

ORDINANCE NO. O-2024-014

AMENDING PARKING REGULATIONS

AN ORDINANCE OF THE CITY OF HUTTO, TEXAS, AMENDING THE HUTTO CODE OF ORDINANCES, ARTICLE 22.04 OF CHAPTER 22 REGARDING REGULATIONS FOR PARKING, STOPPING, AND STANDING; AMENDING DEFINITIONS OF VEHICLES; AMENDING REMOVAL OF VEHICLES; ESTABLISHING PARKING IN MARKED SPACES; ESTABLISHING SPECIAL EVENT PARKING; STRIKING APPENDIX A OF NO PARKING ZONES BY STREET NAMES; PROVIDING A SEVERABILITY CLAUSE; REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS; PROVIDING A PENALTY AND AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Hutto, Texas has authority under law to regulate public streets, including the parking, stopping, and standing of vehicles within the City, pursuant to Texas Transportation Code Chapters 311, 542, and 545, as well as Texas Local Government Code Chapter 601 and other law; and

WHEREAS, the City Council finds that there is a public need to maintain clear roadways for emergency vehicle access and to maintain order during special events; and

WHEREAS, the City Council finds that it is in the best interest of the health, safety, and general welfare of the City of Hutto, Texas, to amend the parking regulations; and

WHEREAS, the City finds that this Ordinance was passed and approved at a meeting of the City Council of the City of Hutto held in strict compliance with the Texas Open Meetings Act at which a quorum of the City Council Members was present and voting.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HUTTO, TEXAS:

SECTION 1. The facts and recitations set forth in the preamble of this Ordinance are hereby found to be true and correct.

SECTION 2. The rules, regulations, terms, conditions, provisions, and requirements of this Ordinance are hereby found to be reasonable and necessary to protect the public health, safety, and quality of life in the City of Hutto.

SECTION 3. The City of Hutto Code of Ordinances, Chapter 22, Article 22.04.001-22.04.010 is hereby amended, Articles 22.04.011 and Articles 22.04.012 are hereby enacted, and Appendix A is struck to provide as follows:

**CITY OF HUTTO
CODE OF ORDINANCES**

CHAPTER 22 TRAFFIC AND VEHICLES

ARTICLE 22.04 PARKING, STOPPING AND STANDING*

Sec. 22.04.001 Scope and purpose

The purpose of these regulations is to promote the public health, safety and general welfare of the city's residents and motorists. These regulations are designed to promote safe access to city streets, to reduce road accidents, to protect public investment in streets, to establish a safe and reasonable balance between street access and traffic mobility, and to assure safe and convenient access to and circulation of emergency and service vehicles within developments. Further, it establishes minimum design standards for access and parking lots and minimum requirements for off-street parking.

Sec. 22.04.002 Definitions

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

- (1) All-terrain vehicle or side by side. A motor vehicle that is equipped with a saddle or seat for the use of the rider or riders and passengers, designed to propel itself with three or more tires or tracks in contact with the ground, designed by the manufacturer for off-highway use by the operator only, and not designed by the manufacturer for farming or lawn care.
- (2) ~~Boat. A vessel designed to float or travel on water. not more than 30 feet in length, measured from end to end over the deck, excluding sheer, and manufactured or used primarily for noncommercial use.~~
- (3) ~~Boat trailer. A trailer or semitrailer which is designed and constructed to carry a sailboat, motorboat or other vessel designed to float or travel on water. used upon any body of water.~~
- (4) Dirt bike. A bicycle having a motor attached so as to be self-propelled, designed to travel on not more than three wheels, designed for off-road use.
- (5) Dune buggy. A small, light, one-horse carriage usually having four wheels in the United States and two wheels [sic]; also, a passenger or recreational vehicle, usually with oversized tires, designed for off-road use.
- (6) Haul trailer. A large transport conveyance designed for moving, storing, or transporting.
- (7) Heavy truck. For purposes of this article, "heavy truck" means any truck, truck tractor or tractor-trailer combination that has dual or single wheels or tandem rear axles and which has a gross vehicle weight (GVW) of 12,000 pounds. The term does not include a passenger car used to deliver the United States mail, as stated under the Uniform Act Regulating Traffic on Highways, V.T.C.A., Transportation Code, section 501.002.

