Chapter 8. AUTOMOTIVE DEALERS AND AUTO WRECKERS

ARTICLE III. GENERALLY

Sec. 8-101. Definitions.

Parking enforcement compliance officer has the meaning ascribed in section 26-2 of this Code.

Police scene means a place at which (i) an accident has taken place that is subject to a field investigation conducted by a law enforcement officer, (ii) a law enforcement officer has recovered a stolen vehicle, (iii) a vehicle has been abandoned in a roadway, (iv) a custodial arrest by a law enforcement officer has taken place, or (v) a vehicle is otherwise subject to removal or impoundment pursuant to law by a law enforcement officer, parking enforcement compliance officer or personnel designated by the police chief.

Sec. 8-115. When towing from public property authorized.

No person shall tow, carry or transport any motor vehicle without the consent of the vehicle owner from any public street, alley, road, right-of-way, or park except under the direction and authority of a law enforcement officer acting in his official capacity or a parking enforcement compliance officer or personnel designated by the police chief acting pursuant to section 26-298 of this Code.

Sec. 8-116. Wrecker slip for towing vehicle under direction of law enforcement officer.

(a) Except as otherwise provided in subsection (c) of this section, no person shall tow, carry or transport a motor vehicle under the direction or authority of a law enforcement officer, parking enforcement compliance officer or personnel designated by the police chief unless a wrecker slip has been issued to the wrecker driver by the officer. Such wrecker slip shall be filled out by the law enforcement officer, parking enforcement compliance officer or personnel designated by the police chief on a form designated by the chief of police. The wrecker slip shall contain the following information:

(1) A complete description of the vehicle to be towed, including the license plate number and the vehicle identification number;

(2) Any visible damage to the inside or outside of the vehicle;
(3) Any personal property contained within the vehicle that is visible from outside that vehicle;

(4) Any visible missing parts or paraphernalia;

(5) The location from which the vehicle is being towed;

(6) The date and time the vehicle is picked up by the auto wrecker;

(7) The reason the vehicle is being towed;

(8) The police private storage lot or other police designated location to which the vehicle is to be towed;

(9) The state license plate number of the auto wrecker being used for the tow;

(10) The signature and employee number of the law enforcement officer, parking enforcement officer or personnel designated by the police chief authorizing the tow; and

(11) The signature, legibly printed name, and state driver license number of the wrecker driver.

(b) The wrecker driver signing the wrecker slip shall be responsible to account for the vehicle at all times until the vehicle has been accepted by an agent of the destination set out in the wrecker slip. No fee shall be charged for towing any vehicle under the direction and authority of a law enforcement officer, parking enforcement officer or personnel designated by the police chief unless the wrecker driver has obtained a completed wrecker slip. The wrecker driver shall cause the vehicle to be delivered without delay to the location designated on the wrecker slip and may not redirect the vehicle to another destination unless:

(1) Authorization has been obtained from the operator of the police private storage lot specified on the wrecker slip on a form specified by the police department to take the vehicle to another police private storage lot and the form is delivered to the police private storage lot accepting the vehicle for storage along with the original wrecker slip; or

(2) Verbal authorization has been given by a supervisor in the auto dealers detail of the police department and noted on the wrecker slip.

(c) In accordance with orders established by the chief of police for that purpose, the signature and employee number of the authorizing officer as required in this section may be affixed to the wrecker slip by the wrecker driver by facsimile. The provisions of this authorization shall be limited to circumstances where the authorizing officer is not present at the police scene but is able to view the police scene from a remote location by televised link and/or able to communicate with the wrecker driver by telephone or radio.

* * *
Sec. 8-120. V.I.N. inspection; transport authorization.

(a) It shall be unlawful for any wrecker driver to attach or cause or permit any auto wrecker to be attached to any motor vehicle without first personally inspecting the manufacturer's permanent vehicle identification number affixed to the motor vehicle to be transported.

(b) It shall be unlawful for any wrecker driver to attach or cause or permit any auto wrecker to be attached to any motor vehicle on which the manufacturer's permanent vehicle identification number has been removed or is not permanently affixed or is not clearly legible or that, upon visual examination of the manufacturer's permanent vehicle identification number, shows any evidence whatsoever of its possibly having been changed, altered or obliterated in whole or in part.

