

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

**AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF MINEOLA, TEXAS, ESTABLISHING REGULATIONS FOR THE USE OF COMMERCIAL LOADING ZONES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; PROVIDING A PENALTY AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Mineola, Texas has previously established loading zones for the use of certain commercial businesses located within the city limits; and

**WHEREAS**, the City finds that such loading zones are necessary due to the specific nature and circumstances of the applicable businesses and the hardship that would be present should such commercial businesses not have said loading zones; and

**WHEREAS**, the City Council finds that additional regulations concerning the use of commercial loading zones are necessary and that such regulations would further the health, safety, and general welfare of the citizens of Mineola.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF MINEOLA, TEXAS, AS FOLLOWS:**

**I.**

**LOADING ZONE REGULATIONS AND PERMIT**

- A. Businesses presently using loading zones shall have the right continue such use, subject to the regulations found herein.
- B. Any business currently utilizing a loading zone or any business desiring to acquire a loading zone following the passage of this Ordinance shall be required to obtain a permit from the City. Said application for a permit shall be submitted to the City Secretary. City Administration shall review the application and ensure that the following criteria are met:
  - i. The commercial business in question is either unique with respect to the type of service provided and/or the physical configuration of the building in question such that a hardship would exist should a loading zone not be provided to the business.
- C. Any permit issued shall be operative for one (1) year from the date of its issuance.
- D. Once a permit is issued, the ability to use any such loading zone shall only be allowed during normal business hours, with no such business vehicle being parked in the loading zone outside normal business hours.
- E. A loading zone permit shall be \_\_\_\_\_ Dollars (\$\_\_\_\_\_), paid annually to the City.

**II.  
SEVERABILITY CLAUSE**

If any provision, section, sentence, clause or phrase of this Ordinance, or the application of same, to any person or set of circumstances is for any reason held to be unconstitutional, void, or invalid, the validity of the remaining portions of this Ordinance shall not be affected thereby, it being the intention of the City Council of the City of Mineola that no portion hereof or provision or regulation contained herein shall become inoperative or failed by any reason of unconstitutionality or invalidity of any other portion, provision or regulation.

**III.  
REPEALER CLAUSE**

Any and all Ordinances, Resolutions and/or other Policies of the City of Mineola in conflict with the provisions of this Ordinance are hereby repealed to the extent of any such conflict.

**IV.  
PENALTY**

Any person, business and/or entity violating any of the provisions of this Ordinance shall be subject to the issuance of a citation and, if found guilty, assessed a fine within the jurisdictional limits of the Mineola Municipal Court. Every day that a violation exists may be a separate offense.

**V.  
EFFECTIVE DATE**

This Ordinance shall take effect following its passage and publication as required by law.

PASSED and APPROVED by the City Council of the City of Mineola, Texas, on this \_\_\_\_\_ day of December 2024.

APPROVED:

\_\_\_\_\_  
Jayne Lankford, Mayor

ATTEST:

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Cindy Karch, City Secretary