

**ORDINANCE NO. 2022-0628**

**AN ORDINANCE OF THE CITY OF LITTLEFIELD, TEXAS ENACTING SUPPLEMENTAL REGULATION OF CHAPTER 12 "TRAFFIC & VEHICLES" REGULATIONS PRESENTLY EXISTING BY AMENDING AND SUPPLEMENTING WITH ADDITIONAL REGULATIONS PERTAINING TO PARKING ON UNIMPROVED SURFACES IN RESIDENTIAL AREAS.**

**WHEREAS** the City of Littlefield has previously enacted and adopted ordinances entitled "Chapter 12 Traffic & Vehicles" pursuant to the authority of municipalities to codify ordinances; V.T.C.A. Local Government Code Chapter 53;

**AND WHEREAS**, Section 1.01.007 General Provisions of the ordinances herein before adopted and enacted by the City of Littlefield expressly permits amendments or additions to said code;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF LITTLEFIELD, TEXAS:**

**Sec. 12.05.014** entitled **Front yard parking** shall proscribe the following conduct:

- (1) It shall be unlawful for any person having registered in his/her name, or owning or operating or having charge of, any automobile, bus, truck, tractor, motor home, farm machinery, boats, fifth wheel trailers, campers, camper shells, wheeled towing frames, semi-tractor trailers and truck beds mounted on chassis to park, direct or cause to be parked, or store said property on any surface other than a permitted improved surface in the front yard of a residence.
- (2) Purpose: The purpose of the provisions of this section is as follows:
  - (a) To protect the public health, safety and general welfare;
  - (b) To protect property values; and
  - (c) To enhance and improve the physical appearance of the city.
- (3) Definitions: The following definitions are applicable to this section:
  - (a) *Front yard*- That area between the street or avenue and the outermost projection of the primary residence located on the lot, not to include an existing improved driveway.
  - (b) *Corner lot*- A residential property located at the intersection or confluence of two or more streets or avenues such that public rights-of-way are directly adjacent to at least two (2) contiguous sides of the lot. A corner lot effectively has two (2) front yards as that term is defined below. Back yard parking will be permitted for a residence and residences occupying a corner lot, as herein defined
  - (c) *Permitted improved surface*- Constructed using concrete, asphalt, porous pavers, or other porous comparable materials and with the approval of the city building official, and graded for proper drainage having an all-weather hard surface and maintained in a condition to retain the original surface and to prevent the release of dust, mud or silt, and to be free of dust, mud, silt, standing water, trash and debris. In no event shall the city require that such permitted improved surface be of any greater quality than the adjacent roadway serving said driveway. No combination of improved surfaces shall cover more than fifty percent (50%) of the front yard.

- (d) *Vehicle parking-* Any vehicle which is left unattended with one or more of its tires or wheels located off of the driveway or improved surface will be determined as being illegally parked.
- (4) Penalty: Violation of this section is a class C misdemeanor, and each day of violation shall constitute a separate offense.
- (5) Presumption: The presence of any vehicle or trailer in or upon any property, private or public, in violation of this section shall be prima facie evidence that the person, in whose name such vehicle or trailer is registered, committed or authorized such violation.
- (6) Exception: Parking or storing vehicles on other than an improved surface if site construction, building improvements, or landscaping activities require parking said vehicles on other than an improved surface. The vehicles must be removed within seventy-two (72) hours of the completion of the portion of the project requiring said parking.
- (7) Affirmative defense: It shall be an affirmative defense to a charge of violation if the person charged:
- a. Shall not have previously been issued more than 1 violation; and
  - b. The person receiving the charge has, within 30 days after receiving notice of said violation, continuously ceased and desisted from any further conduct constituting any violation under this section.
- (8) This section shall not be considered as authorizing any vehicle to park in whole or in part upon city sidewalks or easements and such conduct will remain in some instances prohibited by any and all applicable ordinances adopted by the City of Littlefield, state statute or the common law of the State of Texas.

**THIS ORDINANCE WILL TAKE EFFECT AFTER PUBLICATION IN THE NEWSPAPER.**

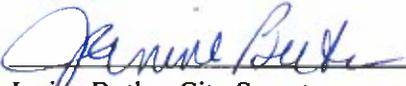
PASSED AND APPROVED at this reading, this 28<sup>th</sup> day of June, 2022.

CITY OF LITTLEFIELD, TEXAS

By: 

Eric Turpen, Mayor

ATTEST:

  
Janine Butler, City Secretary

