

ORDINANCE NO. 20-07

AN ORDINANCE FINDING AND DETERMINING THAT PUBLIC CONVENIENCE AND NECESSITY NO LONGER REQUIRE THE CONTINUED EXISTENCE OF HECHLER LOOP AS A PUBLIC STREET; CONTAINING FINDINGS OF FACT; VACATING, ABANDONING AND CLOSING HECHLER LOOP AS A PUBLIC STREET; AUTHORIZING THE MAYOR TO EXECUTE AND THE CITY SECRETARY TO ATTEST DOCUMENTS FOR SUCH ABANDONMENT; PROVIDING REGULATIONS ON HECHLER LOOP AS A PRIVATE STREET; AND PROVIDING A SAVINGS CLAUSE, SEVERANCE CLAUSE, AND EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DANBURY, TEXAS:

Section 1.

“Hechler Loop” herein shall mean all portions of the street known as Hechler Loop, in the City of Danbury (“the City”) from its southerly intersection with Quail Ridge Road to its northerly intersection with Quail Ridge Road.

“Ball Fields” herein shall mean all or any part of the entire sports complex generally located at the corner of Spur 28 and Quail Ridge Road, including not only athletic fields, but also all other facilities and parts of that complex.

“Event” herein shall mean an athletic game, competition, scrimmage, practice, workout, or training, but not maintenance or repair of the Ball Fields by any number of people while no Event is taking place.

Section 2. All statements of fact in any part of this Ordinance, including the following, are hereby found to be true:

- a. Hechler Loop is in the city limits of Danbury.
- b. Hechler Loop no longer serves any public purpose or necessity as a public street.
- c. Hechler Loop does not serve or benefit any property other than the property abutting it.
- d. The City owns all property abutting Hechler Loop.
- e. This ordinance shall constitute the petition and consent of the City for the City to close Hechler Loop, as herein provided.
- f. Accordingly, the only property owner whose property abuts Hechler Loop has petitioned the City to close Hechler Loop.

g. This ordinance promotes the public health, safety, and welfare.

h. All requirements of law have been satisfied in the passage of this ordinance.

Section 3. The City Council of the City of Danbury, Texas, hereby finds and determines that public convenience and necessity no longer require the continued existence of Hechler Loop as a public street.

Section 4. Hechler Loop is hereby vacated, abandoned, and closed as a public street.

Section 5. This ordinance is intended to be effective to abandon Hechler Loop as a public street. However, the Mayor and City Secretary are hereby authorized to execute and attest, respectively, any other documents necessary or convenient to carry out this abandonment.

Section 6. All other easements, alleys, streets, rights of way of any nature, and portions thereof shall remain in full force and effect.

Section 7. No person shall operate or park a motor vehicle on Hechler Loop except for:

- a. School buses;
- b. A vehicle whose then operator is actively engaged in making a delivery to concessions stand or from the Ball Fields, but this exception shall not apply for longer than reasonably necessary for the delivery;
- c. A vehicle owned or operated by the City; or
- d. A vehicle whose then operator is actively engaged in maintenance or repair of the Ball Fields, but not while an Event is taking place, and not for longer than reasonably necessary for the maintenance or repair.

Section 8. Each entrance into Hechler Loop shall be blocked by a locked gate for at least three hours before an Event, as herein defined, at any of the ball fields until at least one hour after such an Event. Access to Hechler Loop shall be denied to motor vehicles, except for the purposes provided in this ordinance. However, nothing herein prohibits an automatic gate that allows vehicles to exit from Hechler Loop.

Section 9. A violation of this ordinance shall be an offense punishable upon conviction by a fine of up to \$500.

Section 10. If any part of this ordinance, of whatever size, is ever declared invalid or unenforceable for any reason, the remainder of this order shall remain in full force and effect.

Section 11. This ordinance shall be effective immediately upon its passage and approval.

PASSED AND APPROVED ON THIS 16th DAY OF April, 2020.

CITY OF DANBURY, TEXAS

Melinda Strong
Melinda Strong, Mayor

ATTEST:

Cynthia Sharp
Cynthia Sharp,
Deputy City Secretary

THE STATE OF TEXAS §

COUNTY OF BRAZORIA §

This instrument was acknowledged before me, on the 16 day of April, 2020, by Melinda Strong, Mayor of the City of Danbury, Texas.

Cynthia Sharp
Notary Public in and for the State of Texas