

CHAPTER 72: STOPPING, STANDING AND PARKING

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§ 72.01 PARKING PROHIBITED FOR CERTAIN PURPOSES.

Any person who shall park or permit to be parked any vehicle on any street in the city for the purpose of exhibiting the vehicle for sale, for the purpose of washing the vehicle or for the purpose of making repairs to the vehicle, except the repairs as may be necessary as emergency repairs, shall be deemed guilty of a violation.

(`97 Code, § 15-121) Penalty, see § 72.99

§ 72.02 TEN FEET OF ROADWAY TO BE LEFT AVAILABLE FOR TRAFFIC.

No person shall stop, stand or park any vehicle upon a street in such a manner or under such conditions as to leave available less than five feet of each lane of a roadway (a total of ten feet in the center of the roadway) for free movement of the vehicular traffic, except that a driver may stop temporarily during the actual loading or unloading of passengers or when necessary in obedience to traffic regulations or traffic signs or signals of a police officer.

(`97 Code, § 15-122) Penalty, see § 72.99

§ 72.03 DESIGNATION AND MARKING OF PARKING STALLS AND AREAS WHERE PARKING IS PROHIBITED OR LIMITED.

(A) The Superintendent of Public Works shall cause parking stalls to be maintained and marked off in and on such streets and parts thereof as may be designated by the City Council from time to time, and he or she shall cause spaces in which parking is prohibited to be maintained and marked off in and on the streets and parts thereof as may be designated by the City Council from time to time. The Superintendent of Public Works shall also cause time limit parking areas to be maintained and marked off in and on such part or parts of streets as may be designated by the City Council from time to time. All such spaces or areas shall be clearly indicated by appropriate signs or by markings on the pavement or curb.

(B) In areas designated as time-limit parking areas, parking may be limited to any period prescribed by the Council, the same to be designated with clearly distinguished markings or signs at both ends of the time limit area and at reasonable intervals between the beginning and ending of such time limit area, indicating the time allowed for parking in such area.

(C) Any prohibition of or time limit on parking established under this section shall apply on such days and between such hours as prescribed by the Council.

(`97 Code, § 15-123)

§ 72.04 PARKING IN PROHIBITED AREAS; OVERTIME PARKING.

It shall be unlawful for any person to cause, allow, permit or suffer any vehicle registered in his or her name or owned or operated by him or her or in his or her possession or under his or her control to be or remain in any space or area in which parking is prohibited as provided in § 72.03 or in a time limit parking area for a longer period of time than that designated by the markings on the street or by clearly visible signs.

(`97 Code, § 15-124) Penalty, see § 72.99

§ 72.05 PARALLEL AND ANGLE PARKING.

(A) No person shall stand or park a vehicle in a roadway other than parallel with the edge of the roadway headed in the direction of lawful traffic movement and with the right-hand wheels of the vehicle within 18 inches of the curb or edge of the roadway, except as otherwise provided in this section. On one-way streets, vehicles may be parked on the left side of the street, with the left-hand wheels within 18 inches of the curb or edge of the roadway, unless signs prohibit parking.

(B) The Superintendent of Public Works, with the approval of the City Council, shall determine upon which streets angle parking shall be permitted and shall mark or sign the streets, but the angle parking shall not be indicated upon any federal-aid or state highway within this city unless the State Highway Engineer has determined that the roadway is of sufficient width to permit angle parking without interfering with the free movement of traffic. Angle parking shall not be indicated or permitted at any place where passing traffic would thereby be caused or required to drive upon the left side of the street or upon any railway tracks.

(C) Upon those streets which have been signed or marked for angle parking, no person shall park or stand a vehicle other than at the angle to the curb or edge of the roadway indicated by the signs or markings.

(D) Whenever parking spaces are marked by lines on the pavement, whether for parallel or angle parking, a vehicle must be parked entirely within the lines of the parking space.

(`97 Code, § 15-125) Penalty, see § 72.99

Statutory reference:

Similar provisions, see Tex. Transp. Code, § 545.303

§ 72.06 PARKING OR STANDING IN ALLEYS.

No person shall park a vehicle within an alley in such a manner or under such conditions as to block the free passage of other vehicles in the alley.

(`97 Code, § 15-126) Penalty, see § 72.99

§ 72.07 PARKING NEAR SCHOOLS.

The Superintendent of Public Works is authorized to erect signs indicating no parking upon that side of any street adjacent to any school property when the parking would, in his or her opinion, interfere with traffic or create a hazardous situation. When official signs are erected indicating no parking upon that side of a street adjacent to any school property, no person shall park a vehicle in any such designated place.

