

ORDINANCE NO. 0093

**AN ORDINANCE REGULATING PARKING  
WITHIN THE TOWN LIMITS OF THE TOWN OF  
HORIZON CITY, TEXAS AND REPEALING AND REPLACING  
EXISTING ORDINANCE 0093 IN ITS ENTIRETY**

BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF  
HORIZON CITY, TEXAS that;

Pursuant to Sections 51.001 and 51.012 of the Texas Local Government Code, the City Council of the Town of Horizon City hereby enacts and adopts this ordinance which regulates parking within the territorial limits of the Town of Horizon City.

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**Sec. 93.010---Stopping, standing and parking prohibited in certain places.**

(a) Except when necessary to avoid conflict with other traffic, or in compliance with law or the directions of a police officer or official traffic-control device, no person shall:

(1) Stop, stand or park a vehicle:

- a. At any place where official signs prohibit stopping;
- b. On the roadway side of any vehicle stopped or parked at the edge or curb of a street (double parking);
- c. On a sidewalk;
- d. Within an intersection;
- e. On a crosswalk;
- f. Between a safety zone and the adjacent curb or within thirty (30) feet of points on the curb immediately opposite the ends of a safety zone, unless a different length is indicated by signs or markings;
- g. Alongside or opposite any street excavation or obstruction when stopping, standing or parking would obstruct traffic;
- h. Upon a bridge or other elevated structure upon a highway or within a highway tunnel; or
- i. On any railroad track.

(2) Stand or park a vehicle, whether occupied or not, except momentarily to pick up or discharge a passenger or passengers:

- a. At any place where official signs prohibit standing;
- b. In front of a public or private driveway;
- c. Within fifteen (15) feet of a fire hydrant;
- d. Within twenty (20) feet of a crosswalk at an intersection;
- e. Within thirty (30) feet upon the approach to any flashing signal, stop sign, yield sign, or traffic-control signal located at the side of a roadway; or
- f. Within twenty (20) feet of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within seventy-five (75) feet of said entrance (when properly sign-posted).

(3) Park a vehicle, whether occupied or not, except temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers:

- a. At any place where official signs prohibit parking or
- b. Within fifty (50) feet of the nearest rail of a railroad crossing.

(b) Except where official signs or markings indicate otherwise, every vehicle stopped or parked upon a two-way roadway shall be so stopped or parked with the right-hand wheels parallel to and within eighteen (18) inches of the right-hand curb or edge of the roadway.

(c) Except where official signs or markings indicate otherwise, every vehicle stopped or parked upon a one-way roadway shall be so stopped or parked parallel to the curb or edge of the roadway, in the direction of authorized traffic movement, with its right-hand wheels within eighteen (18) inches of the right-hand curb or edge of roadway, or its left-hand wheels within eighteen (18) inches of the left-hand curb or edge of roadway.

(c) Any vehicles not displaying the proper license plates, tags or devices may be towed from a disability parking space designated by paragraph (a) of this section at the expense of the owner of such vehicle, and may be impounded until all towing and storage charges are paid.

**Sec. 93.060 Storing of motor vehicles on public street prohibited.**

(a) It shall be unlawful for any person to store or allow the storage of a motor vehicle upon the public streets, alleys, sidewalks or parkways of the city.

(b) For purposes of this section, a vehicle shall be considered stored if it has remained parked at or nearly at the same location for a continuous period of time in excess of five (5) days. A stored vehicle is deemed to be a vehicle which is illegally parked on public property, and such vehicle shall be subject to removal and disposal as an abandoned vehicle as allowed by state law.

(c) No vehicle in dilapidated, abandoned, inoperative or unlicensed condition shall remain on private property (improved or unimproved) or public street in excess fifteen (15) days. For the purposes of this section, a vehicle without current registration and current motor vehicle inspection sticker will be deemed to be an unlicensed vehicle.

**Sec. 93.070 Parking of motor vehicles, trailers, boats and other vehicles in front yards and side yards of areas zoned residential.**

(a) It shall be illegal for any person to park or to allow to be parked on any property under his control any automobile, bus, truck, truck-tractor, motorcycle, motorhome, recreational vehicle, camper, trailer, boat or any vehicle on any portion of a front yard or side yard of any area which is zoned residential under the zoning ordinance or on any premises which is used for one-family, two-family or multi-family dwelling purposes unless:

(1) Such area is a part of a hard-surfaced driveway or parking area;

(2) Such area is a part of a required driveway that provides access to a garage, carport or offstreet parking area required by the zoning ordinance.

(b) The term "vehicle" as used herein shall mean every device in, upon, or by which any person or property is or may be transported or drawn upon a street or highway, except devices moved exclusively by human power.

(c) The term "hard-surfaced" as used herein shall include cement, asphalt, brick and mortar and other commonly accepted pavement which may be approved by the building official.

(d) The terms of this section shall not be construed to apply to the parking of vehicles in a front yard or side yard where such parking is permitted in conjunction with temporary special events open to the public which may be designated from time to time by the city council.

