

Sec. 126-354. - Parking by permit only.

- (a) *Definitions.* As used in this policy, the following terms shall have the meanings ascribed in this section, unless the context of their usage clearly indicates another meaning:

Block means both sides of a street between two intersecting streets.

Designated permit area means a contiguous area of a single family residential or commercial use containing not less than ten commercial or single-family residential lots, upon which the city council imposes a parking permit per this policy. Except, where there are less than ten commercial or single family residential lots on the entire length of the street, then the entire length of the street may be considered.

Non-permitted vehicle means a vehicle parked or left standing in a designated permit area without having displayed thereon a parking permit for such area issued by the city pursuant to this policy, regardless of whether such vehicle parked or left standing is owned or being used by a resident and/or property owner of the designated permit area.

Parking permit means a permit issued by the city pursuant to this policy to a resident and/or property owner within a designated permit area for display on a vehicle owned or used by such resident and/or property owner or his or her visitors which is parked or left standing within the designated permit area.

Resident means a person whose place of residence is as located in the city as to render him or her eligible for procurement of a parking permit under this policy.

Temporary permit means a permit issued with by the city pursuant to this policy to property owner or resident within a designated permit area for display on a vehicle used by visitors which is parked or left standing within the designated permit area. Temporary permits shall be valid for time specified upon issuance not to exceed one 24-hour period.

- (a) *Parking permit exemptions.* The display of some sign or marking which identifies a non-resident commercial or service vehicle being used while the operator is conducting commercial or service related activities shall be deemed a parking permit and such vehicle shall be exempt from any parking restriction as established by this policy for any designated permit area.

- (b) *Designated permit areas.* No person shall park and leave standing any vehicle whether attended or unattended between the times listed and locations designated below without first having obtained a valid parking permit for the designated permit area from the city. Said designated permit area shall be designated as a tow-away zone:

- (1) Area A, between the hours of 8:00 a.m. and 8:00 p.m. from May 1st through September 30th.

- a. On both side of E. Lincoln Street from its intersection with S. Union Avenue easterly to the end of the street.

Deleted: *Visitor permit* means a permit issued by the city pursuant to this policy to a resident and/or property owner within a designated permit area for display on a vehicle owned or used by such resident and/or property owner or his or her visitors which is parked or left standing within the designated permit area. ¶

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- b. On both sides of S. Washington Avenue from its intersection with E. Lincoln Street to its intersection with E. Mather Street.
 - c. On both sides of Cross River Street from S. Union Avenue to the end of the street.
 - d. On east side of S. Union Avenue from the intersection of E. Mather Street to Cross River Street.
- (2) Area B, between the hours of 8:00 a.m. and 8:00 p.m. from May 1st through September 30th.
- a. On both sides of E. Mather Street from the intersection of S. Union Avenue to S. Central Avenue.
 - b. On both sides of E. Basel Street from the intersection of S. Union Avenue to S. Central Avenue.
 - c. On both sides of E. Dittlinger Street from the intersection of S. Washington Avenue to S. Central Avenue.
 - d. On both sides of Heinen Lane from the intersection of S. Union Avenue to S. Washington Avenue.
 - e. On both sides of W. South Street from the intersection of Union Avenue to S. Central Avenue.
 - f. On both sides of Central Avenue from the intersection of E. Common Street to E. Mather Street.
 - g. On both sides of S. Houston Avenue from the intersection of E. Common Street to E. South Street and from E. Dittlinger Street to E. Mather Street.
 - h. On both sides of S. Washington Avenue from the intersection of E. Common Street to E. Mather Street.
 - i. On east side of S. Union Avenue from the intersection of E. Based Street to E. Mather Street.
 - j. On east side of S. Liberty Avenue from the intersection of W. Common Street to E. San Antonio Street.
 - k. On the north side of E. San Antonio Street from the intersection of S. Liberty Avenue to S. Union Avenue.
 - l. On the north side of E. Mather Street from S. Central Avenue to Labor Avenue.
 - m. On the west side of S. Grant Avenue From E. Basel Street to Cross River Street.
 - n. On the east side of S. Grant Avenue from 333 S. Grant Avenue to E. Mather Street.
 - o. On the east side of S. Veramendi Avenue from E. Mather Street to Cross River.