(`97 Code, § 15-127) Penalty, see § 72.99

§ 72.08 PARKING ON NARROW STREETS.

The Superintendent of Public Works is authorized to erect signs indicating no parking upon any street when the width of the roadway does not exceed 20 feet, or upon one side of a street as indicated by the signs, when the width of the roadway does not exceed 30 feet. When official signs prohibiting parking are erected upon narrow streets as authorized herein, no person shall park a vehicle upon any such street in violation of any such sign.

(`97 Code, § 15-128) Penalty, see § 72.99

§ 72.09 PARKING IN HAZARDOUS OR CONGESTED PLACES.

The Superintendent of Public Works is authorized to determine and designate, by proper signs, places not exceeding 100 feet in length in which the stopping, standing or parking of vehicles would create an especially hazardous condition or would cause unusual delay to traffic. When official signs are erected at hazardous or congested places as authorized herein, no person shall stop, stand or park a vehicle in any such designated place.

(`97 Code, § 15-129) Penalty, see § 72.99

§ 72.10 LOADING AND UNLOADING GENERALLY.

All freight trucks shall be, and are required to be, loaded and unloaded from the alley entrance, if practicable. Where conditions are such as to make the loading or unloading thereof from an alley impracticable, the trucks shall be parked on the streets in accord with all applicable provisions of this chapter.

(`97 Code, § 15-130)

§ 72.11 BACKING TO CURB FOR LOADING AND UNLOADING; PERMIT.

The Chief of Police is authorized to issue special permits to permit the backing of a vehicle to the curb for the purpose of loading or unloading merchandise or materials subject to the terms and conditions of the permit. The permits may be issued either to the owner or lessee of real property or to the owner of the vehicle and shall grant to the person the privilege as therein stated and authorized herein, and it shall be unlawful for any permittee or other person to violate any of the special terms or conditions of any such permit.

(`97 Code, § 15-131) Penalty, see § 72.99

§ 72.12 LOADING ZONES.

(A) For the purposes of this section, a *LOADING ZONE* is that designated parking space for commercial motor vehicles to allow the loading and unloading of commercial items from the vehicle.

(B) Any person desiring or requiring a loading zone shall make application to the City Council. If approval is granted, the City Council, before setting aside such zone by exhibiting signs, will have the collection of the annual fee provided for herein certified to it by the City Secretary.

(C) For the purpose of regulating and supervising loading zones and to provide a fund to cover all costs involved in installing adequate signs or curb markings designating loading zones, and to pay the costs of periodic maintenance thereof, there is imposed against the applicant for a loading zone and against any person who desires the maintenance of a loading zone abutting his or her property, a charge which is on file in the City Secretary's office. The City Secretary shall collect the annual fee, and if the same is not properly paid, he or she shall advise the Superintendent of Public Works, who will remove the signs or curb markings designating the loading zone.

(D) A loading zone established under this section shall be designated by upright signs or painted curb markings of a distinctive color imprinted with the wording "loading zone." However, if the zone applied for lies within a section of curb at which parking is normally prohibited, the zone shall be designated by red curb markings imprinted with the wording "delivery only."

(E) A loading zone established under this section shall be operative from 7:00 a.m. to 6:30 p.m., except Sundays and legal holidays.

(F) All loading zones shall be for the exclusive use of the applicant and those persons who may have loading or unloading to do with the applicant. All loading and unloading in such zones shall be done from commercial vehicles only. The loading and unloading shall be limited to commercial items.

(G) No loading zone permit shall be granted where the flow of traffic would be impeded or traffic hazards created by the zone.

(`97 Code, § 15-132)

§ 72.13 PRESUMPTION THAT OWNER OF VEHICLE ILLEGALLY PARKED SAME.

In any prosecution charging a violation of any provision of this chapter or any other ordinance or regulation governing the standing or parking of a vehicle, proof that the particular vehicle described in the complaint was parked in violation of any such provision, ordinance or regulation, together with proof that the defendant named in the complaint was, at the time of the parking, the registered owner

of the vehicle, shall constitute in evidence a prima facie presumption that the registered owner of the vehicle was the person who parked or placed the vehicle at the point where, and for the time during which, the violation occurred.

(`97 Code, § 15-133)

§ 72.14 AUTHORITY OF POLICE TO MOVE STANDING VEHICLES.

