

Division 5B. Residential Permit Parking Program.

SEC. 28-121.7. PURPOSE.

The purpose of this division is to promote the health, safety, and welfare of the citizens of the Deep Ellum District of the city of Dallas by addressing the problems that arise where streets are used for the parking of motor vehicles by persons using adjacent commercial, industrial, or commuter facilities, but who do not reside in the neighborhood. The establishment of residential permit parking zones would reduce these problems, which include, but are not limited to, hazardous traffic conditions, air and noise pollution, and inability of residents of the Deep Ellum District to obtain easy access to and adequate parking near their residences. (Ord. 21598)

SEC. 28-121.8. DEFINITIONS.

(1) **DEEP ELLUM DISTRICT** means the Deep Ellum/Near East Side District of the city of Dallas, the boundaries of which are described in City of Dallas Ordinance No. 19532, as amended.

(2) **DIRECTOR** means the director of the department designated by the city manager to enforce and administer this division, or the director's authorized representative.

(3) **RESIDENTIAL PERMIT PARKING ZONE** means any designated on-street space within the Deep Ellum District where only resident motor vehicles displaying a valid permit may stop, stand, or park.

(4) **PERMIT** means a residential parking permit issued by the director under this division. (Ord. 21598)

SEC. 28-121.9. DESIGNATION OF RESIDENTIAL PERMIT PARKING ZONES.

The director may, from time to time, designate a number of residential permit parking zones within the Deep Ellum District as the director determines necessary to provide for the parking needs of the residents of that district. The director shall conspicuously post signs within each zone indicating the times and conditions for which parking is by permit only. A residential permit parking zone becomes effective five working days after signs are in place in the zone, during which time, courtesy notices will be given to all motor vehicles parking in the zone. (Ord. 21598)

SEC. 28-121.10. RESIDENTIAL PARKING PERMIT.

(a) The director shall, upon application and payment of the permit fee, issue a residential parking permit to any person who is eligible for the permit. A person is eligible for a residential parking permit if the person:

- (1) owns a motor vehicle;
- (2) resides within the Deep Ellum District; and
- (3) has no unresolved parking citations issued by the city.

(b) The application for a permit must contain:

- (1) the name, home address, and Texas driver's license number of the owner of the motor vehicle to be parked in a residential permit parking zone;
- (2) the make, model, registration, and license plate numbers of the motor vehicle to be parked in a residential permit parking zone; and
- (3) any other information the director determines necessary to the enforcement and administration of this division.

(c) To prove residency and to verify the contents of the application, the applicant shall present at the time of application:

- (1) a valid Texas motor vehicle registration for the motor vehicle to be parked in a residential permit parking zone, showing the applicant's current home address;
- (2) a valid Texas driver's license of the applicant, showing the applicant's current home address;
- (3) a residential utility bill acceptable to the director, showing the applicant's current home address; and
- (4) proof of automobile liability insurance in at least the minimum amount required by the Texas Safety Responsibility Act.

(d) The annual fee for a residential parking permit is:

- (1) \$25 for the first permit issued for a motor vehicle in a household; and
- (2) \$50 for each additional permit issued for a motor vehicle in a household.

(e) When a motor vehicle is parked in a residential permit parking zone, the permit must be conspicuously displayed in a manner and location approved by the director.

(f) A permit authorizes the holder to stop, stand, or park a motor vehicle at any time in a residential permit parking zone, unless such stopping, standing, or parking is prohibited or restricted by regulations other than those established under this division.

(g) A permit is not transferable from one vehicle to another.

(h) A permit expires one year from the date of issuance and may be renewed by applying in accordance with this section.

(i) A lost or stolen permit may be replaced for a \$15 fee. The permit holder must submit a signed affidavit stating that the permit was lost or stolen and not transferred to another vehicle. (Ord. 21598)

SEC. 28-121.11. OFFENSES; PERMIT REVOCATION.

(a) A person commits an offense if he:

(1) stops, stands, or parks a motor vehicle in a residential permit parking zone without displaying a valid permit on the vehicle as required by this division;

(2) displays a permit on a motor vehicle other than the one for which the permit was issued; or

(3) falsely represents himself as being eligible for a residential parking permit, submits false documents, or otherwise makes a false statement of a material fact on an application for a permit.

(b) The director may revoke the residential parking permit of any person who:

(1) violates Subsection (a) of this section;

(2) has an unresolved parking citation issued by the city; or

(3) stops, stands, or parks a motor vehicle in a residential permit parking zone without:

(A) a valid Texas license plate;

(B) a valid inspection sticker; or

(C) automobile liability insurance coverage in at least the minimum amounts required by the Texas Safety Responsibility Act.

