

**ORDINANCE NO. 20051027-010**

**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.** Sections 12-5-29 (A), (B), and (C) of the City Code are amended to read:

(A) In this section:

- (1) DRIVEWAY means an area adjacent to a curb cut providing vehicular access between a street and an off-street parking area, including a circular driveway.
- (2) FRONT YARD and [;] SIDE YARD [~~and STREET SIDE YARD~~] have the meanings assigned by Section 25-1-21 of the Code (*Definitions*).
- (3) MOTOR VEHICLE means a self-propelled vehicle designed for use on a highway and includes an inoperable motor vehicle as defined in Section 9-1-1 of the Code (*Definitions*).
- (4) RESTRICTED PARKING AREA MAP means the official map depicting the areas to which this section is applicable, adopted by ordinance and on file with the police chief.

(B) This section applies to residential property within the areas depicted on the restricted parking area map, [~~except that this section does not apply to a lot that:~~

- ~~(1) — does not have a curb cut;~~
- ~~(2) — is not a corner lot, if the principal residential structure is less than 20 feet from the front property line;~~
- ~~(3) — is a corner lot, if the principal residential use is less than 20 feet from both the front and the street side yard property lines;~~
- ~~(4) — is not more than 25 feet wide; or~~
- ~~(5) — abuts a street that does not have a curb and that is less than 30 feet wide.]~~

- (C) A person may not park a motor vehicle in the front yard or side yard of a residential property, except in[:]
- ~~[(1)]~~ a driveway[:] or
  - [(2)] a paved parking space depicted on an approved site plan. [~~or~~]
  - ~~[(3)] 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 November 7, 2005.

**PASSED AND APPROVED**

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October 27, 2005

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Will Wynn  
Mayor

**APPROVED:** \_\_\_\_\_  
David Allan Smith  
City Attorney

**ATTEST:** \_\_\_\_\_  
Shirley A. Brown  
City Clerk