(c) It is a defense to prosecution under subsection (a) or (b) that the wrecker driver obtained, prior to attaching or causing or permitting the auto wrecker to be attached to the transporting vehicle and retained in his possession at all times while transporting the vehicle, a legible written authorization for the transport of the vehicle issued by a law enforcement officer, parking enforcement compliance officer or personnel designated by the police chief setting forth:

(1) The printed name, signature and badge number, if applicable, of the law enforcement officer, parking enforcement compliance officer or personnel designated by the police chief;

(2) The state license plate number of the auto wrecker;

(3) The printed name and signature of the wrecker driver;

(4) A description of the transported vehicle;

(5) The place to which the transported vehicle is authorized to be towed; and

(6) The date upon which the tow is authorized to be conducted.

The aforesaid police or parking enforcement compliance transport authorization shall be required in addition to any other authorization required by law for the transportation of the vehicle, and the possession of a wrecker slip issued under section 8-116 of this Code shall not constitute a defense under this subsection. An authorization issued under this subsection shall only be a defense for the transport of the vehicle designated thereon by the wrecker driver and auto wrecker identified thereon to the place designated thereon on the date authorized thereon.

* * *

Sec. 8-124. Oral report to police of tows authorized by persons other than vehicle owner.

Whenever a wrecker driver is authorized to pick up and tow any vehicle when such authorization was given by someone other than the vehicle owner, the wrecker driver shall make an oral or electronic report to the police department within one hour of the time the vehicle
was picked up. An electronic report shall be filed using an authorized electronic reporting system implemented by the police department. In an oral report the wrecker driver shall inform the police department of the license plate number of the vehicle towed, its vehicle identification number, the location from which the vehicle was towed, the date and time the vehicle was towed, and the location to which the vehicle was towed. This section shall not apply when the vehicle was towed pursuant to authorization by a city police officer, a parking enforcement compliance officer or personnel designated by the police chief acting pursuant to section 26-298 of this Code and the wrecker driver has signed the copy of the wrecker slip retained by the city police department.

* * *

Chapter 16. MUNICIPAL COURTS

ARTICLE IV. ADJUDICATION OF PARKING CITATIONS

***

Sec. 16-61. Jurisdiction.

The municipal courts department shall have original jurisdiction over cases involving violations of city ordinances enumerated in articles II, IV and VI, XI and XII and division 1 of article III of chapter 26 of this Code and of offenses involving the parking or stopping of a vehicle that arise under the Fire Code of the city.

***

Chapter 26. PARKING

ARTICLE I. IN GENERAL

DIVISION 1. PARKING MANAGEMENT PARKHOUSTON

Sec. 26-1. Short title.

This chapter may be known and cited as the Parking Ordinance.

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:

* * *

*Commercial vehicle signage* means one or more magnetic signs or painted letters or decals on the front door on each side of the commercial vehicle stating, in letters at least two inches in height, the name, logo, or other designation of the person owning or operating the vehicle.
* * *  

**Meter or pay station** means a parking meter that has been installed by or on authority of the city any mechanical or electronic device that the City places or erects on property for the purpose of managing and controlling the use of paid parking spaces and that requires payment for use. Where the term “meter” appears in this chapter, the reference also includes a pay station where applicable.

* * *

**Parking enforcement compliance officer** means an employee of the department assigned to enforce the provisions of this chapter.

**Parking management division ParkHouston** means that portion of the department responsible for on-street parking, off-street metered parking, temporary restriction of access to metered parking, commercial vehicle loading zone permits, residential parking permits, newsrack permits, and such other parking responsibilities as may be designated by the director from time to time.

**Parking meter collector technician** means an employee of the department assigned to collect revenue from and perform repair and maintenance services on parking meters.

**Parking meter zone** means the particular blockface in which a parking meter is located between appropriate street signage at each end of the block.

**Parking official** means the director or such other person as the director may designate to act as the parking management official of the city and the said official’s designee.

* * *

**Senior parking meter technician** means an employee of the department assigned to repair, service, install and troubleshoot operational issues with the parking meters.

* * *

**Sec. 26-4. General powers and duties of parking official.**

The parking official has responsibility for the enforcement of this chapter, with the exception of article VIII, as more particularly provided herein. It shall be the duty of the parking official to direct, control and manage all on-street parking in residential and commercial areas.

The parking official shall:

1. Supervise and be responsible for the collection and maintenance of on-street parking meters and any city-owned and city-maintained public off-street parking meters authorized under this chapter.
(2) Be authorized to enforce all parking regulations of this chapter and the Texas Transportation Code.