(c) The city council may, at any time, unconditionally revoke a residential parking permit issued under this division. (Ord. 21598)

Division 5C. Resident-parking-only Program.

SEC. 28-121.12. PURPOSE.

The purpose of this division is to promote the health, safety, and welfare of the citizens of certain neighborhoods in the city of Dallas by addressing the problems that arise when residential streets are used for the parking of motor vehicles by persons using adjacent nonresidential parking generators, but who do not reside in the neighborhood. The establishment of resident-parking-only zones would reduce these problems, which include, but are not limited to, hazardous traffic conditions, air and noise pollution, litter, and inability of residents of these neighborhoods to obtain easy access to and adequate parking near their residences. (Ord. 23863)

SEC. 28-121.13. GENERAL AUTHORITY AND DUTY OF DIRECTOR.

The director shall implement and enforce this division and may by written order establish such rules or regulations, not inconsistent with this division, as the director determines are necessary to discharge any duty under or to effect the policy of this division. (Ord. 23863)

SEC. 28-121.14. DEFINITIONS.

In this division:

- (1) **AVAILABLE PARKING SPACE** means the total number of spaces determined by the director to be available for on-street parking by motor vehicles in a resident-parking-only zone or proposed resident-parking-only zone.
- (2) **BUSINESS ESTABLISHMENT** means a building that contains one or more uses other than a single-family or duplex use. The term includes, but is not limited to, a building that contains apartments, condominiums, or businesses.
- (3) **DIRECTOR** means the director of the department designated by the city manager to enforce and administer this division, or the director's authorized representative.
- (4) **DUPLEX USE** has the meaning given that term in Section 51A-4.209 of the Dallas Development Code.
- (5) **NONRESIDENTIAL PARKING GENERATOR** means any facility, other than a structure used for a single-family or duplex use, that generates more parking needs than the facility can fully accommodate. The term includes, but is not limited to, a commercial, industrial, institutional, or commuter facility, such as a restaurant, a bar, a

store, an industrial plant, a church, a school, a hospital, a medical facility, a day care facility, or a transit facility.

(6) PERMIT means a resident-parking-only permit issued by the director under this division.

(7) RESIDENCE means each dwelling unit of a single-family or duplex use.

(8) RESIDENTIAL STREET means any street or portion of a street abutting a lot limited to a single-family or duplex use.

(9) RESIDENT-PARKING-ONLY ZONE means one or more blocks of a residential street, designated by the director under this division, upon which on-street stopping, standing, or parking is limited to resident motor vehicles properly displaying a valid permit.

(10) SINGLE-FAMILY USE has the meaning given that term in Section 51A-4.209 of the Dallas Development Code. (Ord. 23863)

SEC. 28-121.15. DESIGNATION OF RESIDENT-PARKING-ONLY ZONES; ELIMINATION OR MODIFICATION OF ZONES.

(a) The director may designate a number of resident-parking-only zones on residential streets within the city as the director determines necessary to provide for the parking needs of the residents of that zone, if all of the following requirements are met:

(1) A petition for designation of a resident-parking-only zone must be filed, on a form provided by the director, by owners or occupants of residences and any business establishments located within the proposed zone. The petition must be signed by owners or occupants of two-thirds of the residences and any business establishments abutting the side or sides of the street block or blocks for which the zone is requested. Only one signature per residence or business establishment is allowed on the petition.

(2) Only complete blocks of a residential street may be designated as a resident-parking-only zone. A resident-parking-only zone may be designated on one or both sides of a street. If a zone is designated on both sides of a street, the days, times, conditions, and signage of the zone must be the same on both sides. Each street block or side of a block designated as a resident-parking-only zone must abut two or more lots limited to a single-family or duplex use, and the majority of the lots abutted by each street block or side of a block designated as a resident-parking-only zone must be limited to a single-family or duplex use.

(3) Upon receipt of a petition and a nonrefundable \$50 application fee, the director shall conduct a parking study at the location requested in the petition. The results of the study must indicate that, during the days and times proposed for the resident-

parking-only zone, more than 60 percent of the available parking space is in use and 20 percent or more of the vehicles using the parking space are not owned or operated by owners or occupants of residences or business establishments within the area requested to be designated as a resident-parking-only zone.

(4) The proposed resident-parking-only zone may not eliminate ingress to or egress from any residence or business establishment located within the zone.

