

ORDINANCE NO. 22-304

CITY OF WOODCREEK, TEXAS

**AMENDMENT TO CHAPTER 70 OF THE CODE OF ORDINANCES TRAFFIC SCHEDULES ORDINANCE
AN ORDINANCE AMENDING THE CITY OF WOODCREEK CODE OF ORDINANCES AT TITLE VII ("TRAFFIC
CODE"), CHAPTER 70 ("TRAFFIC SCHEDULES"), SCHEDULE IV ("CITY PARKING"); PROVIDING FOR
ENACTMENT, REPEALER, SEVERABILITY, CODIFICATION, AND EFFECTIVE DATE, AND FINDING PROPER
NOTICE AND MEETING.**

WHEREAS, pursuant to Texas Local Government Code Section 601.01, a municipality has general authority to regulate the parking of motor vehicles on private property; and

WHEREAS, the City Council finds that addressing nuisance or "junked vehicles" parking on residential lots protects the safety and welfare of citizens in addition to property values and that this is for good government and order of the City; and

WHEREAS, the City Council further finds that public streets within the City limits are narrow, and do not have adequate space to allow parking within the street, and so vehicles must be parked fully off the roadway to protect the safety and welfare of citizens; and that prevention of said parking is for good government and order of the City; and

WHEREAS, the City Council finds that the given the lack of street parking, and limited space for residential parking, that long-term storage of recreational vehicles should not be permitted within the City limits unless a resident has the necessary structures to park it safely away from the view of a public right-of-way.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Woodcreek:

1. FINDINGS OF FACT

The foregoing recitals are incorporated into this Ordinance by reference as findings of fact as if expressly set forth herein.

2. ENACTMENT

Chapter 70 ("TRAFFIC SCHEDULES") of the Code of Ordinances of the City of Woodcreek is amended at Schedule IV. City Parking so as to read in accordance with Attachment A, which are attached hereto and incorporated into this Ordinance for all intents and purposes.

3. REPEALER

All ordinances, resolutions, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated, herein.

4. SEVERABILITY

Should any of the clauses, sentences, paragraphs, sections or parts of this Ordinance be deemed invalid, unconstitutional, or unenforceable by a court of law or administrative agency with jurisdiction over the matter, such action shall not be construed to affect any other valid portion of this Ordinance.

5. CODIFICATION

The City Secretary is hereby authorized and directed to record and publish the language of Chapter 50, as amended by this Ordinance, in the City's Code of Ordinances.

6. EFFECTIVE DATE

This Ordinance shall be effective immediately upon its passage and the publication of caption of this ordinance as provided by law.

7. PROPER NOTICE & MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was passed was attended by a quorum of the City Council, was open to the public, and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551. 27

PASSED & APPROVED this, the 9th day of March 2022, by a vote of 4 (ayes) to 0 (nays) and 0 (abstentions) of the City Council of Woodcreek, Texas.

CITY OF WOODCREEK:

ATTEST:



Jeff Rasco, Mayor



Brenton Lewis, Interim City Secretary

Attachment "A"

City of Woodcreek

CODE OF ORDINANCES

TITLE VII: TRAFFIC SCHEDULES

SCHEDULE IV. - CITY PARKING

(A) No vehicle shall be allowed to park in a public street, alley, or public right-of-way.

(B) Parking on private property of buses, commercial vehicles, trailers, boats, motor homes, RVs, campers, jet skis and the like is prohibited, unless inside a fully enclosed garage or storage space or behind privacy fencing on a durable surface, except on a temporary basis. Temporary shall be defined as not to exceed seven 24-hour periods total in any 30-day period.

(C) A long-term parking permit may be obtained from the city for work and commercial vehicles, except for those meant to hold human excrement, on private property for a renewable period of 6 months at a cost of \$50 per parking permitted work vehicle.

In order to obtain a long-term parking permit for a work vehicle the property owner must show that:

- (1) they have enough durable-surfaced parking space to accommodate all vehicles of the residence and the work vehicle and one additional guest parking space and
- (2) that the work vehicle is needed for work purposes for a member of the household and
- (3) parking of said vehicle shall not result in a dangerous obstruction of view of the public right-of-way.

(D) Parking of automobiles, trucks, buses, trailers, mobile homes, recreational or commercial vehicles on publicly owned right-of-way, park or greenbelt is prohibited except under the following conditions:

- (1) Parking of personal automobiles and trucks will be allowed along the street right-of-way in front of a residential property if the vehicles are pulled off the street pavement and no part of the vehicle projects out over the street pavement.
- (2) Residential property owners may elect to surface parking space in the right-of-way with a pervious cover, such as gravel or crushed granite.
- (3) Parking of personal vehicles shall be allowed on publicly owned rights-of-way, parks, and greenbelts with paved or pervious parking spaces provided by the City, subject to the restrictions of any posted signs.

(E) Junked Vehicles. "Junked vehicle" means a vehicle that is self-propelled and does not lawfully have attached to it an unexpired license plate and a valid motor vehicle inspection

certificate and is wrecked, dismantled, or partially dismantled or discarded or inoperable and has remained inoperable for more than: 72 consecutive hours, if the vehicle is on public property, or 30 consecutive days, if vehicle is on private property. (Texas Transportation Code Sec. 683.071)

A junked vehicle, including a part of a junked vehicle, that is visible at any time of the year from a public place or public right-of-way:

- (1) is detrimental to the safety and welfare of the public;
- (2) tends to reduce the value of private property;
- (3) invites vandalism;
- (4) creates a fire hazard;
- (5) is an attractive nuisance creating a hazard to the health and safety of minors;
- (6) produces urban blight adverse to the maintenance and continuing development of municipalities; and
- (7) is a public nuisance.

(Texas Transportation Code Sec. 683.072)

A person commits an offense if the person maintains a public nuisance described above as Junked Vehicle. The offense is a misdemeanor punishable by a fine not to exceed \$200.

The court shall order abatement and removal of the nuisance on conviction. (Texas Transportation Code Sec. 683.073)

(F) Erection of signs. The City may erect signage of such design, placement, and location as may be required by law, and any other signage as City staff may determine appropriate or necessary, to notify the public.

(G) Two-hour parking signs. In order to promote safer driving in the vicinity of the public parking spaces at Deerfield Drive and Woodcreek Drive, and Champions Circle at Woodcreek Drive, the City shall erect signs reading "2 Hour *Parking* - Violators will be towed at vehicle owner's expense".

(H) Penalty. Any person violating any provision of this schedule shall be subject to the penalties and provisions in §10.99 of this Code of Ordinances, unless otherwise expressed in this chapter or State Statute.

(Ord. 15-207, 5-13-2015; Ord. 19-257, 3-13-2019)