

AN ORDINANCE

AMENDING SECTION 5 OF ORDINANCE NO. 20840 PASSED AND APPROVED DECEMBER 23, 1954 AS AMENDED BY ORDINANCE 20934 PASSED AND APPROVED JANUARY 27, 1955 BY SUBSTITUTING A NEW SECTION IN LIEU OF AND AS A SUBSTITUTE FOR SAID SECTION AS IT NOW READS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:-

1. That Section 5 of ordinance No. 20840 passed and approved December 23, 1954, as amended by ordinance 20934 passed and approved January 27, 1955 relating to parking and impounding vehicles, be and is hereby repealed.

2. That a new section numbered section 5 of said ordinance be and is hereby substituted for former section 5 and that from and after passage of this ordinance, said section shall read as follows:

"5. That the Police Department be and is hereby authorized to seize and impound vehicles found parked in violation of the parking ordinances of the City of San Antonio, or parked within any of the marked bus stops of the City."

3. That all of the provisions of the former ordinance, except section 5 are not affected hereby, but the same with the herein substituted section 5 shall be and remain in full force and effect.

4. PASSED AND APPROVED this 7th day of April, A.D., 1955.

R. W. White
M A Y O R

ATTEST:

Frank Ballou
City Clerk

14

APPROVED AS TO FORM
C
CITY ATTORNEY

RACERASE BOND

APR 7 1955

21123

Frank Gallagher
CITY CLERK

AN ORDINANCE

AMENDING SECTION 5 OF ORDINANCE NO. 20840 PASSED AND APPROVED DECEMBER 23, 1954 AS AMENDED BY ORDINANCE 20934 OASSED AND APPROVED JANUARY 27, 1955 BY SUBSTITUTING A NEW SECTION IN LIEU OF AND AS A SUBSTITUTE FOR SAID SECTION AS IT NOW READS.

"Haerston St Parking Ord"

AS IT NOW READS:
IN LIEU OF AND AS A SUBSTITUTE FOR SAID SECTION JANUARY 27, 1955 BY SUBSTITUTING A NEW SECTION AMENDED BY ORDINANCE 20934 PASSED AND APPROVED JANUARY 27, 1955 BY SUBSTITUTING A NEW SECTION PASSED AND APPROVED DECEMBER 23, 1954 AS AMENDED BY ORDINANCE 20934 PASSED AND APPROVED JANUARY 27, 1955 BY SUBSTITUTING A NEW SECTION IN LIEU OF AND AS A SUBSTITUTE FOR SAID SECTION AS IT NOW READS.

AN ORDINANCE

PASSED AND APPROVED	
APR 7 1955	
Council Meeting	
Minute Book	Page 392
Ordinance Book	Page 68

Frank Gallagher
CITY CLERK

M A Y O R
Frank Gallagher

BACKSIDE ROAD

3-31-55

Clerk

Affidavit of Publisher

THE STATE OF TEXAS, }

COUNTY OF BEXAR
CITY OF SAN ANTONIO }

Before me, the undersigned authority, on this day personally appeared _____

Charles D. Treuter, who being by me duly sworn,

says on oath that he is one of the publishers of the Commercial Recorder

a newspaper of general circulation in the City of San Antonio, in the State and County aforesaid, and

that the "ORDINANCE" hereto attached has been published in

every issue of said newspaper on the following days, to-wit: _____

April 8, 1955

AN ORDINANCE
AMENDING SECTION 5 OF ORDINANCE NO. 20840 PASSED AND APPROVED DECEMBER 23, 1954 AS AMENDED BY ORDINANCE 20934 PASSED AND APPROVED JANUARY 27, 1955 BY SUBSTITUTING A NEW SECTION IN LIEU OF AND AS A SUBSTITUTE FOR SAID SECTION AS IT NOW READS.

* * *

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"5. That the Police Department be and is hereby authorized to seize and impound vehicles found parked in violation of the parking ordinances of the City of San Antonio, or parked within any of the marked bus stops of the City."

3. That all of the provisions of the former ordinance, except section 5 are not affected hereby, but the same with the herein substituted section 5 shall be and remain in full force and effect.