(c) It is an exception to (b)(1) above that the large recreational vehicle or oversize recreational vehicle, parked on a public street, is being parked or allowed to be parked, stand, or remain motionless for loading, unloading, maintenance, or any combination thereof, for no more than seventy-two (72) hours in any seven-day period. Relocation of the large recreational vehicle or oversize recreational vehicle to another location on the same street or the adjoining public street does not stop the running of the seventy-two-hour period.

**Sec. 93.100 Tow-away zones.**

In addition to signs regulating stopping, standing or parking of motor vehicles upon any public street or highway within the city, the public works director may, in his discretion, supplement any such sign with an additional sign designating a tow away zone. Such signs shall be in substantial compliance with the Texas Manual on Uniform Traffic Control Devices. The use of signs designating a tow away zone shall not prohibit the removal by the city of any vehicle found in any other area if such removal is in conformity with any provisions of this Code or State Statute. Any vehicle found in a tow away zone may be towed away and impounded by the city or its duly authorized representative in accordance with the procedures established in section 93.110.

**Sec. 93.110 Towing and impoundment of certain vehicles authorized.**

(a) Any vehicle found on any private property, public street or other public place under any circumstances hereinafter set forth shall be deemed to be a nuisance per se, and may be towed away and impounded in the manner herein provided (provided, however, that such listed circumstances shall not be deemed exclusive or prohibit such towing and impoundment in any circumstances not listed):

- (1) When any vehicle or any other property constitutes an obstruction to traffic by being left unattended upon any bridge, viaduct, or causeway, or in any underpass or tunnel;
- (2) When any vehicle is illegally parked so as to block the entrance to any private driveway;
- (3) When any vehicle is found upon a street, or highway, and information has been reported to the effect that such vehicle has been stolen or complaint has been filed and a warrant thereon issued charging that such vehicle has been stolen or embezzled;
- (4) When a vehicle upon a street or highway 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;

the lien holder or his authorized agent holding a valid and existing mortgage lien on the vehicle impounded, provided the automobile lien holder complies with the following requirements:

(1) Furnish the police department, for its inspection:

1. The automobile lien contract or a certified copy thereof specifying that upon default of the purchaser the automobile finance person or company is entitled to possession of such vehicle;
2. The certificate of title with the lien appearing thereon.

(2) Furnish to the police department an affidavit stating that he holds a lien on the vehicle impounded, that the purchaser/owner has defaulted, that the automobile lien holder desires possession and is entitled to possession of such vehicle under a valid court order and agrees to indemnify and hold harmless the city, its police department and its employees or agents upon delivery to him of the vehicle.

(e) The city shall refund all towing and storage fees to the registered owner or lien holder or other person legally entitled to possession of the vehicle if the municipal court or other court of competent jurisdiction determines that the impoundment of the vehicle was improper. Application for a refund shall be on forms prepared by the city attorney's office.

(f) When a vehicle is authorized to be towed away, the police department shall keep and maintain a record of the vehicle towed, listing the color, year, make, model, vehicle identification number and license plate number and year displayed on the vehicle. The record shall also include the date of tow, by what commercial towing service, location towed from, location towed to, reason for towing, the name of the officer authorizing the tow and copies of all notices to owners or lien holders.

**Sec. 93.130 Parking adjacent to schools---Sign erection---Authority to have vehicles towed.**

(a) The Public Works Director is hereby authorized to erect signs reading "No Parking or Standing, Tow-Away Zone" upon either side or both sides of any street abutting school property when such parking or standing would interfere with traffic or create a hazardous situation.

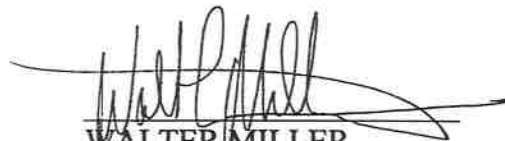
(b) The police department is authorized to cause to be towed away any vehicle found parked or standing in violation of subsection(1) of this section; and the owner of such vehicle shall be civilly liable to the person doing such towing for the reasonable cost thereof.

**Sec. 93-140 Handicapped parking on private property.**

(a) No person shall park a vehicle neither displaying the special device issued by the State Department of Highways and Public Transportation for disabled, nor displaying a disabled person identification card in a parking space as parking area on private property and distinguished specifically for the disabled by conforming to the rules promulgated by

This ordinance was duly enacted together with all requisites and formalities incident thereto the enactment of ordinances and such is evidenced by the below signatures.

SIGNED and EXECUTED on this 13 day of April, 2010

  
WALTER MILLER  
Mayor, Town of Horizon City

ATTEST:

  
KAREN ELLEFSON, CITY CLERK

APPROVED:

  
ROBERT A. DURAN, CITY ATTORNEY

First Reading: 3/23/2010  
Second Reading: 4-13-2010  
Approved: 4/13/2010