- p. On the north side of Cross River from S. Veramendi Avenue to S. Grant Avenue.
 - q. On the south side of Cross River Street from 490 to 590 Cross River Street (inclusive).
- (3) Area C, between the hours of 8:00 a.m. and 8:00 p.m. from May 1st through September 30th.
- a. On east side of N. Liberty Avenue from the intersection of E. Commerce Street to W. Common Street.
 - b. On both sides of W. Main Street from the intersection of N. Union Avenue to the intersection of N. Liberty Avenue.
 - c. On west side of North Union Avenue from the intersection of W. Main Street to the intersection of W. Commerce Street.
- (4) Area D, between the hours of 8:00 a.m. and 8:00 p.m. from May 1st through September 30th.
- a. On both sides of River Enclave from the intersection of Fair Lane to the dead end.
 - b. On both sides of Fair Lane within the subdivision of River Enclave.
- (5) Area E, between the hours of 8:00 a.m. and 8:00 p.m. from May 1st through September 30th.
- a. On the north side of River Acres Drive from its intersection with Fair Lane northeasterly for a distance of 1570 feet.
 - b. On the south side of River Acres Drive from its intersection with Fair Lane northeasterly for a distance of 1510 feet.
- (6) Area B, between the hours of 8:00 a.m. and 6:00 p.m. from May 1st through September 30th.
- a. On both sides of E. South Street from the intersection of Liberty Avenue to S. Union Avenue.
- (7) Area F, between the hours of 8:00 a.m. and 8:00 p.m. from May 1st through September 30th.
- a. On both sides of Main Street from its intersection with Union Avenue northeasterly to its intersection with Houston Avenue.
- (8) Area G, between the hours of 8:00 a.m. and 8:00 p.m. from May 1st through September 30th.
- a. On both sides of Stein Court.
 - b. On the north side of Comal Avenue from 417 Comal Avenue to 637 Comal Avenue.
 - c. On the north side of Comal Avenue from 311 Comal Avenue to 393 Comal Avenue and 388 Comal Avenue on the south side.

- (9) Area H, between the hours of 8:00 a.m. and 8:00 p.m. from May 1st through September 30th.
- a. On both sides of East Zink Street from Seguin Avenue excluding 146 East Zink Street.
 - b. On both sides of N. Market Avenue from 341 and 342 through to 290 and 218 N. Market Avenue.
 - c. On both sides of E. Bridge Street from 352 and 353 through to 274 and 283 E. Bridge Street.
 - d. On the northeast side of N. Market Avenue in front of 360 N. Market Avenue.
- (10) Area I, between the hours of 8:00 a.m. and 8:00 p.m. from May 1st through September 30th.
- a. On the east side of S. Gilbert Avenue from 185 feet south of E. San Antonio Street to 285 S. Gilbert Avenue.
 - b. On the south side of S. Gilbert Avenue from 393 Tolle Street to 292 S. Gilbert Avenue.
 - c. On both sides of Tolle Street from 393 and 360 to 454 Tolle Street.
 - d. On the northwest side of Napoleon Street from 325 S. Market Street Avenue to 451 Napoleon Street.
 - e. On both sides of S. Market Avenue the intersection with Tolle Street to the intersection with E. Coll Street.
 - f. On the southeast side of Tolle Street from 234 to 294 Tolle Street.
 - g. On both sides of Napoleon St. between 286 Napoleon Street and 286 S. Market Avenue.
 - h. On the southwest side of S. Gilbert Avenue from Napoleon St. to E. Coll Street.
 - i. On both sides of E. Coll St. between S. Market Avenue and S. Gilbert Avenue.
 - j. On the southeast side of Napoleon Street from S. Market Avenue to S. Gilbert Avenue.
 - k. On the south side of E. Coll St. between S. Market Avenue and Comal Avenue.
 - l. On the north side of E. Coll St. between S. Market Avenue and 281 E. Coll Street.
- (11) Area J, between the hours of 8:00 a.m. and 8:00 p.m. from May 1st through September 30th.
- a. On the west side of S. Union Avenue from 410 to 418 S. Union Avenue, inclusive.