4. PASSED AND APPROVED this 7th day of April, A. D., 1955.

R. N. WHITE
Mayor

ATTEST:
J. FRANK GALLAGHER
City Clerk

Affidavit of Publisher

Printing Publication of

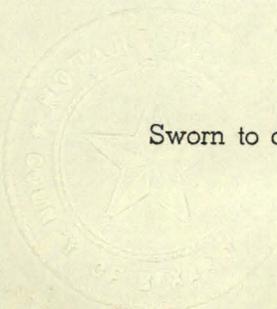
Charles D. Treuter

Sworn to and subscribed before me this 8th. day of April, 1955

Stella Alfaro

Notary Public in and for Bexar County, Texas

Stella Alfaro



Affidavit of Publisher

Proving Publication of

"AN ORDINANCE"

AMENDING SECTION 5 OF ORDINANCE NO. 20840 PASSED AND APPROVED DECEMBER 23, 1954 AS AMENDED BY ORDINANCE 20934 PASSED AND APPROVED JANUARY 27, 1955 BY SUBSTITUTING A NEW SECTION IN LIEU OF AND AS A SUBSTITUTE FOR SAID SECTION AS IT NOW READS.

PASSED AND APPROVED THIS 7TH. DAY OF APRIL, A.D. 1955.

Filed _____, 19____

City Clerk

21123

Affidavit of Publisher

THE STATE OF TEXAS

CITY OF SAN ANTONIO

Before me, the undersigned authority on this day personally appeared _____

who being by me duly sworn

deposes and says that he is one of the publishers of the _____

a newspaper of general circulation in the City of San Antonio, in the State and County aforesaid, and

that the _____ herein identified has been published in

every issue of said newspaper on the following days to-wit: _____

19____

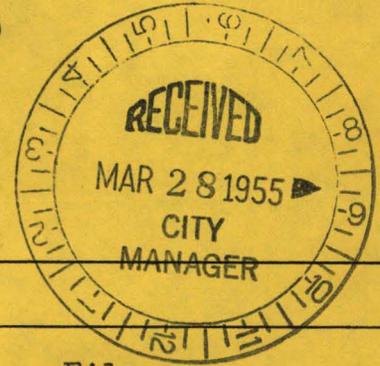


Sworn to and subscribed before me this _____ day of _____, 19____

Notary Public in and for the County of _____, State of Texas

CITY OF SAN ANTONIO

Interdepartment Correspondence Sheet



TO: Dr. George Rice, City Manager

FROM: Geo. W. Bichsel, Chief of Police

COPIES TO: City Attorney Bureau of Safety File

SUBJECT: Requested Amendment of Ordinance No. 20934 as Amended
January 27, 1955

Date March 25, 1955

I wish to respectfully call to your attention the provisions of the above described Ordinance which makes it mandatory that the Police Department impound all vehicles found in violation of the Ordinance. As the Ordinance was first submitted this section was included but was followed by the following section which I quote:

"The Chief of Police is hereby authorized, under this provision to authorize and grant permission, under unusual circumstances, for loading and unloading at hours other than those hours provided herein for loading and unloading."

However, the above quoted section was eliminated by the City Attorney as he ruled that the delegation of such authority was illegal. The elimination of the provision along with the retention of the section making it mandatory for the police to impound vehicles in violation is causing a great deal of resentment on the part of the general public. Under the normal police powers of vehicle impoundment wherein we impound vehicles causing a traffic hazard or blocking a restricted lane during peak hour flow of traffic, the general public recognizes the obvious need for removal of the vehicles and they are not too antagonistic. Such is not the case in the enforcement of the above described Ordinance as we are unable to justify impounding a vehicle for a parking violation late at night when the traffic volume is practically nil.

It is recommended that the section of this Ordinance instructing the Police Department to impound all vehicles in violation be repealed which would allow the Police Department to continue to impound when it was necessary for public safety or the free flow of traffic.

RECEIVED

MAR 29 1955

GWB/JWF/blr CITY ATTORNEY'S OFFICE

Geo. W. Bichsel
GEO. W. BICHSEL
CHIEF OF POLICE

VOTE

4/7

Meeting of the City Council _____, 195⁵

Resolution } Motion by Member of Council _____
Ordinance }

Approp. No. _____

Ord. No. 21,123

	Roll Call	Aye	Nay	Aye	Nay
EMIL O. SCHERLEN Member of Council Pl. 1		✓			
JOHN OLIVER Member of Council Pl. 2		X			
WALTER F. RUDELOFF Member of Council Pl. 3		X			
H. L. DILLASHAW Member of Council Pl. 4		✓			
RAYMOND RUSSELL, Jr. Member of Council Pl. 5		✓			
R. N. WHITE Member of Council Pl. 6		✓			
GLENN B. LACY Member of Council Pl. 7		✓			
Wm. L. BARRETT, Jr. Member of Council Pl. 8		✓			
HENRY B. GONZALEZ Member of Council Pl. 9		X			