

12-9-20

ORDINANCE NO. 31714

An ordinance amending Chapter 28, "Motor Vehicles and Traffic," of the Dallas City Code by amending Section 28-42.1; prohibiting cruising on portions of Shady Trail, Harry Hines Boulevard, Walnut Hill Lane, and Southwell Road; providing a sunset date; providing a penalty not to exceed \$500; providing a saving clause; providing a severability clause; and providing an effective date.

WHEREAS, traffic congestion and cruising in certain areas of the city is linked to prostitution-related activities and trafficking of persons;

WHEREAS, targeted areas are non-residential in nature with area businesses serving the community during regular business hours;

WHEREAS, evidence demonstrates that prostitution-related activities are on-going at all hours of night and day, seven days a week;

WHEREAS, the prevalence of prostitution also leads to secondary crimes, such as alcohol consumption and littering, which harm businesses during non-business hours;

WHEREAS, reducing traffic in those areas can decrease the incidence of prostitution and help identify those repeat offenders who create the "demand" for illegitimate business activities;

WHEREAS, the city council believes it is in the interest of the public health, safety, and welfare to prohibit cruising on Shady Trail, Harry Hines Boulevard, Walnut Hill Lane, and Southwell Road; Now, therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That Paragraph (2) of Subsection (a) of Section 28-42.1, "Cruising Prohibited In Designated Areas," of Division 1, "Generally," of Article VI, "Operation of Vehicles," of Chapter 28, "Motor Vehicles and Traffic," of the Dallas City Code is amended to read as follows:

“(2) NO CRUISING ZONE means any of the following streets or areas:

(A) The area within the West End Historic District bounded by and including the following streets or portions of streets:

<u>STREET</u>	<u>EXTENT</u>
Elm Street	Lamar Street to Houston Street
Houston Street	Elm Street to Ross Avenue
Ross Avenue	Houston Street to Record Street
Record Street	Ross Avenue to McKinney Avenue
McKinney Avenue	Record Street to Lamar Street
Lamar Street	McKinney Avenue to Elm Street.

(B) The area within the Deep Ellum District bounded by and including the following streets or portions of streets:

<u>STREET</u>	<u>EXTENT</u>
Good-Latimer Expressway	Elm Street to Commerce Street
Commerce Street	Good-Latimer Expressway to Hall Street
Hall Street	Commerce Street to Elm Street
Elm Street	Hall Street to Good-Latimer Expressway.

(C) The following streets or portions of streets:

<u>STREET</u>	<u>EXTENT</u>
Clarendon Drive	Westmoreland Road to Hampton Road
Hampton Road	Sharon Avenue to Catherine Street
Westmoreland Road	Sharon Avenue to Brooklyndell Avenue.

(D) The following streets or portions of streets:

<u>STREET</u>	<u>EXTENT</u>
<u>Shady Trail</u>	<u>Willowbrook Road to Fabens Road</u>
<u>Harry Hines Boulevard</u>	<u>Royal Lane to Lombardy Lane</u>
<u>Walnut Hill Lane</u>	<u>Composite Drive to Harry Hines Boulevard</u>
<u>Southwell Road</u>	<u>Ables Lane to Harry Hines Boulevard.”</u>

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SECTION 2. That Subsection (b) of Section 28-42.1, "Cruising Prohibited in Designated Areas," of Division 1, "Generally," of Article VI, "Operation of Vehicles," of Chapter 28, "Motor Vehicles and Traffic," of the Dallas City Code is amended to read as follows:

"(b) A person commits an offense if:

(1) between 8:00 p.m. and 4:00 a.m. on any day of the week, he cruises in an area marked in accordance with Subsection (e) as a no cruising zone, as defined in Subsection (a)(2)(A) or (a)(2)(B); ~~or~~

(2) between 3:00 p.m. and 1:00 a.m. on any day of the week, he cruises in an area marked in accordance with Subsection (e) as a no cruising zone, as defined in Subsection (a)(2)(C);
or

(3) between 4:30 p.m. and 8:00 a.m. on any day of the week, he cruises in an area marked in accordance with Subsection (e) as a no cruising zone, as defined in Subsection (a)(2)(D)."

SECTION 3. That Section 28-42.1, "Cruising Prohibited in Designated Areas," of Division 1, "Generally," of Article VI, "Operation of Vehicles," of Chapter 28, "Motor Vehicles and Traffic," of the Dallas City Code is amended by adding a new Subsection (f) to read as follows:

"(f) Enforcement authority expires on January 1, 2022 for those streets or portions of streets in Section 28-42.1(a)(2)(D)."

SECTION 4. That a person violating a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$500.

SECTION 5. That Chapter 28 of the Dallas City Code shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 6. That any act done or right vested or accrued, or any proceeding, suit, or prosecution had or commenced in any action before the amendment or repeal of any ordinance, or part thereof, shall not be affected or impaired by amendment or repeal of any ordinance, or part thereof, and shall be treated as still remaining in full force and effect for all intents and purposes as if the amended or repealed ordinance, or part thereof, had remained in force.

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SECTION 7. That the terms and provisions of this ordinance are severable and are governed by Section 1-4 of Chapter 1 of the Dallas City Code, as amended.

SECTION 8. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

CHRISTOPHER J. CASO, City Attorney

By Casidy Byrnes
Assistant City Attorney

Passed DEC 09 2020



PROOF OF PUBLICATION – LEGAL ADVERTISING

The legal advertisement required for the noted ordinance was published in the Dallas Morning News, the official newspaper of the city, as required by law, and the Dallas City Charter, Chapter XVIII, Section 7.

DATE ADOPTED BY CITY COUNCIL DEC 09 2020

ORDINANCE NUMBER 31714

DATE PUBLISHED DEC 12 2020

ATTESTED BY: