

ORDINANCE NO. 2012-30

AN ORDINANCE REGULATING THE PARKING OF CERTAIN VEHICLES UPON ANY PUBLIC STREET, PARKING LOTS, OR RIGHTS OF WAY WITHIN THE CITY LIMITS IN ORDER TO INCREASE SAFETY BY IMPROVING TRAFFIC FLOW, INCREASING VISIBILITY, AND IMPROVING THE APPEARANCE OF NEIGHBORHOODS; AND PROVIDING A PENALTY FOR VIOLATION.

CHAPTER 72- GENERAL PARKING REQUIREMENTS

**72.01. Definitions.**

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

*Bus.* Every motor vehicle designed for carrying more than ten (10) passengers and used for the transportation of persons.

*Commercial Motor Vehicle.* Any motor vehicle designed or used for the transportation of property, not including a passenger bus, passenger automobile, motorcycle, panel delivery truck, or pickup truck.

*Curb.* The lateral lines of a roadway, whether constructed above grade or not, which are not intended for vehicular travel.

*Loading Zone.* A space or section of the curb and adjacent street set aside for the exclusive use of loading or unloading persons, merchandise, supplies and materials.

*Median Strip.* That area or portion of a divided street, road, or highway within the city separating the two roadways of said street, road, or highway and shall be held to include the curb, if any, at the outer edge of said area.

*Operator.* Every individual who shall operate a vehicle as the owner thereof or as the agent, employee or permittee of the owner, including a railroad train or vehicle being towed.

*Park, Parking.* The standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading passengers or merchandise.

*Recreational Vehicle.* A vehicle, towed or self-propelled, on its own chassis or attached to the chassis of another vehicle and designed or used for temporary dwelling, recreational or sporting purposes. This includes, but is not limited to, travel trailers, pick-up campers, camping trailers, motor homes, converted trucks and buses, boats and boat trailers.

*Standard of Time.* All hours mentioned in this chapter refer to and shall be determined by Central Standard Time as commonly known, except during any future time if any standard of time is established or proclaimed by the United States for an area including Stephenville, all such hours shall be determined by such officially proclaimed standard, so long as it remains in effect.

*Street.* Any public street or avenue located in the city and established for the use of vehicles.

*Vehicle.* Any device in, upon or by which any person or property is or may be transported upon a street or highway.

#### **72.02. Double Parking**

A person shall not double park, stand or stop a vehicle at any point on the streets or alleys of the city.

#### **72.03. Maximum Parking Time**

A person shall not stop, stand, or park a vehicle on any street or alley in the city for a period of time longer than seventy-two (72) hours; or the time period stated on signs posted by authority of this chapter.

#### **72.04. Parking for Certain Purposes Prohibited**

A person shall not stop, stand, or park a vehicle upon any public street, alley, or public property for the purpose of:

1. displaying such vehicle for sale; or
2. washing, greasing, cleaning, polishing, waxing, changing oil or repairing such vehicle, except repairs necessitated by an emergency; or
3. selling or exhibiting property of any nature.

#### **72.05. Parking of Certain Vehicles**

- A. It shall be unlawful for any person or any owner to leave, park or stand any truck tractor, road tractor, truck trailer, semi-trailer, any other commercial motor vehicle with a rated capacity in excess of one ton according to the manufacturer's classification, or any vehicles exceeding 25 feet in length, upon any public street or public right of way within any part of the city. This section shall not prevent the parking or standing of the above-described vehicles in such areas for the purpose of loading and unloading passengers, freight or merchandise.
- B. A person shall not stop, stand, or park a vehicle (if the vehicle is a truck tractor, road tractor, trailer, semi-trailer, pole trailer, bus, motor home, mobile home or any commercial motor vehicle, as said terms are defined in 72.01 of this chapter or the Transportation Code), upon a public street, alley, parkway, boulevard measuring 45 feet or less in width, or public property. This section shall not authorize the parking of mobile homes in any location, public or private, unless pursuant to a permitted use authorized by the Zoning Ordinance or regulations of the Building Official. This section shall not apply to street construction, maintenance and repair equipment; trucks, equipment, trailers, and vehicles used by public service utility companies engaged in repairing or extending public service utilities; buses when taking on or discharging passengers; other vehicles when actually parked at a designated loading zone; municipal vehicles in the course of performance of city business; individually owned trailers engaged in the delivery loading of items; contractors engaged in actual construction or repairs; or when it is lawful to park a commercial motor vehicle for the purpose of accepting or delivering transportable goods.

