

**ORDINANCE NO. 18-049**

**AN ORDINANCE AMENDING CHAPTER 28, ARTICLE V. OF THE CODE OF ORDINANCES OF THE CITY OF KILLEEN, TEXAS, REGARDING TRAFFIC: STOPPING, STANDING AND PARKING: PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.**

**WHEREAS**, Ordinance 28-132 was adopted on April 10, 2018, replacing the former "Parking in residential areas" Chapter 28-132; and

**WHEREAS**, staff has administered traffic under the ordinance since that time; however, the ordinance needs to be refined to improve public safety and quality of life for citizens, **NOW, THEREFORE**,

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF KILLEEN, TEXAS:**

**SECTION 1.** That Chapter 28, Traffic Sec. 28-132, is hereby adopted to read as follows:

**Chapter 28 TRAFFIC**

**ARTICLE V. STOPPING, STANDING AND PARKING**

**Sec. 28-132. - Parking in residential areas.** (a) For the purposes of this article, the following have the meanings provided herein. The word "vehicle" means every device in, upon or by which any person or property is or may be transported or drawn upon a highway, excluding light trucks used for personal family or household purposes, not modified for commercial use. The term "travel trailer" shall mean a vehicular, portable home designed as a temporary dwelling for travel, recreational and vacation uses; such homes shall be classified as a travel trailer whether or not its wheels, rollers, skids or other rolling equipment have been removed, and whether or not any addition thereto has been built on the ground; and shall also include pickup campers, converted buses, self-powered motor homes, tent trailers, tents and analogous temporary portable housing and accessory buildings. The term "light truck" shall mean a vehicle with a manufacturer's rated carrying capacity not to exceed two thousand (2,000) pounds, and is intended to include those trucks commonly known as pickup trucks,

panel delivery trucks, and carryall trucks. The term "trailer" does not include a boat trailer carrying a boat, but would include an empty boat trailer. The term "boat" shall mean a boat trailer carrying a boat.

(b) Except as otherwise provided in this article, it shall be unlawful for any person to park any vehicle having a capacity of more than one (1) ton including, but not limited to, truck tractors, within ~~500~~ 600 feet of a property zoned or used for residential purposes.

(c) It shall be unlawful for any person to park any vehicle having a capacity of more than one (1) ton on private property in any district zoned R-1, R-1A, RM-1, RT-1, R-2, R-3, R-3F, R-3A, or R-MP, excluding travel trailers and light trucks used for personal family or household purposes, not modified for commercial use, except as provided in this article.

(d) It shall be unlawful for any person to park a trailer of any capacity on a street adjacent to property zoned or used for residential purposes.

(e) It shall be unlawful for any person to park more than one (1) trailer on private property visible from any public right of way in any district zoned R-1, R-1A, RM-1, RT-1, R-2, R-3, R-3F, R-3A, or R-MP. Any trailer parked in accordance with this section shall be sixteen (16) feet or less and shall in no way encroach upon any public street or public right-of-way, including a sidewalk. For purposes of this article, the length of a trailer does not include the tongue.

(f) The provisions of this section shall not deny or make an offense for the parking of any vehicle or trailer while involved in the legitimate delivery or pickup of merchandise, goods, services or passengers to and from locations necessary for commercial purposes. A bill of lading, routing sheet, work order or other such documentation portraying the specific address to be serviced shall be sufficient evidence to exempt such vehicles. This subsection does not authorize the parking of a vehicle or trailer overnight.

**SECTION II:** That all ordinances or resolutions or parts of ordinances or resolutions in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

**SECTION III:** That should any section or part of any section or paragraph of this ordinance be declared invalid or unconstitutional for any reason, it shall not invalidate or impair the validity, force or effect of any other section or sections or part of a section or paragraph of this ordinance.

