

March 28, 2024
Item No. 9.3.
City-Wide Truck Parking Prohibition

Sponsor: Emily Fisher, Director of Public Works

Reviewed By CBC: City Council

Agenda Caption: Presentation, discussion, and possible action regarding (1) an ordinance amending Chapter 38 "Traffic and Vehicles," Article II "Stopping, Standing and Parking," by adding Section 38-49 "Commercial Motor Vehicle and Trailer Parking" to prohibit commercial motor vehicle and trailer parking within the city limits; and (2) an ordinance amending Chapter 38 "Traffic and Vehicles," Article II "Stopping, Standing and Parking," Section 38-45 "Parking Regulations for Certain Described Areas," and repealing Chapter 38 "Traffic and Vehicles," Article VI "Traffic Schedules," Section 38-1016 "No Commercial Motor Vehicle or Trailer Parking," to remove references to commercial motor vehicle and trailer parking by specific location.

Relationship to Strategic Goals:

1. Core Services & Infrastructure
2. Improving Mobility

Recommendation(s): Staff recommends approval of both ordinances.

Summary: During the workshop portion of the November 9, 2023, City Council meeting, City staff presented options for responding to the increase in truck parking throughout the city. The council directed staff to draft an ordinance prohibiting truck parking within the city limits and develop a plan to inform the public of the future prohibition. This item for consideration is two ordinance amendments to Chapter 38, Article II. The first adds section 38-49, which prohibits commercial vehicle and trailer parking within the city and defines commercial motor vehicles. The second amends section 38-45 by removing sections (b) and (d) and removes section 38-1016 from Article VI.

Staff plans to use the following to notify and educate the public about the amended ordinance:

- Social media posts and PSA on Channel 19
- Blog and website postings
- Temporary signs at high traffic locations
- Windshield fliers
- Dynamic Message Board Notifications
- Communication with the trucking community

Signage at the city limits is not required. Staff is recommending a period of six months of no enforcement of the ordinance to prepare the truck drivers for the change.

Budget & Financial Summary: The cost of promotional materials such as signs and fliers will be paid from the Traffic Engineering Operations budget.

Attachments:

1. Ordinance CH 38 Sec 38-49 No Commercial Motor Vehicle Parking
2. Ordinance CH 38 Sec 38-45 Amendment
3. Sec. 38_45. Redlines

4. Sec._38_1016.____To be repealed

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 38, “TRAFFIC AND VEHICLES,” ARTICLE II “STOPPING, STANDING, AND PARKING,” BY ADDING SECTION 38-49 “COMMERCIAL MOTOR VEHICLE AND TRAILER PARKING,” TO THE CODE OF ORDINANCES OF THE CITY OF COLLEGE STATION, TEXAS, REGULATING COMMERCIAL MOTOR VEHICLE AND TRAILER PARKING, PROVIDING A SEVERABILITY CLAUSE; DECLARING A PENALTY; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS:

PART 1: That Chapter 38, “Traffic and Vehicles,” Article II “Stopping, Standing, and Parking,” of the Code of Ordinances of the City of College Station, Texas, be amended by adding Section 38-49 “Commercial Motor Vehicle and Trailer Parking,” as set out in **Exhibit “A”** attached hereto and made a part of this Ordinance for all purposes.

PART 2: If any provision of this Ordinance or its application to any person or circumstances is held invalid or unconstitutional, the invalidity or unconstitutionality does not affect other provisions or application of this Ordinance or the Code of Ordinances of the City of College Station, Texas that can be given effect without the invalid or unconstitutional provision or application, and to this end the provisions of this Ordinance are severable.

PART 3: That any person, corporation, organization, government, governmental subdivision or agency, business trust, estate, trust, partnership, association and any other legal entity violating any of the provisions of this Ordinance upon a finding of liability thereof shall be deemed liable for a civil offense and punished with a civil penalty of not less than one dollar (\$1.00) and not more than two thousand dollars (\$2,000.00) or upon conviction thereof guilty of a misdemeanor, shall be punished by a fine of not less than twenty five dollars (\$25.00) and not more than five hundred dollars (\$500.00). Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense.

PART 4: This Ordinance is a penal ordinance and becomes effective ten (10) days after its date of passage by the City Council, as provided by City of College Station Charter Section 35.

PASSED, ADOPTED and APPROVED this _____ day of _____, 20__.

ATTEST:

APPROVED:

City Secretary

Mayor

APPROVED:

City Attorney

Exhibit A

That Chapter 38, "Traffic and Vehicles," Article II. "Stopping, Standing, and Parking," be amended by adding Section 38-49 "Commercial Motor Vehicle and Trailer Parking," and is hereby created to read as follows:

(a) No Commercial Vehicle or Trailer Parking. It is unlawful and prohibited for any person to stop, stand, or park a commercial motor vehicle or trailer on any street or alley in the City. This section does not apply to commercial motor vehicles or trailers engaged in authorized public works, active loading or unloading of goods or passengers, or actively servicing an adjacent property.

(b) Commercial Motor Vehicle in this Section, means a motor vehicle, trailer, or combination of motor vehicles used to transport property or people that:

- (1)** Has a gross combination weight or a gross combination weight rating of 26,001 or more pounds, including a towed unit with a gross vehicle weight or a gross vehicle weight rating of more than 10,000 pounds; or
- (2)** Has a gross vehicle weight or a gross vehicle weight rating of 26,001 or more pounds.