- (8) House trailer. A trailer, **tractor trailer** or semitrailer which is designed, constructed and equipped as a dwelling place, living abode or sleeping place (either permanently or temporarily) and is equipped for use as a conveyance on streets and highways, and shall include those vehicles commonly known as recreational vehicles.
- (11) Motor Vehicle.
- (a) Any motor driven, or propelled vehicle required to be registered under the laws of this state.
 - (b) A trailer or semitrailer, other than manufactured housing. **that has a gross vehicle weight that exceeds 4,000 pounds;**
 - (c) A house trailer.
 - (d) A four-wheel all-terrain vehicle designed by the manufacturer for off-highway use that is not required to be registered under the laws of this state; or
 - (e) A motorcycle, motor-driven cycle, or moped that is not required to be registered under the laws of this state, other than a motorcycle, motor-driven cycle, or moped designed for and used exclusively on a golf course, under the Uniform Act Regulating Traffic on Highways, V.T.C.A., Transportation Code, section 501.002.
- (12) Motorcycle. A bicycle having a motor attached so as to be self-propelled, designed to travel on not more than three wheels.
- (13) **Motorized Recreational vehicle. A motor home built on a truck or bus chassis or a van chassis. All these vehicles are powered by internal combustion engines that run on gasoline, diesel, batteries, or other fuel.**
- (14) **Non-motorized recreational vehicle. A conventional travel trailer or a fifth wheel trailer utilized for recreational purposes and designed to be towed by a motor vehicle.**
- (15) **Trailer and Tractor trailer. Every vehicle with or without motive power, designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that some part of its weight and that of its load rests upon or is carried by another vehicle.**
- (16). **Right-of-way. Property that is publicly owned or upon which a governmental entity has an express or implied property interest held for a public purpose. Examples of such public purpose include, by way of example and not limitation highways, streets, sidewalks, drainage facilities, sewerage and water facilities.**
- (17) **Historic ~~overlay~~ district. The area inside of the 1911 incorporated boundaries of the city including the ~~city co-op~~ ~~property~~ district.**

(19) Loading and unloading. The continuous movement of goods to and from the vehicle not to exceed 2 hours in a 12-hour period.

(20) "Sidewalk" means the portion of a street that is:

(A) between a curb or lateral line of a roadway and the adjacent property line; and

(B) intended for pedestrian use and;

(C) includes any portion of a driveway in the public easement, right of way, or walking path.

(21) City. Incorporated city limits of Hutto, Texas.

Sec. 22.04.003 Penalty

Any person, firm or corporation violating any provision of this article shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined in accordance with the general penalty section 1.01.009 of this code. Every violation ~~and-or~~ every calendar day that the violation continues shall constitute a separate offense.

Sec. 22.04.004 Miscellaneous restrictions

- (a) Parking certain vehicles for longer than four hours. Any vehicle such as a trailer, haul trailer, house trailer, recreational vehicle, trailer,-tractor trailer, semitrailer, boat trailer, all-terrain vehicle or dirt bike, or boat trailer parked upon a public street for more than four (4) consecutive hours in any 24-hour period is hereby declared to be an obstruction in the public right of way.
- (b) Parking near cluster mailbox unit. Any vehicle may not park within fifteen (15) feet of a cluster mailbox unit.
- (c) Removal of vehicles. A peace officer may request the removal, at the owner's expense, of any motor vehicle in violation of this article.
- (d) Stop, stand, or park on a sidewalk.

Sec. 22.04.005 Parking in alleys

No person shall park, stop, or leave a vehicle unattended within an alley, except during the immediate process of loading and unloading or service vehicles performing maintenance, excluding the authorized vehicles in section 22.04.006 (b).

Sec. 22.04.006 Parking heavy trucks in residential areas

- (a) Heavy trucks shall not be parked ~~on any street~~ in any residential, historic, or mixed-use district except during the process of loading and unloading or service vehicles performing maintenance, excluding the authorized vehicles in subsection (b).
- (b) Subsection (a) excludes the following authorized vehicles:
 - (1) Maintenance vehicles and trailers owned and/or operated by or on behalf of the city or any public utility or government entity.
 - (2) Authorized emergency vehicles, as defined in Texas Transportation Code section 541.201, or any amendments thereto, provided such vehicle is conclusively identified.
 - (3) School buses and/or commercial buses actually engaged in the receiving or discharging of passengers.
 - (4) ~~Recreation vehicles and/or recreational trailers for a period of not more than forty-eight (48) consecutive hours and not more than fifteen (15) cumulative days in any one year.~~
 - (5) Motor vehicles and/or trailers at or on an active jobsite. The active jobsite must not be blocking the roadway.