(A) Whenever any police officer finds a vehicle parked or standing upon a street or highway in violation of any of the provisions of this chapter or any other ordinance, the officer is authorized to move the vehicle, or require the driver or other person in charge of the vehicle to move the same to a position off the paved or main traveled part of the highway or street.

(B) Any member of the Police Department is authorized to remove any vehicle parked or standing in or on any portion of a highway when in the opinion of the member of the Police Department the vehicle constitutes a hazard, interferes with a normal function of a governmental agency or by reason of any catastrophe, emergency or unusual circumstance the safety of the vehicle is imperiled.

(`97 Code, § 15-134)

§ 72.15 PARKING ON UNAPPROVED SURFACES IN RESIDENTIAL DISTRICTS.

(A) For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

APPROVED SURFACE. A surface constructed of asphalt, concrete or other material approved by the City Building Inspector not exceeding the area requirements set forth in divisions (C) and (E) of this section.

FRONT YARD. The area from one side lot line to the other side lot line and between the main building or dwelling and the street on which the lot fronts. On corner lots (lots abutting on two or more streets at their intersections) the front yard shall face the shortest street dimension of the lot except that, if the lot is square, the front yard may face either street.

REAR YARD. The area from one side lot line to the other side lot line and from the main building or dwelling to the rear lot line. The rear yard is always on the opposite end of the lot from the front yard.

RESIDENTIAL DISTRICT. Any area located within the corporate limits of the city which is zoned by the City Council as a R-S Single-Family District or as a R-M Multiple-Family District.

SIDE YARD. The area from the front yard line to the rear yard line and from the main building or dwelling to a side lot line.

UNAPPROVED SURFACE. Any surface not an approved surface as set forth in this section. The surfaces shall be deemed unapproved from and after the effective date of this chapter.

YARD. An open space on the same lot as a building or dwelling.

(B) It shall be unlawful for any person to cause, allow, permit or suffer any vehicle, motor vehicle, motorcycle, trailer, mobile home or motor home registered in his or her name or owned or operated by him or her or in his or her possession or under his or her control to be on or to remain on any unapproved surface in a residential district within the corporate limits of the city. It is presumed that the registered owner of the motor vehicle is the person who parked the vehicle at the time and place the offense occurred. It is a defense that the unapproved surface existed prior to the effective date of the ordinance and has not fallen into disrepair such that less than 50% of the unapproved surface remains.

(C) A surface constructed of asphalt, concrete or other material approved by the City Building Inspector shall not be classified as an approved surface if the area of the surface exceeds the following specified percentage of the total area of the designated yards:

- (1) Front yard: 30%.
- (2) Side yard: 100%.
- (3) Back yard: 50%.

(D) The area provisions of division (C) of this section may be modified in specific instances where the owner of a lot or tract receives written approval of the City Council after a public hearing on the request.

(E) (1) For multi-family, single-family and duplex use, the surface of a parking space, maneuvering area of parking or driveway must consist of an all-weather and drainable material which is approved by the Building Official or a material specified in subsection (2).

(2) Approved surface for multi-family, single-family or duplex use, the surface of enclosed or unenclosed parking space, maneuvering area for parking or a driveway which connects to a street or alley must be on a compacted subgrade and must consist of the following:

(a) Concrete paving: a minimum of four inches in thickness, reinforced with no less than six inches of wire mesh, and the wire mesh being at least ¼-inch in diameter.

(b) Hot mix asphalt paving which consists of a two-inch thick binder and a two-inch thick surface course. Roofing shingles, roofing chips or tables may not be used as an approved surface under this code.

(c) A material that has equivalent characteristics of subsection (a) or (b) and which has the approval of the City Building Inspector.

(3) A valid building permit shall be obtained from the City Secretary's office prior to any construction, maintenance or use contemplated under this code.

(F) Approved surface must be used from and after the effective date of the ordinance. In the event a current surface, made unapproved by this section, falls into such disrepair that less than 50% of the pre-existing surface remains, any repair to the surface must be made consistent with the provisions of this section. Nothing in this section, however, shall prevent an owner of property to repair an existing surface, now unapproved by this section, to maintain same in its original condition. Notwithstanding the foregoing, no existing unapproved surface shall be increased beyond existing dimensions. All surfaces must be consistent with these provisions, if, in the discretion of the Building Official, the existing surface fails to comply with these provisions.

