

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING CHAPTER 22, “MOTOR VEHICLES AND TRAFFIC,” OF THE CODE OF THE CITY OF FORT WORTH, TEXAS (2015), AS AMENDED, BY AMENDING ARTICLE I, “IN GENERAL,” SECTION 22-21, “CRUISING PROHIBITED IN DESIGNATED AREAS” TO AMEND THE DEFINITION OF “NO CRUISING ZONE” TO INCLUDE THE WEST 7<sup>TH</sup> ENTERTAINMENT DISTRICT; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL PRIOR ORDINANCES AND REPEAL CONFLICTING ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING A PENALTY CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER OF THE CITY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS** the City Council of the City of Fort Worth (“City Council”) seeks to promote public safety on streets by enhancing the orderly and unobstructed flow of motor vehicle traffic throughout the City of Fort Worth (“City”);

**WHEREAS** the City Council recognizes the City has experienced significant growth, resulting in increased vehicle traffic due to more residents and visitors engaging in business and leisure activities throughout the City, including the West 7<sup>th</sup> Street Entertainment District;

**WHEREAS** pursuant to Texas Local Government Code Chapter 51, the City Council has the general authority to adopt and publish an ordinance or police regulation that is for the good government, peace or order of the municipality and is necessary or proper for the carrying out of a power granted by law to the municipality;

**WHEREAS** it is advisable to amend Chapter 22 of the Fort Worth Code of Ordinances to address the City’s changing traffic needs; and

**WHEREAS** the City Council finds this Ordinance to be reasonable and necessary.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FORT WORTH, TEXAS, THAT:**

**SECTION 1.**

Chapter 22, “Motor Vehicles and Traffic,” Article I, “In General,” Section 22-21, “Cruising Prohibited in Designated Areas” of the Code of the City of Fort Worth, Texas (2015), as amended, is hereby amended to read as follows:

(c) *Definitions.* For the purposes of this section, the following terms, phrases, words and their derivations shall have the meaning given herein. When not inconsistent with the context, words used in the present tense include the future; words in the plural number include the singular; and words in the singular number include the plural. The word “shall” is always mandatory and not merely ~~directory~~ discretionary. In this section:

***CRUISE* or *CRUISING.*** To operate a motor vehicle, or to permit the operation of a motor vehicle under one’s care, custody or control, so as to pass the same traffic control point within a no cruising zone three times within any two-hour period.

***NO CRUISING ZONES.*** The areas bounded by and including the following streets or portions of streets, which areas shall be known as the “Stockyards Historic District No Cruising Zone.” and the “West 7<sup>th</sup> Entertainment District No Cruising Zone.”

**Stockyards Historic District No Cruising Zone**

<b>Street</b>	<b>Extent</b>
23rd Street	Clinton Street to Packers Avenue
26th Street	Clinton Street to the St. Louis and Southwestern Railway Tracks
Clinton Street	23rd Street to 26th Street
Packers Boulevard	23rd Street north in a line to Stockyards Boulevard
Stockyards Boulevard	North Main Street to the St. Louis and Southwestern Railway Tracks

**West 7th Entertainment District No Cruising Zone**

<b><u>Street</u></b>	<b><u>Extent</u></b>
<u>W. Lancaster Ave</u>	<u>University Dr. to Foch Street</u>
<u>Bledsoe Street</u>	<u>University Dr. to Foch Street</u>
<u>Morton Street</u>	<u>University Dr. to Foch Street</u>
<u>Crockett Street</u>	<u>University Dr. to Foch Street</u>
<u>W. 7th Street</u>	<u>University Dr. to Foch Street</u>
<u>Foch Street</u>	<u>W. 7th Street to W. Lancaster Avenue</u>
<u>Currie Street</u>	<u>W. 7th Street to W. Lancaster Avenue</u>
<u>Norwood Street</u>	<u>W. 7th Street to W. Lancaster Avenue</u>

***TRAFFIC CONTROL POINT.*** Any point established by the chief of police within a no cruising zone for the purpose of monitoring cruising.

## **SECTION 2.**

This ordinance shall be cumulative of all provisions of ordinances of the Code of the City of Fort Worth, Texas, (2015), as amended, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances and such Code, in which event conflicting provisions of such ordinances and such Code are hereby repealed.

## **SECTION 3.**

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this ordinance are severable, and, if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

## **SECTION 4.**

All rights and remedies of the City of Fort Worth, Texas, are expressly saved as to any and all violations of the provisions of the Code of the City of Fort Worth, or any other ordinances of the City, that have accrued at the time of the effective date of this ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this ordinance, but may be prosecuted until final disposition by the courts.

## **SECTION 5.**

Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this ordinance shall be fined not more than Five Hundred Dollars (\$500.00) for each offense. Each day that a violation exists shall constitute a separate offense.

## **SECTION 6.**

The City Secretary of the City of Fort Worth, Texas is hereby directed to publish the caption, penalty clause and effective date of this ordinance for two (2) days in the official newspaper of the City of Fort Worth, Texas, as authorized by Texas Local Government Code, Section 52.013.

**SECTION 7.**

All other provisions of Chapter 22 of the Code of the City of Fort Worth, Texas, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

**SECTION 8.**

This ordinance shall take effect upon adoption and publication as required by law, and it is so ordained.

**APPROVED AS TO FORM AND LEGALITY:**

**ATTEST:**

\_\_\_\_\_  
Benjamin Sampract  
Senior Assistant City Attorney

\_\_\_\_\_  
City Secretary

Date: \_\_\_\_\_

ADOPTED: \_\_\_\_\_

EFFECTIVE: \_\_\_\_\_