



**Austin City Code Amendment  
CITY OF AUSTIN  
RECOMMENDATION FOR COUNCIL ACTION**

**AGENDA ITEM NO.:** 10  
**AGENDA DATE:** Thu 10/27/2005  
**PAGE:** 1 of 1

**SUBJECT:** Approve an ordinance amending Sections 12-5-29 and 12-5-89 of the City Code relating to restrictions on parking a motor vehicle in the front yard or side yard of a residential property.

**AMOUNT & SOURCE OF FUNDING:** N/A

**FISCAL NOTE:** There is no unanticipated fiscal impact. A fiscal note is not required.

**REQUESTING** Police  
**DEPARTMENT:**

**DIRECTOR'S**  
**AUTHORIZATION:** Rick Coy

**FOR MORE INFORMATION CONTACT:** Robert Dahlstrom, Assistant Chief/974-5482

**PRIOR COUNCIL ACTION:** March 25, 2004 amendment to ordinance.

**BOARD AND COMMISSION ACTION:** N/A

-----

This action approves an ordinance amending Section 12-5-29 and Section 12-5-89 of the City Code relating to Front or Side Yard Parking. Currently, Section 12-5-29 allows a person to park in a yard adjacent to a driveway if the total area in which a car is parked and the area of the driveway is not wider than "50 percent of the minimum lot width established by the zoning district." In the proposed change the area adjacent to the driveway is limited to 8 feet on one side of the driveway.

The proposed change to Section 12-5-89 provides an enhanced fine for subsequent violations of the yard parking provisions. As under the current regulations, the standard fine for the first violation is \$40. Under the proposed amendment, however, the fine for a second violation within 24 months of the first violation is \$50. The fine for a third or subsequent violation within 24 months of the first violation is \$60.

## ORDINANCE NO.

### AN ORDINANCE AMENDING SECTIONS 12-5-29 AND 12-5-89 OF THE CITY CODE RELATED TO RESTRICTIONS ON PARKING A MOTOR VEHICLE IN THE FRONT YARD OR SIDE YARD OF A RESIDENTIAL PROPERTY.

#### BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

**PART 1.** Section 12-5-29(C) of the City Code is amended to read:

- (C) A person may not park one or more [a] motor vehicles [~~vehicle~~] in the front yard or side yard of a residential property, except [~~in~~]:
- (1) in a driveway;
  - (2) in a paved parking space depicted on an approved site plan; or
  - (3) immediately adjacent to, and in an eight foot area on one side of a driveway. [~~an area adjacent to a driveway that when measured with the driveway is not wider than 50 percent of the minimum lot width established by the zoning district.~~]

**PART 2.** The table in Section 12-5-89(E) of the City Code is amended by amending the Right-of-Way relating to "Parking – Front or Side Yard of a Residential Property" to read:

<i>Parking Violation</i>	<i>Standard Fine</i>	<i>Early Payment Fine</i>
Parking – Front or Side Yard of a Residential Property	[40.00]	[20.00]
• <u>First Offense</u>	<u>40.00</u>	<u>20.00</u>
• <u>Second offense within 24 months</u>	<u>50.00</u>	
• <u>Third or subsequent offense within 24 months</u>	<u>60.00</u>	

**PART 3.** This ordinance takes effect on \_\_\_\_\_, 2005.

**PASSED AND APPROVED**

\_\_\_\_\_, 2005

§  
§  
§

\_\_\_\_\_  
Will Wynn  
Mayor

**APPROVED:**

\_\_\_\_\_  
David Allan Smith  
City Attorney

**ATTEST:**

\_\_\_\_\_  
Shirley A. Brown  
City Clerk