Sec. 22.04.007 Parking for certain purposes prohibited.

No person shall park a vehicle upon any roadway for the purpose of:

- (a) Displaying such vehicle for sale.
- (b) Repairing such vehicle, except repairs necessitated by an emergency.
- (c) Parking or storing an inoperable or mechanically dismantled/disabled vehicle.

Sec. 22.04.008 Removal of vehicles from public streets

- (a) A vehicle may be removed from any public street to an approved storage yard by a contracted service upon the city's request, under any of the circumstances hereinafter enumerated:
 - (1) When any vehicle is left unattended upon any bridge, viaduct or causeway, or where such vehicle constitutes an obstruction to traffic.
 - (2) When any vehicle is illegally parked so as to block the entrance to any private driveway, and it is impracticable to move such vehicle from in front of the driveway to another point on the street.
 - (3) When any vehicle is found upon a public street and a report has previously been made that such vehicle has been stolen or a complaint has been filed and a warrant thereon issued.

- (4) When any such officer has reasonable grounds to believe that any vehicle has been abandoned.
 - (5) When a vehicle upon a public street is so disabled that its normal operation is impossible or impractical and the person or persons in charge of the vehicle are incapacitated by reason of physical injury or other reason to such an extent as to be unable to provide for its removal or custody or are not in the immediate vicinity of the disabled vehicle.
 - (6) When an officer arrests any person driving or in control of the vehicle for an alleged offense and such officer is required by law to take the person arrested immediately before a magistrate.
 - (7) When a vehicle is parked on a public street in an area marked by signs or markings indicating a "no parking zone."
 - (8) When a vehicle is parked or standing in or on any portion of a public street when the vehicle constitutes a hazard or interferes with a normal function of a governmental agency, or by reason of any catastrophe, emergency or unusual circumstances.
 - (9) When an inoperable or mechanically dismantled/disabled vehicle is parked on a public street for longer than 72 hours.
 - (10) When a trailer or tractor trailer is left in the right of way, or public street in violation of this ordinance for longer than 48 hours, after notice has been left and reasonable attempts to contact the owner have been made.
 - (11) Parking in areas designated by the city as a Special Event or route area as indicated by posted signage. Special Event signage may be permanent or temporary.
- (b) Once a vehicle is removed from a public street, the city shall **cause to** give notice of the removal to the registered owner and all lienholders of record by telephone, in person, or according to the notice provisions of Texas Transportation Code section 683.012. The notice shall indicate the location of the impounded vehicle, the reason for the removal, the means of securing its release, and the fact that the vehicle will be subject to sale at public auction if it is not reclaimed within twenty (20) days of the date notice is given.
 - (c) An owner or registered lienholder of an impounded vehicle may reclaim the vehicle upon payment of all towing, preservation, and storage charges resulting from the removal of the vehicle, or upon payment of garage keeper's charges, if notice is given under Texas Transportation Code section 683.012.
 - (d) The owner or lienholder of an impounded vehicle may obtain immediate possession of the vehicle by requesting a hearing and posting an appearance bond in the amount of the charges for the towing, preservation, and storage of the vehicle.

- (e) The provisions of this section pertaining to reclaiming an impounded vehicle shall not apply to vehicles impounded for evidentiary purposes for possible criminal prosecution or to vehicles subject to forfeiture under applicable laws.

State law reference—Removal of unlawfully stopped vehicle, V.T.C.A., Transportation Code, sec. 545.305.

