote:

Roger T. McNeil	AYE
Dewey Bryant	AYE
Barbara Graff	AYE
Dean Combs	AYE
Sandra Carrasco	AYE

Approved this the 24th day of September, A.D., 2013.

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David R. Turner, Mayor

ATTEST:

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Norma Aguilar-Grimaldo, City Secretary

APPROVED AS TO FORM:

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Larry Long, City Attorney