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 38, “TRAFFIC AND VEHICLES,” ARTICLE II “STOPPING, STANDING, AND PARKING,” SECTION 38-45 “PARKING REGULATIONS FOR CERTAIN DESCRIBED AREAS,” AND REPEALING ARTICLE VI “TRAFFIC SCHEDULES,” SECTION 38-1016 “NO COMMERCIAL MOTOR VEHICLE OR TRAILER PARKING,” OF THE CODE OF ORDINANCES OF THE CITY OF COLLEGE STATION, TEXAS, TO REMOVE REFERENCES TO COMMERCIAL MOTOR VEHICLES, PROVIDING A SEVERABILITY CLAUSE; DECLARING A PENALTY; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS:

PART 1: That Chapter 38, “Traffic and Vehicles,” Article II “Stopping, Standing, and Parking,” Section 38-45 “Parking Regulations for Certain Described Areas,” of the Code of Ordinances of the City of College Station, Texas, be amended as set out in **Exhibit “A”** attached hereto and made a part of this Ordinance for all purposes.

PART 2: That Chapter 38, “Traffic and Vehicles,” Article VI “Traffic Schedules,” Section 38-1016 “No Commercial Motor Vehicle or Trailer Parking,” be repealed.

PART 3: If any provision of this Ordinance or its application to any person or circumstances is held invalid or unconstitutional, the invalidity or unconstitutionality does not affect other provisions or application of this Ordinance or the Code of Ordinances of the City of College Station, Texas that can be given effect without the invalid or unconstitutional provision or application, and to this end the provisions of this Ordinance are severable.

PART 4: That any person, corporation, organization, government, governmental subdivision or agency, business trust, estate, trust, partnership, association and any other legal entity violating any of the provisions of this Ordinance upon a finding of liability thereof shall be deemed liable for a civil offense and punished with a civil penalty of not less than one dollar (\$1.00) and not more than two thousand dollars (\$2,000.00) or upon conviction thereof guilty of a misdemeanor, shall be punished by a fine of not less than twenty five dollars (\$25.00) and not more than five hundred dollars (\$500.00). Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense.

PART 5: This Ordinance is a penal ordinance and becomes effective ten (10) days after its date of passage by the City Council, as provided by City of College Station Charter Section 35.

PASSED, ADOPTED and APPROVED this _____ day of _____, 20__.

ATTEST:

APPROVED:

City Secretary

Mayor

APPROVED:

City Attorney

Exhibit A

That Chapter 38, "Traffic and Vehicles," Article II. "Stopping, Standing, and Parking," Section 38-45 "Parking Regulations for Certain Described Areas," and is hereby amended to read as follows:

(a) The City hereby designates certain areas to be controlled by "No Parking Here to Corner" or "No Parking Anytime" locations for the City are described in Section 38-1014.

(b) The City Manager or designee may temporarily allow parking where parking is currently prohibited by City ordinance as part of a City event or special event as defined elsewhere in this Code, or any time when determined necessary for the safety of the general public. When temporary on-street parking is allowed as set forth above, the existing "No Parking Here to Corner" or "No Parking Anytime" signs shall be removed or otherwise altered to provide such notice to citizens. Signs shall not be removed or otherwise altered for more than a consecutive 72-hour period.

Sec. 38-45. Parking regulations for certain described areas.

- (a) The City hereby designates certain areas to be controlled by "No Parking Here to Corner" or "No Parking Anytime" locations for the City are described in Section 38-1014.
- ~~(b) The City hereby prohibits commercial motor vehicle parking, stopping or stand in certain designated areas controlled by "No Truck Parking" signs. Commercial Motor Vehicle Parking, Stopping or Standing and trailer parking, stopping or standing shall be prohibited in the areas described in Section 38-1016, unless actual supervised loading or unloading of goods or passengers or for commercial motor vehicles providing an active service to an adjacent property.~~
- (be) The City Manager or designee may temporarily allow parking where parking is currently prohibited by City ordinance as part of a City event or special event as defined elsewhere in this Code, or any time when determined necessary for the safety of the general public. When temporary on-street parking is allowed as set forth above, the existing "No Parking Here to Corner" or "No Parking Anytime" signs shall be removed or otherwise altered to provide such notice to citizens. Signs shall not be removed or otherwise altered for more than a consecutive 72-hour period.
- ~~(d) The term "commercial motor vehicle" in Section 38-1014 and Section 38-1016, means a motor vehicle or combination of motor vehicles used to transport property that:
 - ~~(1) Has a gross combination weight or a gross combination weight rating of 26,001 or more pounds, including a towed unit with a gross vehicle weight or a gross vehicle weight rating of more than 10,000 pounds; or~~
 - ~~(2) Has a gross vehicle weight or a gross vehicle weight rating of 26,001 or more pounds.~~
 - ~~(3) For purposes of this section, and Section 38-1016, the term commercial motor vehicle includes trailer.~~~~

(Code 2011 (Repub.), § 10-4(E); Ord. No. 2016-3755, exh. A(10-4), 3-31-2016; Ord. No. 2016-3771, exh. A(10-4), 5-16-2016; Ord. No. 2016-3772, exh. A(10-4), 5-16-2016; Ord. No. 2016-3783, exh. A(10-4), 7-14-2016; Ord. No. 2016-3787, exh. A(10-4), 7-28-2016; Ord. No. 2016-3807, exh. A(10-4), 9-22-2016; Ord. No. 2016-3818, exh. A(10-4), 10-13-2016; Ord. No. 2017-3894 , Pt. 1(Exh. A), 7-13-2017; Ord. No. 2017-3911 , Pt. 1(Exh. A), 8-10-2017; Ord. No. 2023-4455 , Pt. 1(Exh. A), 8-10-2023)

Sec. 38-1016. No commercial motor vehicle or trailer parking.

Traveling on	Between	Travel Direction	
Ponderosa	Longmire and State Highway 6 Frontage Road South	East	No parking, stopping, or standing

(Ord. No. 2023-4455 , Pt. 1(Exh. C), 8-10-2023