(G) Violation of this section shall be punishable as provided in § 72.99 of this code. Each day any such violation shall continue shall constitute a separate offense. Each vehicle, motor vehicle, trailer, mobile home or motor home parked in violation of this section shall constitute a separate offense. ('97 Code, § 15-135) (Ord. 1982-N, passed 4-27-82; Am. Ord. 1995-G, passed 3-28-95; Am. Ord. 1997-L, passed 9-23-97) Penalty, see § 72.99

§ 72.16 PARKING ON UNAPPROVED SURFACES IN COMMERCIAL DISTRICTS.

(A) For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

APPROVED SURFACE. A surface on a compacted subgrade consisting of:

(a) Concrete paving;

(b) Hot mix asphalt paving which consists of a binder and surface coarse; or

(c) A material which has equivalent characteristics of subsection (a) or (b) above and which has the approval of the City Building Inspector.

UNAPPROVED SURFACE. Any surface not approved as defined in this division.

(B) It shall be unlawful for any person to cause, allow, permit or suffer any vehicle, motor vehicle, motorcycle, trailer, mobile home or motor home registered in his or her name or owned or operated by him or her or in his or her possession or under his or her control to be on or to remain on any unapproved surface in a commercial district within the corporate limits of the city.
(`97 Code, § 15-155) (Ord. 1983-C, passed 7-12-83) Penalty, see § 72.99

§ 72.17 PARKING OF CERTAIN VEHICLES.

(A) A person commits an offense if he or she stops, parks or stands a truck-tractor, road tractor, trailer, semitrailer, pole trailer, bus or other motor vehicle with a rated capacity in excess of 1½ tons according to the manufacturer's classification upon a public street, alley, parkway, boulevard or public place. This section shall not apply to street construction, maintenance and repair equipment being used for construction, maintenance or repair of public streets or highways within the corporate limits of the city; trucks, equipment, trailers and vehicles used by public service utilities; motor buses when taking on or discharging passengers at customary bus stops; other vehicles when actually parked at a designated loading zone or where it is lawful to park a commercial motor vehicle for the purpose of accepting or delivering transportable goods; or a vehicle with a mechanical defect, making it unsafe to proceed further, in which event, it shall be lawful to stand or park the vehicle during the time necessary to make emergency repairs.

(B) Oversized vehicles are not allowed to be parked or stored upon any public street, alley, parkway, boulevard, or public place in commercial or residential districts within the corporate limits of the city. An oversized vehicle means a truck tractor, semi-trailer, trailer (whether or not it is attached to the tractor), a passenger vehicle designed to carry more than 16 persons including the driver or any "modified" vehicle with a 9,000 GVWR or higher, such as flatbed trucks, vehicles with mounted equipment, mechanical or hydraulic devices designed to assist in loading or unloading freight or the transporting of other vehicles. A person commits a violation if he or she permits the parking of such oversized vehicles in residential or commercial neighborhoods as prohibited herein. Recreational vehicles and travel trailers may be parked in residential neighborhoods, but must be parked on private property on an improved surface. Recreational vehicles must not be parked as to cause a visibility obstruction to vehicular and pedestrian traffic. All vehicles parked on a public street must be moved every 24 hours.
(`97 Code, § 15-156) (Ord. 1981-C, passed 5-12-81; Am. Ord. 2000-J, passed 6-13-00; Am. Ord. 2001-B, passed 1-23-01)

§ 72.18 SCREENING OF CERTAIN PARKED VEHICLES AND EQUIPMENT IN RESIDENTIAL DISTRICTS.

It shall be unlawful in all residential districts for the owner, occupant or person in charge of property, or the owner or driver of a motor vehicle, to park a heavy load vehicle, truck, travel trailer,

motor vehicle, motor home, camper, trailer, boat, farm equipment or machinery or other similar equipment or machinery or motor vehicle with a rated capacity in excess of 1½ tons according to the manufacturer's classification, unless the motor vehicle or equipment is screened by natural objects, plants, fences or other appropriate means so that it is not visible from ordinary view from any city street or public right-of-way. It shall not be a defense to this section that a vehicle or equipment is parked on an approved surface as defined in § 72.15 since the screening requirements of this section apply regardless of the surface upon which the motor vehicle or equipment is parked.

(`97 Code, § 15-157) (Ord. 1993-M, passed 9-14-93) Penalty, see § 72.99

§ 72.99 PENALTY.

Any person who shall violate any provision of this chapter shall be deemed guilty of a violation and, upon conviction thereof, shall be punished as provided in § 10.99. Each day of noncompliance with this chapter shall constitute a separate offense punishable by a separate fine.

(`97 Code, § 15-158) (Ord. 1981-C, passed 5-12-81; Am. Ord. 1993-M, passed 9-14-93)