Sec. 22.04.009 Parking on unimproved surface; improved surfaces in residential districts

- (a) It shall be unlawful for any person or any owner to park, stand, or store or to permit the parking, standing or storing of any vehicle, ATV, recreational vehicle, motor home, boat, boat trailer, farm equipment, motorcycle, trailer, **heavy truck**, trailer, truck-tractor or any other type of vehicle on unimproved surfaces including front yards and side yards of any residential district.
- (b) Improved surfaces for vehicle parking or storage in any residential district shall not exceed 40% of the square footage of the yard areas or 400 square feet. The improved surface area shall include the paved area leading directly to the garage or carport area. Improved surfaces shall be constructed of concrete or asphalt pad or other materials approved by the city prior to installation.

Sec. 22.04.010 Heavy vehicle storage and overnight parking

- (a) Restricted. After written notice, it shall be unlawful for the owner or operator of the below-listed vehicles to use outdoor storage or overnight outdoor parking of tractor-trailers, semi-trucks, semitrailers, or other vehicles, having a gross vehicle weight rating of 12,000 pounds or more, in any commercial districts, **highway right of way**, or undeveloped property. Construction equipment and vehicles having a gross vehicle weight rating of 12,000 pounds or more shall not be stored on lots in residential [districts], commercial districts, **highway right of way**, or undeveloped land except during the period of permitted construction, while loading/unloading at a commercial business, commercial businesses who operate said described vehicles that are kept on their property, or locations permitted by zoning.
- (b) Definitions.
 - (1) Written notice. Official written police warning to said described vehicles which is left in a conspicuous place for the owner/operator to review. Information from the notice will be entered into the record management system database maintained by the police department.
 - (2) Undeveloped property. Those areas of land that are located in the city limits, whether located in any commercial, industrial or residential zone, upon which no certificates of occupancy have been issued.

Sec. 22.04.11 Parking in marked spaces

- (a) In the City of Hutto or wherever the city has designated the manner in which motor vehicles shall be parked on any public street, by marking parking spaces on such streets, it shall be unlawful to park any motor vehicle or trailer on any such street other than in the manner so designated and entirely within the lines of one such space, except during the process of actively loading and unloading, or service vehicles performing maintenance, and governmental operations.

Secs. 22.04.012 Special Event parking

- (a) No person shall stop, stand, or park any vehicle or trailer in any area temporarily designated as No Parking area by the City and marked by signage described below, except by permit issued by the City of Hutto.

- (b) Special event or route signage

48 hours prior to a special event and or event route parking, the City shall designate the temporary no parking zones with temporary/removable signs at least 12-inches wide and 18-inches in height with red lettering on a white background and border in red stating "NO PARKING" in large red letters on the top two lines and the words "ANY TIME" in red on the next two lines, with a rectangular white supplemental plaque with a red border and the words "TOW-AWAY ZONE" in red on two lines, with a second rectangular white supplemental plaque with a red border that displays an "EFFECTIVE DATE" in red letters on the bottom two lines each in conformance with the Texas Manual of Uniformed Traffic Control Devices, as it may be amended. The signs shall be placed or mounted conspicuously no less than 30 feet apart.

- (c) The City Manager, Chief of Police, or the designated representative shall have the authority, when reasonably necessary, to prohibit or restrict the parking of vehicles along a street, highway, or part thereof constituting a part of the route or special event. The police department shall have the authority to impound any vehicle at the owner's expense that obstructs a special event or route during the special event.

- (d) Enforcement of this section by law enforcement may not begin until 48 hours after the Special Event signage is posted.

Division 2. No Parking Zones

Sec. 22.04.041 Scope and purpose

The purpose of these regulations is to promote the public health, safety and general welfare of the city's residents and motorists. These regulations are designed to promote safe access to city streets, to reduce road accidents, to protect public investment in streets, to establish a safe and reasonable balance between street access and traffic mobility, and to assure safe and convenient access to and circulation of emergency and service vehicles within developments. Further, it establishes

minimum design standards for access and parking lots and minimum requirements for off-street parking.

Sec. 22.04.042 No parking zones established.

No person shall stop, stand, or park except temporarily while the motor vehicle is occupied by a driver any motor vehicle in those areas marked with a posted sign or pavement markings or curb markings designated "No parking."

~~Except as indicated in division 1 of this article, it shall be unlawful for any person to stand or park a vehicle on the following streets or portions of streets: (See Appendix A)~~

The City may install, remove, or adopt as part of development No Parking signs as deemed necessary, provided the regulatory signs follow the Texas Manual on Uniform Traffic Control Devices, shall be considered lawful and enforceable.

