ORDINANCE NO. 4579

AN ORDINANCE AMENDING SECTIONS 66-77 OF THE CODE OF ORDINANCES OF THE CITY OF DEER PARK, TEXAS, REGARDING PARKING TRUCK TRACTORS, SEMITRAILERS, ETC. ON CITY STREETS AND AMENDING SECTION 66-80 OF THE CODE OF ORDINANCES OF THE CITY OF DEER PARK, TEXAS, REGARDING PARKING VIOLATIONS / COMMERCIAL VEHICLES; PROVIDING A SAVINGS CLAUSE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DEER PARK:

1. The City Council of the City of Deer Park, Texas hereby declares that the parking of commercial vehicles affects the health and safety of the City of Deer Park, Texas.

2. That Section 66-77 and 66-80 be amended as listed below in the Deer Park Code of Ordinances.

Section 66-77. Truck tractors, semitrailers, etc., on streets.

(a) No person shall stop, park or leave standing for any period exceeding one hour a trailer, semitrailer, Truck Tractor, Travel Trailer, Motorhome or any Commercial Vehicle (as defined in Sec. 66-80), either alone or in combination on any public street within the city.

(b) This section shall not apply to the driver of any vehicle or combination who is making a pickup or delivery or rendering some requested service at a location which abuts the street on which the vehicle is stopped or parked.

Section 66-80. Parking violations / commercial vehicles.

(a) *Presumption of registered owner.* The registered owner of any vehicle found in violation of rules displayed on signs posted pursuant to the Code will be presumed to be the person who illegally parked the vehicle.

(b) *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.

Commercial vehicle means truck-tractor, road tractor, semi-trailer, bus, pole-truck, truck or trailer or any vehicle in combination with a gross vehicle weight rating of more than 26,000

pounds or is designed to transport 16 or more passengers, or any motor vehicle over 25' in length.

The term "truck tractor" means any motor vehicle designed or used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the weight of the vehicle and load so drawn.

The term "semitrailer" means any vehicle with or without motor power designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that some parts of its weight and that of its load rests upon or is carried by another vehicle.

(c) *Parking of commercial vehicles prohibited in residential areas.* It shall be unlawful for any owner or person in control of a commercial vehicle, to leave, park or stand, or permit the leaving, parking, or standing of such vehicle within any area of the city zoned residential according to the city zoning ordinance set forth in appendix A to this code, except that this section shall not apply to a commercial vehicle parked for the purpose of expeditiously delivering or picking up merchandise to or from a specific designated location while in the normal course of business for which the commercial vehicle operates.

(d) This section shall not apply to the driver of any truck tractor, semitrailer or the combination of both who is making a pickup or delivery or rendering some requested service at a location which abuts the street on which the vehicle is stopped or parked.

(e) *Fine.* Any person, firm, or corporation violating any of the provisions or terms of this article shall be deemed to be guilty of a Class C misdemeanor and upon conviction in the municipal court shall be punished by a fine not to exceed $500.00 for each offense.

3. If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

4. It is officially found and determined that the meeting at which this Ordinance was adopted was open to the public; and that public notice of the time place and purpose of said meeting was given, all as required by Chapter 551 of the Government Code of the State of Texas.

In accordance with Article VIII, Section 1 of the City Charter, this Ordinance was introduced before the City Council of the City of Deer Park, Texas, **passed, approved and adopted** on this the 19 day of November, 2024 **by a vote of 7 "Ayes" and 0 "Noes".**

MAYOR, City of Deer Park, Texas

ATTEST:

City Secretary

APPROVED:

City Attorney

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