

ORDINANCE NO. 2021-027

AN ORDINANCE OF THE CITY OF ROBINSON, TEXAS AMENDING CHAPTER 18, ARTICLE IV, OF THE CODE OF ORDINANCES OF THE CITY OF ROBINSON, TEXAS, "STOPPING, STANDING, PARKING," TO ADD SECTION 18-110 ½, "VEHICLE PARKING ON RESIDENTIAL LOTS" PROHIBITING PARKING OF A VEHICLE IN A STREET YARD (GENERALLY A FRONT YARD) OR SIDE YARD OF A RESIDENTIAL LOT ON OTHER THAN ON AN IMPROVED HARD SURFACE, MAKING VIOLATION A CRIMINAL OFFENSE (MISDEMEANOR) PUNISHABLE BY A FINE NOT TO EXCEED \$500.00, MAKING EACH DAY OF VIOLATION A SEPARATE OFFENSE, PROVIDING AFFIRMATIVE DEFENSES, PROVIDING FOR AN EFFECTIVE DATE, AND PROVIDING A SEVERABILITY CLAUSE .

WHEREAS, the parking of vehicles in street yards (generally front yards) and side yards of residential lots on an unimproved surface adversely affects the appearance of the community, is damaging to orderly growth and development, and is detrimental to property values; and

WHEREAS, the Council finds that it is necessary and appropriate to regulate the parking of vehicles on unimproved surfaces in street yards (generally front yards) or side yards of lots in residential districts, and that such is in the best interest of the City and its citizens.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROBINSON, TEXAS that:

SECTION 1. Chapter 18, Article IV of the Code of Ordinances of the City of Robinson, Texas is amended to add Section 18-110 1/2 "Vehicle Parking on Residential Lots" which reads as follows:

Except as provided herein, no person shall cause, allow, permit or suffer any vehicle to be stopped or parked in the front or side corner yard of private property less than five acres in size and used for single-family residential purposes except on an *improved hard surface* as defined in herein. An *improved hard surface* means either asphalt or concrete.

This provision shall not apply to the parking of vehicles in a front yard or side yard used as part of a temporary commercial parking facility.

This provision shall not prohibit parking on the original driveway area established at the time of construction of the residence on site. For the purpose of this section original driveway areas may be a clearly defined area where the soil has been compacted due to extended use so as not to create ruts when driven upon in wet weather and which is accessed by an approved drive approach with existing curb cut where curb and gutter is present and with a culvert, valley, other approved drive approach design when curb and gutter are not present, provided said conditions existed prior to the effective date of this prohibition.

Violation of this section shall be an offense punishable by a fine not to exceed \$500. Each day of violation is a separate offense.

It is an affirmative defense to prosecution for a violation of this section that the vehicle was stopped or parked in the front or side corner yard for the temporary loading or unloading of persons or property.

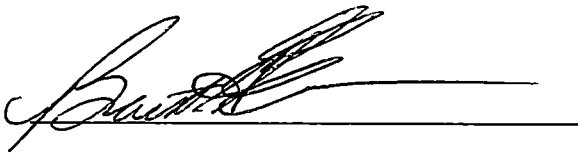
SECTION 2. It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

SECTION 3. This ordinance shall become effective upon passage and publication in accordance with laws of the State of Texas and the Charter of the City of Robinson.

SECTION 4. The City Secretary is hereby directed to publish the caption of this Ordinance at least one time in the official City newspaper.

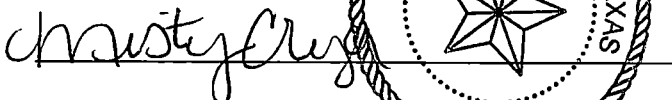
SECTION 5. It is found and declared that the City Council meeting at which this Ordinance has been adopted was open to the public and was noticed and held in accordance with Chapter 551 of the government code.

PASSED this 3rd day of August, 2021 by a vote of 6 AYES to 0 NAYS with 0 Abstentions.



Bert Echterling, Mayor

Attest:



Misty Cryer, City Secretary