(5) Before a resident-parking-only zone may become effective, the applicants must pay to the director a \$42 charge for each resident-parking-only sign required to be installed in accordance with rules and regulations promulgated by the director.

(b) After the application for a resident-parking-only zone is approved, the director shall conspicuously post signs within each zone indicating the days, times, and conditions for which parking is by permit only. A resident-parking-only zone becomes effective five working days after signs are in place in the zone. Courtesy notices will be given to all motor vehicles parking in the zone during the five working days before the zone becomes effective.

(c) The director may eliminate or modify a resident-parking-only zone or part of a resident-parking-only zone if all of the following requirements are met:

(1) A petition for the elimination or modification of a resident-parking-only zone or a part of a resident-parking-only zone must be filed, on a form provided by the director, by owners or occupants of residences and any business establishments located within the zone or part of the zone. The petition must be signed by owners or occupants of two-thirds of the residences and any business establishments abutting the side or sides of the street block or blocks for which elimination or modification of the zone is requested. Only one signature per residence or business establishment is allowed on the petition.

(2) Only complete blocks of a residential street may be included in an elimination or modification of a resident-parking-only zone. A resident-parking-only zone may be eliminated on one or both sides of a residential street, but, if modified, must be consistent in days, times, conditions, and signage on both sides of the street. Each street block or side of a block designated as a modified resident-parking-only zone must abut two or more lots limited to a single-family or duplex use, and the majority of the lots abutted by each street block or side of a block designated as a modified resident-parking-only zone must be limited to a single-family or duplex use.

(3) Upon receipt of a petition to modify a resident-parking-only zone and a nonrefundable \$50 application fee, the director shall conduct a parking study at the location requested in the petition. The results of the study must indicate that, during the days and times proposed for the modified resident-parking-only zone, more than 60 percent of the available parking space is in use and 20 percent or more of the vehicles using the parking space are not owned or operated by owners or occupants of residences

or business establishments located within the resident-parking-only zone for which modification is requested.

(4) The proposed modified resident-parking-only zone may not eliminate ingress to or egress from any residence or business establishment located within the modified zone.

(5) The applicants must pay the following fees to the director before a resident-parking-only zone may be eliminated or modified:

(A) a \$10 charge for each resident-parking-only sign required to be removed;

(B) a \$25 charge for each resident-parking-only sign required to be changed to include modified information; and

(C) a \$42 charge for each new installation of a resident-parking-only sign.

(d) The city council may, at any time, unconditionally eliminate or modify a resident-parking-only zone designated under this division. (Ord. 23863)

SEC. 28-121.16. RESIDENT-PARKING-ONLY PERMIT.

(a) The director shall, upon application and payment of all applicable permit fees, issue resident-parking-only permits, up to a maximum of six permits per residence or business establishment, to any person who is eligible for a permit. An applicant is eligible for a resident-parking-only permit if:

(1) the applicant owns or occupies a residence or business establishment located within the resident-parking-only zone; and

(2) the applicant and every other person owning or occupying the same residence or business establishment as the applicant:

(A) has no unresolved parking citations issued by the city;

(B) has no outstanding fines or warrants for a violation of this division; and

(C) complies with all other requirements of this division.

(b) The application for a permit must contain:

(1) the applicant's name and an identifying number from the applicant's Texas driver's license, military identification card, passport, or personal identification card issued by the Texas Department of Public Safety;

(2) the name of every person 15 years of age or older who owns or occupies the same residence or business establishment as the applicant and, if applicable, an identifying number from that person's Texas driver's license, military identification card, passport, or personal identification card issued by the Texas Department of Public Safety;

(3) the address of the applicant's residence or business establishment located within the resident-parking-only zone;

(4) a statement that neither the applicant nor any other person owning or occupying the same residence or business establishment as the applicant has any unresolved parking citations issued by the city or any outstanding fines or warrants for a violation of this division; and

(5) any other information the director determines necessary to the enforcement and administration of this division.

(c) To prove that an applicant owns or occupies a residence or business establishment located within a resident-parking-only zone and to verify the contents of the application, the applicant shall present at the time of application:

(1) a valid Texas driver's license, military identification card, passport, or personal identification card issued by the Texas Department of Public Safety, showing the applicant's current home address; and

(2) a recent utility bill, acceptable to the director, that is addressed to the applicant and shows an address of a residence or business establishment located within the resident-parking-only zone.

(d) The annual fee for a resident-parking-only permit is \$6 for each permit issued to a residence or business establishment located within a resident-parking-only zone. Each residence or business establishment located within a zone may apply for up to six permits.