- b. On the west side of N. Liberty Avenue from 201 to 285 N. Liberty Avenue, inclusive.
 - c. On the west side of N. Liberty Avenue in front of 161 N. Liberty Avenue.
- (12) Area K, between the hours of 8:00 a.m. and 8:00 p.m. from May 1st through September 30th.
- a. On the south side of E. Nacogdoches Street from Kuehler Avenue to Karbach Avenue.
 - b. On both sides of Beaty Street from Sanger Avenue to Karbach Avenue.
 - c. On both sides of E. Faust Street from Kuehler Avenue to Sanger Avenue.
 - d. On the north side of Kessler Street from Kuehler Avenue to Sanger Avenue.
 - e. On both sides of Sanger Avenue from Kessler Street to E. Nacogdoches Street.
 - f. On both sides of Karbach Avenue from 981 Karbach Avenue to E. Nacogdoches Street.
- (13) Area L, between the hours of 8:00 a.m. and 8:00 p.m. from May 1st through September 30th.
- a. On the west side of Fair Lane from Hillcrest Drive to East Common Street.
 - b. On both sides of Mooncrest from Crest Lane to Fair Lane.
 - c. On both sides of Crest Lane from Mooncrest west to the end of the street.
- (d) *Establishment of a designated permit area.*
- (1) A neighborhood desiring to create a designated permit area may submit an application for consideration to the city engineer containing the following information:
- a. Description or a map showing the proposed blocks of the designated permit area.
 - b. The address of each residential lot within the proposed designated permit area and to the extent such information is available to the applicants, the name(s) of the occupant(s) of each single family residential home;
 - c. An identification of any non-residential properties located within the proposed designated permit area, such as churches, schools, public facilities, or commercial establishments;
 - d. A statement of the proposed parking restrictions desired by the applicants, including days of the week, times of the day, and the length of time for the parking restriction; and
 - e. A petition to include the following statement signed by two-thirds of all single family homes located within the designated permit area to determine if the area qualifies as a designated permit parking area:

"We the undersigned are residents and/or property owners of the proposed designated permit area described in this application. We understand that: (i) if this area is designated, certain restrictions will be placed upon on-street parking within the area; (ii) residents and/or residential property owners of the area will be entitled to obtain a limited number of parking permits exempting their vehicles from such parking restrictions, but if a resident and/or property owner owns a vehicle without having a permit displayed, that vehicle will be subject to the parking restrictions; (iii) parking permits will be issued for a term of one year and require replacement each year; (iv) the cost of issuing the annual parking permits will be paid by the residents and/or property owners."

(2) The city engineer will review all applications submitted for a proposed designated parking permit area and determine the following:

- a. No less than 75 percent of all available on-street parking spaces within the designated area are occupied and remain occupied for a minimum of two hours;
- b. No less than 25 percent of all available on-street parking spaces within the designated area are occupied and remain occupied by non-neighborhood vehicles; and
- c. The proposed designated parking area is a contiguous commercial or residential use and consists of a minimum of ten commercial or residential lots, except where there are less than ten commercial or single family lots on the entire length of the street, then the entire length of the street may be considered.

(3) A public hearing on the application shall be conducted by city council. Notice of the public hearing shall be mailed not less than ten days prior the scheduled date of the hearing to all persons listed in the petition as being an occupant of each of the single family homes within the permit area and to any other persons who may not be listed in the petition but are shown on the latest tax roll as owning property within the proposed designated permit area. The council may approve, reject, or modify the proposed designated permit area in any manner the council deems appropriate, except that the area shall not be expanded but may be reduced by excluding certain properties as long as the remaining properties remain contiguous to each other. Council will approve the designated parking by permit area by adopting an ordinance, which shall describe each street within the area and the specific restrictions applicable to the area.

