

ORDINANCE NUMBER 899

AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE CITY OF BURKBURNETT, TEXAS, AMENDING THE CITY OF BURKBURNETT CODE OF ORDINANCES BY AMENDING CHAPTER 72 STOPPING, STANDING, AND PARKING BY ADDING SECTION 72.09 PRESUMPTION THAT OWNER OF VEHICLE ILLEGALLY PARKED SAME; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT THEREWITH; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of Commissioners has determined that there has been an increase in residents within the City of Burkburnett who park vehicles illegally within the City; and

WHEREAS, the Board of Commissioners believes that the adoption of this Ordinance will lead to a more uniform application and enforcement of the rules and regulations governing the parking of motor vehicles within the City of Burkburnett;

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF BURKBURNETT, TEXAS, AS FOLLOWS:

Part 1. Enacted.

THAT the Code of Ordinances of the City of Burkburnett is hereby amended by amending Chapter 72 STOPPING, STANDING, AND PARKING, by adding '72.09 Presumption that Owner of Vehicle Illegally Parked Same, which shall read as follows:

' 72.09 Presumption that Owner of Vehicle Illegally Parked Same

In any prosecution charging a violation of any law or regulation governing the standing or parking of a vehicle, proof that the particular vehicle described in the complaint was parked in violation of any such law or regulation, together with proof that the defendant named in the complaint was, at the time of such parking, the registered owner of such vehicle, shall constitute in evidence a prima facie presumption that the registered owner of such vehicle was the person who parked or placed such vehicle at the point where, and for the time during which, such violation occurred.

Part 2. Severability.

If any section, sub-section, clause, phrase or portion of this Ordinance shall be held unconstitutional or invalid by a court of competent jurisdiction, such section, sub-section, sentence, clause, phrase or portion shall be deemed to be a separate, distinct and independent provision and such invalidity shall not affect the validity of the remaining portions.

Part 3. Repeal.

All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

Part 4. 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, Texas Government Code and Chapter 211, Texas Local Government Code.

Part 5. Publication.

The City Secretary is hereby authorized and directed to cause publication of this Ordinance in accordance with law.

Part 6. Effective Date.

This Ordinance shall be in full force and effect immediately upon passage and publication.

PASSED and APPROVED this 20th day of June, 2016.

Carl Law, Mayor
City of Burkburnett, Texas

ATTEST:

Janelle Dolan, City Clerk