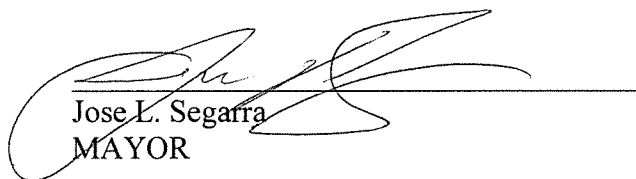
**SECTION IV:** That the Code of Ordinances of the City of Killeen, Texas, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

**SECTION V:** That this ordinance shall be effective upon publication according to law.


**PASSED AND APPROVED** at a regular meeting of the City Council of the City of Killeen, Texas, on this the 18th day of December, 2018, at which meeting a quorum was present, held in accordance with the provisions of V.T.C.A., Government Code, § 551.001 *et. seq.*



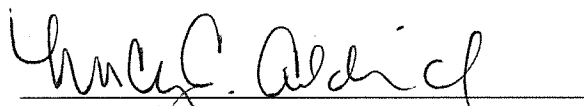
APPROVED:

  
Jose L. Segarra  
MAYOR

APPROVED AS TO FORM:

  
Kathryn H. Davis  
CITY ATTORNEY

ATTEST:

  
Lucy C. Aldrich  
CITY SECRETARY

**CITY COUNCIL MEMORANDUM FOR ORDINANCE**

**DATE:** December 11, 2018  
**TO:** Ronald L. Olson, City Manager  
**FROM:** Charles Kimble, Chief of Police  
**SUBJECT:** Parking Ordinance Amendment

**BACKGROUND AND FINDINGS:**

On April 10, 2018, the City Council voted to update the parking ordinance under Section 28-132, subsection b, related to large truck parking *adjacent* to residential areas to prohibit parking within 500 feet of residential areas after review by the Killeen Police Department, in concert with the Planning Department and the Legal Department. This ordinance specifically references the parking of vehicles exceeding the capacity of one (1) ton, including, but not limited to, truck tractors, on a street in the vicinity of property zoned or used for residential purposes.

The current city ordinance states it is unlawful to park a vehicle of this type *within 500 feet of* property zoned or used for residential purposes. When large commercial vehicles park near residential property, it can cause difficulty for neighborhood drivers to see around the large vehicles. The motoring public may also have to drive left of center to travel around a large vehicle parked on the roadway. Additionally, if the vehicle is a tractor with a refrigerated trailer, the vehicle can become a noise nuisance when parked near residential property.

Upon review of the current ordinance and in consideration of public safety and public nuisance abatement, in addition to alleviate concerns of citizens in the area, it is recommended that the ordinance be updated to reflect prohibited parking by a vehicle over one (1) ton within a distance of 600 feet of a residential area. Any areas with numerous violations may have *no parking* signs installed as recommended by the Public Works Department.

**THE ALTERNATIVES CONSIDERED:**

1. Take no action and allow the ordinance to remain unchanged.
2. Expand the distance between residential areas and parking of large commercial vehicles to 600 feet to allow a buffer for noise abatement and to increase driving safety for nearby residents.

**Which alternative is recommended? Why?**

Staff recommends the second alternative, which allows for driving safety and noise abatement for residents.

**CONFORMITY TO CITY POLICY:**

The new ordinance is a minor amendment and conforms to city policy.

**FINANCIAL IMPACT:**

**What is the amount of the expenditure in the current fiscal year? For future years?**

N/A

**Is this a one-time or recurring expenditure?**

N/A

**Is this expenditure budgeted?**

N/A

**If not, where will the money come from?**

N/A

**Is there a sufficient amount in the budgeted line-item for this expenditure?**

N/A

**RECOMMENDATION:**

Staff recommends Council approve the amendment to City Ordinance 28-132, making it unlawful for any person to park any vehicle having a capacity of more than one (1) ton, including, but not limited to, truck tractors, on a street within 600 feet of property zoned or used for residential purposes.

**DEPARTMENTAL CLEARANCES:**

Planning Department  
City Attorney