(e) When a motor vehicle is parked in a resident-parking-only zone, a permit must be conspicuously displayed in a manner and location approved by the director. A permit may only be displayed on a motor vehicle that is either owned or leased by an owner or occupant of the residence or business establishment to which the permit is issued or owned or leased by a visitor to the residence or business establishment to which the permit is issued.

(f) A permit authorizes the holder to stop, stand, or park a motor vehicle at any time in a resident-parking-only zone, unless such stopping, standing, or parking is prohibited or restricted by regulations other than those established under this division. A permit does not guarantee or reserve to the holder a parking space within the zone and does not exempt the holder from other applicable parking and traffic regulations.

(g) A permit is not transferable, except that a permit issued to a residence or business establishment located within a resident-parking-only zone may be displayed on a motor vehicle owned or leased by a visitor to that particular residence or business establishment.

(h) A permit expires one year from the date of issuance and may be renewed by applying in accordance with this section.

(i) A lost, destroyed, or stolen permit may be replaced for a \$6 fee. The permit holder must submit a signed affidavit stating that the permit was lost, destroyed, or stolen. (Ord. 23863)

SEC. 28-121.17. TEMPORARY PARKING PERMITS.

(a) A person who lawfully holds one or more resident-parking-only permits under Section 28-121.16 may be issued additional temporary parking permits for the use of visitors attending a party or special event at the residence or business establishment for which the resident-parking-only permit is issued. An application for one or more temporary parking permits must be made to the director, on a form provided by the director, not less than 24 hours nor more than 72 hours before the party or event is scheduled to begin.

(b) The fee for a temporary parking permit is \$0.10 each. Each residence or business establishment located within a zone may receive up to 50 temporary parking permits in any calendar month.

(c) A temporary parking permit may only be displayed on a motor vehicle owned or leased by a visitor to the residence or business establishment to which the permit is issued. The temporary parking permit must be conspicuously displayed on the vehicle in a manner and location approved by the director.

(d) A temporary parking permit authorizes the holder to stop, stand, or park a motor vehicle for one day in a resident-parking-only zone, unless such stopping, standing, or parking is prohibited or restricted by regulations other than those established under this division. A temporary parking permit does not guarantee or reserve to the holder a parking space within the zone and does not exempt the holder from other applicable parking and traffic regulations.

(e) A temporary parking permit expires at noon on the day following the date stamped on the permit. (Ord. 23863)

SEC. 28-121.18. OFFENSES; PERMIT REVOCATION.

(a) A person commits an offense if he:

(1) stops, stands, or parks a motor vehicle in a resident-parking-only zone without displaying a valid permit on the vehicle as required by this division;

(2) displays or allows the display of a permit on a motor vehicle that is not owned or leased by an owner or occupant of the residence or business establishment to which the permit was issued; or

(3) falsely represents himself as being eligible for a resident-parking-only permit, submits false documents, or otherwise makes a false statement of a material fact on an application for a permit.

(b) It is a defense to prosecution under Subsection (a)(1) of this section that the person was:

(1) expeditiously loading or unloading passengers or property;

(2) providing a maintenance, repair, delivery, or lawn service to a residence or business establishment located within the resident-parking-only zone;

(3) in the performance of official duties as a law enforcement officer, a government employee or contractor, or a utility company employee or contractor; or

(4) operating an authorized emergency vehicle in the performance of official duties.

(c) It is a defense to prosecution under Subsection (a)(2) of this section that the vehicle was owned or leased by a visitor to the residence or business establishment to which the permit was issued.

(d) The director may revoke the resident-parking-only permit of any person who:

(1) violates Subsection (a) of this section;

(2) has an unresolved parking citation issued by the city; or

(3) stops, stands, or parks or allows the stopping, standing, or parking of a motor vehicle, other than one owned or leased by a visitor to the residence or business establishment, in a resident-parking-only zone without:

(A) a valid Texas license plate;

(B) a valid inspection sticker; or

(C) automobile liability insurance coverage in at least the minimum amounts required by the Texas Safety Responsibility Act.

(e) A person who has had a resident-parking-only permit revoked under Subsection (d) of this section may reapply for a permit in accordance with Section 28-121.16 of this division. The director may reinstate the permit if:

(1) the applicant pays all fees required by this division; and

(2) the director determines that the applicant and every other person owning or occupying the same residence or business establishment as the applicant is in compliance with all requirements of this division.

(f) The city council may, at any time, unconditionally revoke a resident-parking-only permit issued under this division. (Ord. 23863)