(3) Maintain effective liaison and coordination with other governmental units that are active participants in the city’s parking program.

(4) Prepare reasonable and necessary administrative rules, regulations and forms relating to the performance of duties under this chapter for approval by the director.

(5) Maintain a system to issue and track permits, and licenses, and citations.

(6) Carry out the policies of the mayor in the overall planning effort to develop a reliable and efficient method of managing on-street parking and public off-street parking meters.

(7) Have such other duties and responsibilities as may be assigned by the mayor.

Sec. 26-6. Parking enforcement compliance officers.

(a) Parking enforcement compliance officers shall enforce the provisions of this chapter by issuance of a parking citation on the official form prescribed by the director for such notices. Parking enforcement compliance officers shall not have any power of arrest under the authority conferred by this section nor shall they have the authority to order a vehicle removed or impounded for violation of the provisions of this chapter except pursuant to section 26-298 of this Code. Parking enforcement compliance officers shall be issued appropriate identification by the parking official and shall be issued the necessary forms to carry out their duties.

(b) Peace officers and other persons designated by the parking official for that purpose shall enforce the provisions of this chapter and state laws and regulations relating to the stopping, standing and parking of motor vehicles by issuance of citations on the official form prescribed by the director. Persons who are not peace officers may issue citations, but they shall not have the power of arrest. Persons designated under this section shall be issued appropriate identification and the necessary citation forms to carry out their duties. The persons shall account to the parking official for all citations issued and for all citation forms provided to them.

Sec. 26-7. Parking meter collectors technicians.

(a) There shall be employment positions within the parking management division ParkHouston for persons who shall be known as “parking meter collectors technicians” or “senior parking meter technicians.” The parking meter collectors technicians and senior parking meter technicians shall be selected and appointed in accordance with the established hiring practices of the city. The employees holding those positions shall be under the direction and control of the parking official or his designee.
(b) It shall be the duty of each parking meter collector technician or senior parking meter technician to collect revenues from assigned parking meters in the city at the times and in the manner prescribed by the parking official.

***

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, IV, VI, or 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 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), Division 1 of Article III (Parking Meters), Article IV (Commercial Vehicle Loading Zones), Article VI (Residential Parking Permits), or 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:

<table>
<thead>
<tr>
<th>Violation Of</th>
<th>Civil Fine</th>
</tr>
</thead>
<tbody>
<tr>
<td>Article II (except for section 26-88) Article III, Division 1 Article VI Article XI Article XII</td>
<td>$1.00—$200.00</td>
</tr>
<tr>
<td>Article II, Section 26-88</td>
<td>$500.00—$750.00</td>
</tr>
<tr>
<td>Article IV</td>
<td>$200.00—$500.00</td>
</tr>
</tbody>
</table>

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

***

Sec. 26-156. Manner of parking in meter zones.

Within the parking meter zones, all vehicles shall be parked parallel to the curb, unless otherwise indicated on the meter or by signage, curb markings, or other control system applicable to the meter. For parallel parking, no part of the curb side of the vehicle shall be parked at a distance greater than 18 inches from the curb. Where one parking meter has been installed on the meter pole for parallel parking, vehicles shall be parked along the curb so that the front of the vehicle is located opposite the parking meter. Where two meters have been installed on the meter pole for parallel parking, vehicles shall be parked along the curb so that
either the front or rear of the vehicle is located opposite the parking meter, as applicable, based upon the relation of the meter locations to the parking spaces. Where a meter has been installed that controls two or more parking spaces, then the vehicles shall be parked in accordance with the signage, curb markings, or other control system applicable to the meter.

* * *

Sec. 26-160. Parking meter fees.

The parking official is hereby authorized to establish parking meter fees for any parking meter that has been placed upon any street or other property owned or controlled by the city. The following fees are hereby established for public parking at any parking meter that is governed by this section:

1. **Short-term parking (not to exceed 4 hours):** A fee to be established by the parking official between a minimum of $0.31 for each ten minutes and a maximum of $1.89 for each ten minutes, which includes any applicable sales tax. Short-term parking fees shall apply to a meter during a time period for which the meter has been designated for short-term parking use upon determination that the public's needs during that time period may be best served by ensuring that the space is not used for lengthy periods of time by one vehicle.

