

ORDINANCE NO. _____

1 **AN ORDINANCE ADDING A NEW SECTION 16-5-22 AND AMENDING**
2 **SECTION 16-5-98 OF THE CITY CODE RELATED TO PARKING IN THE**
3 **FRONT OR SIDE YARD OF A RESIDENTIAL PROPERTY; AND CREATING A**
4 **CIVIL PENALTY.**

5
6 **BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**
7

8 **PART 1.** Chapter 16-5 of the City Code is amended by adding a new Section 16-5-22 to
9 read as follows:

10 **§ 16-5-22 PARKING IN A FRONT OR SIDE YARD.**

11 (A) Applicability.

- 12 (1) Except as provided in Subsection (A)(2), this section applies to
13 residential property identified on the map and list adopted by ordinance.
14 The Police Department shall keep a copy of the current map on file.
- 15 (2) This section does not apply to a lot that:
- 16 (a) does not have a curb cut;
- 17 (b) is not a corner lot, if the principal residential structure is less than
18 20 feet from the front property line; or
- 19 (c) is a corner lot, if the principal residential use is less than 20 feet
20 from the front and the street side yard property lines.

21 (B) In this section:

- 22 (1) **DRIVEWAY** means a permanent hard surfaced or graded gravel area
23 providing vehicular access between a street and an off-street parking
24 area. Driveway includes a circular driveway and a permanent hard
25 surfaced or graded gravel area adjacent to a driveway or an area that is
26 adjacent to a curb cut.
- 27 (2) **FRONT YARD, SIDE YARD and STREET SIDE YARD** have the
28 meaning they have in Section 25-1-21.

1 (3) **MOTOR VEHICLE** means a self-propelled vehicle designed for use on
2 a highway and includes an inoperable motor vehicle as defined in
3 Section 10-3-1.

4 (C) A person may not park a motor vehicle in the front yard or side yard of a
5 residential property, except in a driveway.

6 (D) The area adjacent to a driveway or curb cut described in Subsection (B)(1) of
7 this section may not be wider than 50 percent of the average width of a lot
8 unless the lot on which the area is located:

9 (1) is 25 feet wide or less; or

10 (2) abuts a street that does not have a curb or that is less than 30 feet wide.

11 **PART 2.** Section 16-5-98(D) of the City Code is amended by adding a new row to the
12 chart of standard fines to read as follows:

PARKING VIOLATION	STANDARD FINE	EARLY PAYMENT FINE
Parking – Front or Side Yard of a Residential Property	\$40.00	\$20.00

13 **PART 3.** This ordinance applies in the neighborhood association areas identified on the
14 map and list attached to this ordinance as Exhibit 1.

15 **PART 4.** The Chief of Police shall establish procedures for the enforcement of this
16 ordinance.

17 **PART 5.** A property owner within a neighborhood association boundary may request
18 that Council amend Exhibit 1 of this ordinance to exclude or include the association
19 boundary area. An application to amend Exhibit 1 must include a petition requesting
20 exclusion and inclusion signed by at least ten percent of the property owners within the
21 association boundary. The City shall accept applications once a year at a time designated
22 by Council.

23 **PART 6.** The Council waives the requirements of Sections 2-2-3 and 2-2-7 of the City
24 Code for this ordinance.
25
26

PART 7. This ordinance takes effect on _____.

PASSED AND APPROVED

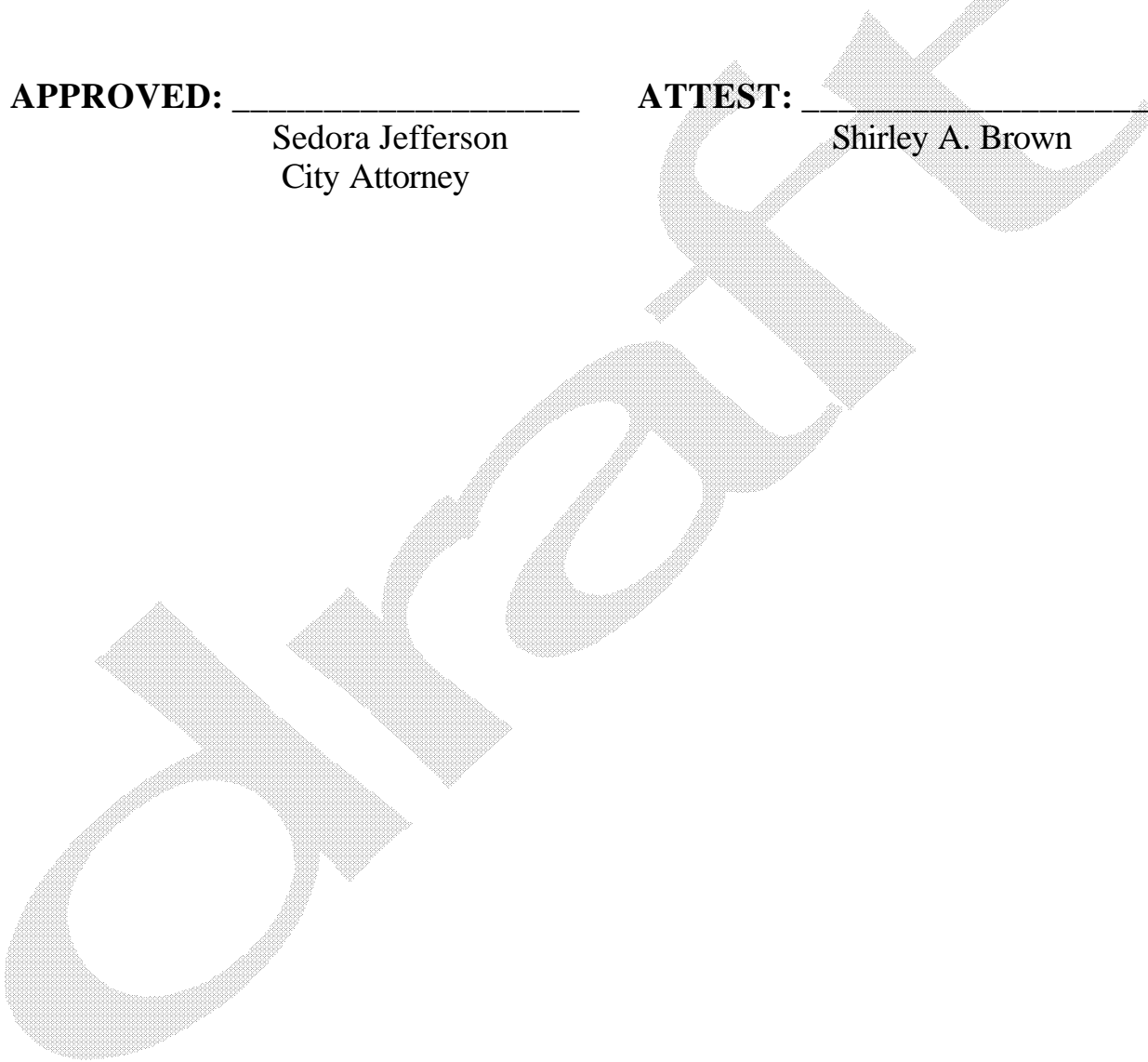
_____, 2002

§
§
§

Gustavo L. Garcia
Mayor

APPROVED: _____
Sedora Jefferson
City Attorney

ATTEST: _____
Shirley A. Brown



1
2
3
4
5
6
7
8
9
10
11
12
13
14