- C. It is an affirmative defense to prosecution under this section that the vehicle had 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.

#### **72.06. Parking Near Driveways**

- A. A person shall not stop, stand, or park a vehicle within three feet of the curved portion of any driveway without the effective consent of the owner of the property on which the driveway is located.
- B. A person shall not stop, stand, or park a vehicle in front of a public or private driveway, except momentarily to pick up or discharge a passenger.

#### **72.07. Parking of Vehicle with Expired License Plates or Inspection Sticker**

A person shall not stop, stand, or park a vehicle on a public street or alley when the vehicle does not have lawfully affixed thereto both a valid license plate or plates and a valid motor vehicle safety inspection certificate.

#### **72.08. Parking On a Parking Lot**

A person shall not stop, stand, or park a vehicle on a parking lot:

1. so as to block access to any parking aisle designated by striping; or
2. so as to block vehicular movement in driveways within a parking lot; or
3. within an area designated as a Fire Lane.

#### **72.09. Unattended Motor Vehicles**

- A. A person shall not stop, stand, or park a vehicle that is unattended upon any street or highway, or on public or private property accessible to the public, with the engine running or key in the ignition. It is an exception if the unattended vehicle is parked in a private, single-family, residential driveway, or that an unattended vehicle in any off-street location is rendered undrivable by an anti-theft device with no key in the ignition.
- B. A person shall not stop, stand, or park a vehicle that is unattended on a grade upon any street or highway without turning the front wheels to the curb or side of the highway.

#### **72.10. Parking on Sidewalks**

- A. A person shall not stop, stand, or park a vehicle on a sidewalk.
- B. A person shall not stop, stand, or park a bicycle on a sidewalk if the bicycle impedes the normal and reasonable movement of pedestrian or other traffic on the sidewalk.

#### **72.11. Prohibited Uses of Motor Vehicles in Parking Area**

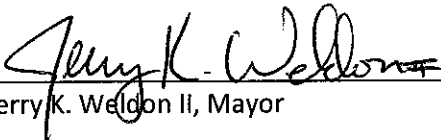
No person in control or possession of a motor vehicle in a parking area may:

1. Bring a motor vehicle to a sudden stop or rapidly accelerate said motor vehicle or blow the horn of the vehicle when there is no reasonable necessity for the protection of a person or property in such manner calculated to disturb a person of ordinary sensibilities; or
2. Hold a race or contest for speed with another motor vehicle or vehicles.

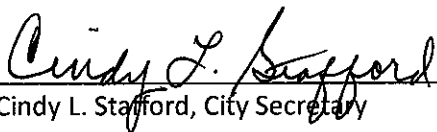
**72.12. Penalty**

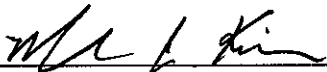
- A. A person commits an offense by violating any provision of this Chapter, performing an act prohibited by this Chapter, or failing to perform a duty that is required by this Chapter.
- B. A violation of this ordinance shall constitute a misdemeanor and, upon conviction thereof, shall be punishable by a fine as provided for in state statute. Where no specific penalty is provided for an offense, an offense under this Chapter is punishable by a fine not to exceed the maximum amount allowed by law, unless a higher fine is otherwise allowed by law.
- C. If the definition of an offense does not prescribe a culpable mental state, then a culpable mental state is not required.
- C. Each day that a violation continues shall constitute a separate offense.


PASSED and APPROVED this 4<sup>th</sup> day of December, 2012.

  
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Jerry K. Weldon II, Mayor

ATTEST:

  
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Cindy L. Stafford, City Secretary

  
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Reviewed by Mark A. Kaiser,  
City Administrator

  
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Approved as to form and legality by  
Randy Thomas, City Attorney