2. **Long-term parking (over 4 hours):** A fee shall be established by the parking official between a minimum of $0.31 for each hour and a maximum of $1.89 for each hour, which includes any applicable sales tax. Long-term parking fees shall apply at meters during those periods in which they have not been designated for short-term parking use.

The fees adopted under this provision shall be included in the city fee schedule.

In establishing the foregoing fees, the parking official shall consider the cost of providing the service, the prevailing private market parking rates in the immediate vicinity of the meter, and the needs of patrons of nearby businesses and other premises to have access to the use of metered parking, as well as relevant traffic mobility and engineering issues, as applicable. Without limiting the parking official's options, a parking space may be designated for short-term parking during some times and days and long-term parking during other times and days.

* * *

Sec. 26-185. Closing of meters.

If the parking official issues a permit, parking management division ParkHouston personnel shall officially mark the meter or meters for the duration of the permit. Depending upon the type and number of affected metered spaces and meters, the official marking may be in the form of meter bags, signage, or other indicia to indicate that the affected meter spaces are not available for public use.

DRAFT YET NOT APPROVED BY CITY ATTORNEY FOR DISCUSSION PURPOSES ONLY 2/1/2019
Sec. 26-186. Prohibited activities.

(a) It is unlawful for any person or entity to cause, suffer, or permit an access restriction without a permit for the affected meter space or spaces.

(b) It is unlawful for a permittee to cause, suffer, or permit and access restriction in violation of any term of a permit.

(c) It is unlawful for a person who is not a parking management division ParkHouston employee to remove or tamper with any official marking placed under section 26-185 of this Code.

(d) Violation of this division is unlawful and shall be punishable as provided in section 1-6 of this Code.

* * *

ARTICLE VI. RESIDENTIAL PARKING PERMITS

DIVISION 1. GENERALLY

Sec. 26-291. 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:

Commuter vehicle means a motor vehicle, other than a “resident vehicle” as defined herein, that is parked in a residential area in which it is not registered with the Texas Department of Transportation.

Curbside parking space means 20 linear feet of curb, excluding those portions of the curb where the parking of any motor vehicle is not permitted.

One-day visitor permit means a permit that is valid for one 24-hour period to allow a commuter vehicle to park in curbside spaces in the residential parking permit area except where or at times otherwise prohibited.

Permit means a current and valid permit issued under division 3 of this article.

Resident means the owner or tenant of residential property in a residential area or the tenant of an apartment complex with not more than 16 eight units in a residential area.

Resident vehicle means a motor vehicle parked in a residential area in which it is registered with the Texas Department of Transportation.

Residential means pertaining to the use of land for premises such as single-family homes, duplexes, condominiums, and apartment complexes with eight or fewer
units, that contain habitable rooms for nontransient occupancy and are designed primarily for living, sleeping, cooking and eating therein. A premises that is designed primarily for living, sleeping, cooking and eating therein will be deemed to be residential in character unless it is actually occupied and used exclusively for other purposes. Hotels, suites hotels, motels, apartment complexes with nine or more units, boardinghouses and day care centers shall not be considered to be residential.

* * *

Sec. 26-293. Offenses.

(a) It shall be unlawful for any person to park a motor vehicle that does not display a permit in a curbside parking space on any day or during any hours for which commuter vehicle parking is prohibited by one or more official signs posted in a residential parking permit area.

(b) It shall be unlawful for any person to represent in any fashion that a motor vehicle is entitled to a permit authorized by this article when it is not so entitled. The display of a permit on a motor vehicle not entitled to the permit shall constitute such a representation.

(c) It shall be unlawful for any person to modify, duplicate, or attempt to duplicate, by any means, a permit authorized by this article. It also shall be a violation of this article for any person to display on any motor vehicle a modified or duplicate permit.

* * *

Sec. 26-298. Removal of vehicle.

Pursuant to Texas Occupations Code Section 2308.354(a), in a residential parking permit area designated by the traffic engineer as a tow-away zone, a parking enforcement compliance officer or personnel designated by the police chief may authorize the towing of a
vehicle parked in violation of this article. When a vehicle is towed pursuant to this section, the Houston Police Department shall be the responsible law enforcement agency for purposes of section 8-117 of this Code.

* * *

DIVISION 3. PERMITS

* * *

Sec. 26-344. Number of permits allowed.

