

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS, AMENDING TITLE XV OF THE MANSFIELD, TEXAS CODE OF ORDINANCES, ENTITLED “LAND USAGE”, RELATING TO HANDICAPPED PARKING REGULATIONS OF SECTION 155.091, ENTITLED “OFF-STREET PARKING AND LOADING STANDARDS”; BY AMENDING THE REGULATIONS IN SUBSECTION (D)(9), ENTITLED “IDENTIFICATION” OF SECTION 155.091; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission and the governing body of the City of Mansfield, Texas, in compliance with the laws of the State of Texas with reference to the amendment of Chapter 155 of the Mansfield Code of Ordinances, “Zoning”, have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing opportunity to all property owners generally and to all interested citizens, the governing body of the City is of the opinion and finds that the Comprehensive Zoning Ordinance should be amended; and,

WHEREAS, the City of Mansfield, Texas is a home-rule municipality located in Tarrant County, created in accordance with the provisions of Chapter 9 of the Local Government Code and operating pursuant to its Charter; and,

WHEREAS, the City Council finds that ensuring that off-street parking and loading areas that are accessible to and reserved for handicapped persons in accordance with the standards and specifications as set forth in Section 681.009(b) of the Texas Transportation Code, as amended, promotes the health, safety and welfare of the general public, including those with disabilities and other physical limitations; and,

WHEREAS, the City Council finds that it will be advantageous, beneficial and in the best interest of the citizens of Mansfield to amend Chapter 155 regarding compliance with the standards and specifications as set forth in Section 681.009(b) of the Texas Transportation Code for accessible parking.

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

SECTION 1.

That the findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

SECTION 2.

That Subsection 155.099, Special Conditions, is hereby amended by revising Subsection (D)(9) to read as follows:

- (9) *Identification.* Accessible parking spaces shall be designed as reserved for the handicapped through conforming to the standards and specification referred to in Section 681.009(b), Texas Transportation Code, as amended.

SECTION 3.

That all ordinances of the City in conflict with the provisions of this ordinance be, and the same are hereby, repealed and all other ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 4.

Should any paragraph, sentence, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision thereof, other than the part so declared to be invalid, illegal or unconstitutional, and shall not affect the validity of the Zoning Ordinance as a whole.

SECTION 5.

Any person, firm or corporation violating any of the provisions of this ordinance or the Zoning Ordinance, as amended hereby, shall be deemed guilty of a misdemeanor and, upon conviction in the Municipal Court of the City of Mansfield, Texas, shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense, and each and every day any such violation shall continue shall be deemed to constitute a separate offense.

SECTION 6.

This ordinance shall take effect immediately from and after its passage on the first and final reading and the publication of the caption, as the law and charter in such cases provide.

DULY PASSED ON THE FIRST AND FINAL READING BY THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS, THIS _____ DAY OF _____ 2024.

Michael Evans, Mayor

ATTEST:

Susana Marin, City Secretary

APPROVED AS TO FORM AND LEGALITY:

Ashley Dierker, City Attorney