

Chapter 26 **PARKING**

ARTICLE I. IN GENERAL

DIVISION 1. PARKHOUSTON

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Sec. 26-2. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

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Goods means any personal property a person provides to another in exchange for compensation, including but not limited to, monetary or non-monetary compensation.

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Motor assisted scooter has the meaning ascribed in Section 551.351 of the Texas Transportation Code, as may be amended from time to time.

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Public right-of-way means the area on a public roadway, highway, street, public sidewalk or alley in which the city has an interest.

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Rent means to grant the possession or use of a good, or to provide a service, to another for a temporary or open-ended period of time.

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Services means any act, activity, duty, labor, delivery, or performance, whether intellectual or manual, provided in exchange for compensation, including but not limited to monetary or non-monetary compensation. Service shall not include the expeditious loading or unloading of property, goods, or merchandise from a commercial vehicle.

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Sec. 26-10. Penalty for violation of chapter.

- (a) It is a criminal offense for any person to violate any of the provisions of this chapter other than the provisions of articles II (except for section 26-102), IV, VI, XI, or XII of this chapter or of division 1 of article III of this chapter. Every person convicted of violating any of those provisions of this chapter for which another penalty is not specifically provided shall be punished by a fine of not less than \$1.00 nor more than \$200.00; provided that the penalty for violation of any provision of section 26-102 of this Code or Article X (Immobilization ("Booting") of Vehicles) of this chapter shall be a fine of not less than \$300.00 nor more than \$500.00; further provided, however, that no penalty shall be greater or less than the penalty for the same offense under the laws of this state.
- (b) It is a civil offense for any person to violate any of the provisions of Article II (Stopping, Standing, Parking and Operation of Vehicles) except for section 26-102 of this chapter, Division 1 of Article III (Parking Meters), Article IV (Commercial Vehicle Loading Zones), Article VI (Residential Parking Permits), Article XI (Parking Benefit Districts), or Article XII (Community Parking Program) of this chapter. Unless another fine is specifically provided by this Code or by state law, the penalty for violation of any of the aforesaid civil offense provisions shall be as follows:

Violation Of	Civil Fine
Article II (except for section 26-88)	\$1.00—\$200.00
Article III, Division 1	\$1.00—\$200.00
Article VI	\$1.00—\$200.00
Article XI	\$1.00—\$200.00
Article XII	\$1.00—\$200.00
Article II, Section 26-88	\$500.00—\$750.00
Article IV	\$200.00—\$500.00

- (c) For violations under this chapter that are of a continuing nature, each day that the violation shall continue shall constitute a separate offense.

ARTICLE II. STOPPING, STANDING, PARKING AND OPERATION OF VEHICLES

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Sec. 26-101. Parking for rental of goods or services prohibited.

(a) Notwithstanding section 26-155 of this Code, no person shall park a vehicle or motor assisted scooter upon any public property in the city, including any public roadway, sidewalk, park, street, parking space, right-of-way or other public property, for the principal purpose of exhibiting, placing, displaying or offering to rent any goods or services. This section does not apply if:

(1) The person is a permittee under division 2 of article III of this chapter, and displays his permit or a true copy on the dashboard of the parked vehicle, and is renting goods or services as part of a special event pursuant to chapter 25 of this Code; or

(2) The city and the person have entered into an agreement by which the director has authorized the person to park a vehicle on a roadway and rent goods or services.

(b) This section does not apply to a commercial vehicle loading zone under article IV of this chapter.

Sec. 26-102. Standing and parking of motor assisted scooters.

(a) It shall be unlawful for any person, for the principal purpose of renting a motor assisted scooter, to stand, park, place, offer to rent, exhibit, or display a motor assisted scooter on any public roadway, street, alley, parking space, sidewalk, park, right-of-way, or any other public property within the city limits.

(b) The director may authorize the removal of any item unlawfully left on city property in violation of this section. The city may remove or authorize a contractor to remove any item unlawfully left on city property and charge for the city's cost of removing the item to the person who owns or is responsible for placing the item on city property, if such person is known. To the extent an item unlawfully left on city property has an identifiable owner, then the city will place the item in storage for up to 30 calendar days and notify the owner of the owner's opportunity to retrieve the item upon payment to the city of any removal and storage costs. After 30 days from the date the city notified the owner or following a reasonable, but unsuccessful attempt to locate the owner of such item, the city may dispose of such item. The city is entitled to retain any proceeds of a sale disposing an item in order to cover the costs incurred by the city for removal and storage of such item. The director may establish additional notification procedures, including but not limited to, notification procedures where an item unlawfully left on city property has no identifiable owner.

Chapter 45 TRAFFIC

ARTICLE I. IN GENERAL

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Sec. 45-2. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

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Motor assisted scooter has the meaning ascribed in Section 551.~~304~~351 of the Texas Transportation Code, as may be amended from time to time.

Sec. 45-302. Riding on sidewalks.

- (a) No person shall ride a bicycle or motor assisted scooter upon a sidewalk within a business district.
- (b) The traffic engineer is authorized to erect signs on any sidewalk outside a business district prohibiting the riding of bicycles and motor assisted scooters thereon by any person and, when such signs are in place, no person shall disobey the same.
- (c) Whenever any person is riding a bicycle or motor assisted scooter upon a sidewalk, such person shall yield the right-of-way to any pedestrian and shall give audible signal before overtaking and passing any pedestrian.