(a) Each residential unit may obtain permits annually according to the following schedule:

<table>
<thead>
<tr>
<th>Permit Type</th>
<th>Number of Permits Allowed Annually</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential Unit Decal</td>
<td>No limit for vehicles registered to RPP address</td>
</tr>
<tr>
<td>Visitor Hangtag</td>
<td>4</td>
</tr>
<tr>
<td>Service Provider Hangtag</td>
<td>2</td>
</tr>
<tr>
<td>One-Day (24-Hour) Visitor (24-Hour) Hangtag</td>
<td>100</td>
</tr>
</tbody>
</table>

(b) Each residential unit may obtain two service provider permits.

(c) Each residential unit is limited to five packs of 100 one-day (24-hour) visitor permits per year, with each pack containing 20 permits.

Sec. 26-346. Display of permits.

(a) Each residential unit decal permit shall be permanently adhered to the inside bottom driver side corner of the windshield of the motor vehicle above the inspection and vehicle registration stickers, unless otherwise provided by the parking official pursuant to subsection (c) of this section. A residential unit decal permit that is not permanently adhered shall not be a valid permit.

(b) Each visitor and service provider hangtag permit shall be displayed inside the motor vehicle hanging from the rear-view mirror so that the permit is easily visible from outside the motor vehicle, unless otherwise provided by the parking official pursuant to subsection (c) of this section.

(c) The parking official may accept a valid license plate number on file with the department for each permit holder in lieu of affixing a residential unit permit or hanging a visitor or service provider permit.
ARTICLE VII. VALET PARKING SERVICES

DIVISION 1. GENERAL

Sec. 26-372. Prohibited activities.

(a) It is unlawful for any person to provide valet parking service without a valet parking service permit issued by the city. It shall be an affirmative defense to prosecution under this subsection that the operation of a valet parking service occurs on private property and does not use any portion of a roadway for a pick-up and drop-off point or as a valet parking storage location, save for incidental use of the roadway in driving vehicles to and from a pick-up and drop-off point on private property and a valet parking storage location not located on any portion of a roadway.

(b) It is unlawful for a permittee to operate, or cause to be operated, a valet parking service in violation of any term of a permit.

(c) It is unlawful for any permittee to fail to display a permit or a true copy thereof as required by this article. In any prosecution under this article, it shall be presumed that there is no permit if the permit or a true copy thereof is not properly displayed.

(d) It is unlawful for any permittee to park a vehicle or to cause or allow a vehicle to remain parked at any curbside parking space or any other portion of the roadway within the central business district in the course of providing valet parking service. Any person who violates any provision of this subsection shall be guilty of an offense and, upon conviction thereof, shall be punished by a fine of not less than $150.00 nor more than $500.00 for each violation. Each act of parking a vehicle in violation of this subsection shall constitute and be punishable as a separate offense. A violation of this subsection is a penal offense and shall not be subject to civil adjudication pursuant to article IV of chapter 16 of this Code. Parking enforcement compliance officers are authorized to issue written citations to persons violating this subsection.

(e) It is unlawful for any permittee to utilize any place on the roadway that is not a valet zone as a pick-up and drop-off point. It shall be an affirmative defense to prosecution under this subsection that the valet parking service is provided for a special event for which notice has been provided to the parking official pursuant to section 26-450 of this Code, or that the valet parking service operator is making reasonable accommodations for persons with disabilities who are utilizing the valet parking service.

(f) It is unlawful for any permittee to fail to identify a vehicle as required by section 26-412(10) of this Code.

* * *

Chapter 40. PARKING

ARTICLE XX. NEWSRACKS

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, unless the context of their usage clearly indicates a different meaning:

Central business district means the area beginning at the intersection of the centerline of U.S. 59 and the centerline of I.H. 45; thence in a northwesterly and northerly direction along the centerline of I.H. 45 to its intersection with the centerline of I.H. 10; thence in an easterly direction along the centerline of I.H. 10 to its intersection with the centerline of U.S. 59; thence in a southwesterly direction along the centerline of U.S. 59 to its intersection with I.H. 45, the point of beginning.

Department means the department of administration and regulatory affairs.

Newsrack means any self-service or coin-operated box, container, storage unit, or other dispenser installed, used, or maintained for the display and sale or distribution without charge of newspapers, periodicals, magazines or other publications.

Parking management division ParkHouston means the parking management division of the department.

Vending screen means any device constructed of metal or other similar permanent material installed by or with the approval of the city designed and used to obscure from view on an adjacent roadway the existence of newsracks.

Sec. 40-453. Permit.