(e) *Modification of a designated permit area.* In response to a request submitted any person or upon its own initiative, the city council may modify a designated permit area or any parking restriction applicable to such area, or council may abolish the entire area or rescind any of such restrictions by ordinance. No action shall be taken until council has conducted a public hearing on the proposed change with notice given in the same manner as required to establish the designated permit area.

(f) *Issuance of parking permits.*

- (1) An occupant for each commercial or single family home residing within the designated permit area may submit an application to the city secretary for two free parking permits, which will be granted upon proof of residency. The application shall be made on a form prepared by the city and shall include the name of the owner or operator of the vehicle, his or her address, and the owners drivers license number.
- (2) An occupant for each commercial or single family home residing within the designated permit area may obtain up to two additional parking permits at any one time for \$3.00 each. The permits are subject to the same requirements and restrictions of a parking permit.
- (3) Upon showing of special circumstances or unavoidable hardship, the city secretary shall have the authority to issue a greater number of residential parking permits to occupants residing within the designated area. An appeal of the city secretary's decision to deny a request for additional parking permits or a request for temporary permits may be made to the city council.

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- (g) *Term, form, and fee of permit.* Residents shall reapply for permits annually. Parking permits shall be valid from May 1st to September 30th of the year in which the permit was issued. Each permit shall display a control number, the designated permit area, and an expiration date. There shall be no fee for the first two residential parking permits. Additional residential parking permits shall be \$3.00 each. Each temporary daily permit will require a \$5.00 deposit (refundable upon returning the temporary daily permit) and they are limited to no more than 20 per address or event. If an applicant requests more than 20 temporary permits, they may appeal for more to the discretion of the City Secretary.

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- (h) *Parking permits.* A parking permit is valid only for its designated area and only when it is displayed visibly on the windshield or on the rearview mirror of a vehicle parked along one of the residential streets subject to this policy. A parking permit shall not guarantee or reserve to the holder a parking space. A parking permit is non-transferable and shall not be re-sold. A parking permit shall not authorize the holder to cause to stand or park a vehicle at such places where parking is prohibited or during such times as when the stopping, standing, or parking of vehicles is set aside for specified types of vehicles, nor exempt the holder from observance of any traffic regulation other than the specified parking restrictions. A parking permit confers a privilege only, subject to revocation consistent with this policy at any time.

(Ord. No. 01-25, § II, 4-9-01; Ord. No. 2005-42, § I, 5-2-05; Ord. No. 2005-54, § I, 6-27-05; Ord. No. 2005-71, § I, 9-26-05; Ord. No. 2006-45, § I, 5-22-06; Ord. No. 2006-52, § I, 6-26-06; Ord. No. 2006-73, § I, 7-24-06; Ord. No. 2006-80, § I, 8-28-06; Ord. No. 2009-24, § I, 4-27-09; Ord. No. 2009-33, § I, 6-8-09; Ord. No. 2009-40, § I, 6-22-09; Ord. No. 2009-45, § I, 7-27-09; Ord. No. 2009-54, § I, 8-10-09; Ord. No. 2009-59, § I, 9-14-09; Ord. No. 2010-25, § I, 4-26-10; Ord. No. 2010-36, § I, 6-14-10; Ord. No. 2011-40, § I, 5-23-11; Ord. No. 2011-51, § I, 6-13-11; Ord. No. 2011-102, § I, 11-28-11; Ord. No. 2013-11, § I, 3-25-13; Ord. No. 2013-37, § I, 6-24-13; Ord. No. 2014-34, § I, 5-12-14; Ord. No. 2016-44, § I, 8-16-16; Ord. No. 2017-04, § I, 1-9-17; Ord. No. 2017-17, § I, 3-13-17; Ord. No. 2017-24, § I, 2-27-17)