Fire Lane Parking

No person shall stop, stand, or park except temporarily while the motor vehicle is occupied by a driver any motor vehicle in those areas marked with a posted sign, pavement markings or curb markings designated "Fire Zone" or "Fire Lane."

Stopping, standing or parking-Prohibited in places reserved for handicapped.

No person may stop, stand, or park a motor vehicle within any specially designated and marked parking space provided for a physically disabled person, in accordance with this section, whether on public or private property, unless the motor vehicle is transporting a person eligible for distinguishing insignia placard or number plates bearing the international wheelchair symbol, and either:

The motor vehicle displays the distinguishing insignia placard; or

The motor vehicle displays number plates bearing the international wheelchair symbol. Parking spaces subject to this section shall be clearly and conspicuously designated as being reserved for the physically disabled in the following manner:

Each space shall be posted with a permanent sign, located not less than three feet nor more than six feet above the grade. The sign shall bear the internationally accepted wheelchair symbol and shall indicate that the parking space is "reserved" or "reserved parking." Signs conforming to the standards found in the Manual on Uniform Traffic Control Devices, revised edition, published by the United States Department of Transportation, Federal Highway Administration, shall be deemed to be in compliance with this subsection. Signs which substantially comply with the provisions of this subsection, however, shall not be deemed to be insufficient for failure to comply strictly with the manual.

Appendix A

Street	Side of Street	From	To
Anthony St.	East side	U.S. Hwy. 79	Taylor St.
Austin Ave.	South side	100 block W. Austin Ave.	S. F.M. 1660
Brushy St.	West side	E. Austin St.	Evans St.
Church St.	West side	E. Pecan St.	N. F.M. 1660
East St.	East side	139 ft. north of Farley St.	Liberty St.
Evans St.	North side	Brushy St.	S. F.M. 1660
Farley St.	North side	Short St.	N. F.M. 1660
Front St.	North side	S. F.M. 1660	Iola St.
Hague St.	South side	Walker St.	S. F.M. 1660
Hutto St.	North side	Whitfield St.	N. F.M. 1660
Jim Cage Ln.	Both sides	Front St.	Austin St.
Liberty St.	North side	Whitfield St.	East St.
Live Oak St.	South side	West St.	Park St.
Mager Ln./C.R. 136	North side	N. F.M. 1660	C.R. 132
Main St.	East side	W. Live Oak St.	W. U.S. Hwy. 79
Metcalf St.	North side	Whitfield St.	Church St.
Orgain St.	North side	Walker St.	S. F.M. 1660
Park St.	West side	E. Live Oak St.	E. U.S Hwy. 79
Pecan St.	South side	West St.	College St.
Redbud St.	West side	Ross St.	Taylor St.
Riverwalk Dr.	South side	F.M. 685	1,240 ft. east of F.M. 685
Ross St.	North side	College St.	Park St.
Taylor St.	North side	N. F.M. 1660	Park St.
Walker St.	Both sides	Orgain St.	Hague St.
West St.	West side	Hutto St.	W. U.S. Hwy. 79
Kothman Dr.	South side	Delia Chappa Ln.	Carl Stern Dr.

SECTION 4. This Ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and charter in such case provide.

SECTION 5. The provisions of this Ordinance are severable, and in case any one or more of the provisions of this Ordinance or the application thereof to any person or circumstance should be held to be invalid, unconstitutional, or ineffective as to any person or circumstance, then the remainder of this Ordinance nevertheless shall be valid, and the application of any such invalid provision to persons or circumstances other than those as to which it is held invalid shall not be affected thereby.

SECTION 6. The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Ordinance was adopted was posted and that such meeting was open to the public as required by law at all times during which this Ordinance and the subject matter hereof were discussed, considered and formally acted upon, all in accordance with and as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended, and the Act.

READ and **APPROVED** on the first reading this the 15th day of **February 2024**.


March **READ, PASSED, and ADOPTED** on the second reading of this 7th day of **2024**, at a regular meeting of the City Council of Hutto, there being a quorum present.

CITY OF HUTTO



Mike Snyder, Mayor

ATTEST


Angela Lewis, City Secretary

