

**CITY OF DRIPPING SPRINGS**

**ORDINANCE No. 2020-36**

AN ORDINANCE CREATING THE MERCER STREET HISTORIC DISTRICT PARKING FUND FOR RETENTION OF FUNDS FROM PARKING FEE-IN-LIEU COLLECTED IN THE MERCER STREET HISTORIC DISTRICT; AND PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT; ENACTMENT; REPEALER; SEVERABILITY; PUBLICATION; EFFECTIVE DATE; PROPER NOTICE & MEETING.

**WHEREAS**, the City Council of the City of Dripping Springs (“City Council”) seeks to promote reasonable, sound, and efficient land use and development within the City of Dripping Springs (“City”); and

**WHEREAS**, pursuant to Chapter 211 of the Texas Local Government Code, the City has the authority to regulate parking within the City; and

**WHEREAS**, pursuant to Chapter 601.001 of the Texas Local Government Code, the City has the authority to regulate parking by ordinance on private property; and

**WHEREAS**, the City of Dripping Springs adopted regulations under this ordinance to allow property owners to pay a fee-in-lieu of parking requirements within the Historic District; and

**WHEREAS**, the City of Dripping Springs desires to create a Mercer Street Historic District Parking Fund to hold the funds paid for parking fee-in-lieu for use in the construction of parking spaces and related infrastructure that benefits the Mercer Street Historic District; and

**WHEREAS**, pursuant to Texas Local Government Code Section 51.001, the City has general authority to adopt an ordinance or police regulation that is for the good government, peace or order of the City and is necessary or proper for carrying out a power granted by law to the City; and

**WHEREAS**, pursuant to Texas Local Government Code Section 101.004, the City has the authority to create special funds to be used for a special purpose; and

**WHEREAS**, the City Council finds that it is necessary and proper for the good government, peace or order of the City of Dripping Springs to adopt this Ordinance.

**NOW, THEREFORE, BE IT ORDAINED by the City Council of Dripping Springs:  
FINDINGS OF FACT**

The foregoing recitals are incorporated into this Ordinance by reference as findings of fact as expressly set forth herein.

## 1. ENACTMENT

This ordinance creates the Mercer Street Historic District Parking Fund for retention of funds from the parking fee-in-lieu collected in the Mercer Street Historic District. Funds may be used for the construction of parking spaces and lots and related infrastructure.

## 2. REPEALER

All ordinances, resolutions, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated, herein.

## 3. SEVERABILITY

Should any of the clauses, sentences, paragraphs, sections or parts of this Ordinance be deemed invalid, unconstitutional, or unenforceable by a court of law or administrative agency with jurisdiction over the matter, such action shall not be construed to affect any other valid portion of this Ordinance.

## 4. EFFECTIVE DATE

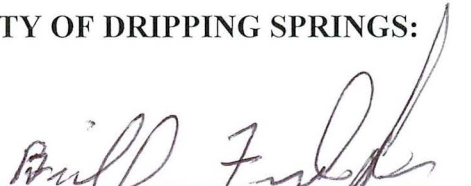
This Ordinance shall be effective immediately upon passage and publication.

## 5. PROPER NOTICE & MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, a public hearing was held, and that public notice of the time, place and purpose of said hearing and meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551.

**PASSED & APPROVED** this, the 14<sup>th</sup> day of July 2020, by a vote of 5 (ayes) to 0 (nays) to 0 (abstentions) of the City Council of Dripping Springs, Texas.

**CITY OF DRIPPING SPRINGS:**

  
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Bill Foulds, Jr., Mayor

**ATTEST:**

  
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Andrea Cunningham, City Secretary