(a) Application. An application for a newsrack permit for one or more newsracks shall be made to the director on a form prescribed by the director, which shall include, without limitation:

(1) The name, street and mailing address, email address, and telephone number of the applicant, which shall be the duly authorized representative of both the publisher and, if applicable, any independent distributor authorized to service the publisher(s) newsrack for which the permit is sought.

(2) The name, street and mailing address, email address, and telephone number of the distributor or other responsible person whom the city may notify or contact at any time concerning the applicant(s) newsrack(s).

(3) The number of proposed newsracks and a description of the exact proposed locations.

(4) A description of each proposed newsrack, including its dimensions and signage, and whether it contains a coin-operated mechanism.
The name and frequency of the publication proposed to be contained in each newsrack.

Separate application. A separate application shall be required for each publication.

Issuance of permit. If the application is properly completed and the type of newsrack and location proposed for each newsrack meets the standards set forth in this article, the parking management division ParkHouston shall issue a permit within ten business days from the date the applicant files the application with the director. A single permit shall be issued for all newsracks, applied for by an applicant, that meet the standards of this article. A permit shall not be transferable.

Period of permit validity. A permit shall be valid for three years.

Permit application fee; decal fee. The permit application and decal fees per newsrack shall be stated for this provision in the city fee schedule. All fees imposed under this article shall be paid to the director at the time the application is filed and retained in a fund administered by the department for its parking management division ParkHouston.

Decal replacement. The parking management division ParkHouston may require a permittee to replace a decal that has become worn, faded, defaced, or missing. The decal replacement fee shall be stated for this provision in the city fee schedule.

Renewal. A permit may be renewed if, prior to its expiration, the permittee pays the renewal fee stated for this provision in the city fee schedule.

Issuance of decal. Each permittee shall be issued a pre-printed decal for each permitted newsrack, which shall be affixed to the lower right or left corner inside the window opening on the front of each newsrack.

Denial of permit. If the application is incomplete or the type of newsrack and location proposed for a newsrack does not meet the standards set forth in this article, then the director shall deny the permit application. If the newsrack permit is denied, in whole or in part, the director shall, by certified mail or by email to the address(es) provided by the applicant, notify the applicant within ten business days from the date of filing a completed application with the city, explaining the reasons for the denial of the permit. The applicant shall have ten business days from the receipt of notice of a denial to correct and resubmit the application or appeal the decision, in writing, to the hearing examiner designated by the director.

Suspension or termination of permit. The director may, following ten business days written notice to the permittee and an opportunity to be heard, suspend or terminate a permit. Grounds for suspension or termination require a proven history of continual noncompliance with the requirements of this Code, consisting of a minimum of four violations in a 12-month period for which citations have been issued under section 40-459 of this article and a final judgment of guilt or a plea of nolo contendere has been entered. The period of suspension shall be at the discretion of the director, depending on the severity of the violations, not to exceed six months. Where the director finds that termination is appropriate, the permittee
may not apply for a new permit for a period of 12 months. The decision of the director may be appealed as provided in subsection (k) of this section.

(k) Appeal of denial, suspension, or termination. The hearing examiner shall conduct a hearing within 30 days of receipt of the applicant(s written appeal request. Written notice of the time and place of the hearing shall be provided to the applicant at least ten business days prior to the date of the hearing. The hearing shall be conducted according to procedures promulgated by the director. The hearing examiner shall render a written decision within 15 business days after the date of the hearing. The decision of the hearing examiner shall be final.

(l) Amendment to permit. In the event of a change in any of the information contained in the application, the permittee shall submit the change in writing to the director. A permittee may install and maintain additional new stands by amendment to the permit. This section shall govern the review and approval of any amendment.

(m) Processing. The director shall have authority to promulgate forms, rules, and procedures relating to the permitting process.

Sec. 40-459. Issuance of citations.

Upon completion of appropriate training, employees designated by the police department and the parking management division ParkHouston are authorized to issue citations charging the violation of any provision of this article.

Chapter 45. PARKING

ARTICLE I. IN GENERAL

Sec. 45-8. Enforcement generally.

It shall be the duty of the officers of the police department or such officers as are assigned by the chief of police to enforce all street traffic laws of this city and all of the state vehicle laws applicable to street traffic in this city. Additionally, parking enforcement compliance officers are authorized to enforce the provisions of this chapter relating to stopping, standing or parking by issuance of a parking citation on the official form prescribed by the city for such notices.