

SUBJECT: Granting authority to certain cities to pass civil parking ordinances

COMMITTEE: Urban Affairs — committee substitute recommended

VOTE: 4 ayes — Alvarado, Bernal, Isaac, Zedler

0 nays

3 absent — Leach, Elkins, J. Johnson

WITNESSES: For — Randy Zamora, Mayor's Office, City of Houston; (*Registered, but did not testify*: Jesse Ozuna, Mayor's Office, City of Houston; Monty Wynn, Texas Municipal League)

Against — (*Registered, but did not testify*: Thomas Parkinson)

BACKGROUND: In 2009, the City of Houston passed a city ordinance that prohibited parking a vehicle on the front or side lawn of a single-family residence in a residential area. The ordinance applied to neighborhoods that opted in either through an application signed by the neighborhood's homeowners association or a petition signed by 60 percent of the homeowners in the neighborhood.

Questions have been raised as to whether a parking ordinance on private property may be enforced civilly and, specifically, whether Houston has the authority to enforce a civil ordinance relating to parking on the front and side lawns of homes.

DIGEST: CSHB 714 would grant a municipality with a population of 1.9 million or more (Houston) the authority to make it a civil offense for parking an unattended vehicle in the front or side yard of a single-family residence in a residential area. The municipality also could establish an administrative adjudication hearing procedure under which a civil fine could be imposed.

The bill would take effect September 1, 2017.