

San Antonio Municipal Code – Selected Sections

Chapter 19 MOTOR VEHICLES AND TRAFFIC

Article I In General

Sec 19-1 Definitions

The follow words and phrases when used in this chapter shall for the purpose of this chapter have the meanings respectively ascribed to them in this section.

Commercial motor vehicle shall mean motor vehicles, other than a motorcycle, designed or used primarily to transport property. The term shall include a motorcycle, designed or used primarily to transport property. The term shall include a passenger car reconstructed and used primarily for delivery purposes, but shall not include a passenger car used to deliver the United States mail.

Driveway shall mean every way or place in private ownership and used for vehicular travel by the owner and those having express or implied permission from the owner but not by other persons.

Owner shall mean a person who holds the legal title of a vehicle. In the event, a vehicle is the subject of an agreement for the conditional sale or lease with an option to purchase, and with an immediate right of possession vested in the conditional vendee or lessee, such conditional vendee or lessee shall be deemed the owner for the purpose of this chapter.

Park shall mean the standing of a vehicle, whether occupied or not, upon a street otherwise then temporarily for the purpose of, and while actively engaged in, receiving or discharging passengers or loading or unloading merchandise or in obedience to traffic regulations, signs, or signals or an involuntary stopping of a vehicle by reason of a cause beyond the control of the operator of the vehicle.

Recreational vehicle shall mean any motor vehicle, including an oversized motor vehicle, primarily designed as temporary living quarters for recreational camping or travel use including a travel trailer, camping trailer, truck camper, and motor home.

Semitrailer shall mean a vehicle designed or used with a motor vehicle so that part of the weight of the vehicle and its load rests on or is carried by another vehicle.

Sidewalk shall mean that portion of a street between the curb lines or the lateral lines of a roadway and the adjacent property lines intended for the use of pedestrians.

Trailer shall mean a vehicle that:

- (1) Is designed or used to carry a load wholly on its own structure; and
- (2) Is drawn or designed to be drawn by a motor vehicle.

Truck shall mean every motor vehicle designed, used or maintained primarily for the transportation of property.

Vehicle shall mean every device in, upon or by which any person or property is or may be transported or drawn upon a highway, except devices used exclusively upon stationary rails or tracks.

Sec. 19-4. Required obedience to traffic ordinance.

It shall be unlawful for any person to do any act forbidden or fail to perform any act required in this chapter. The penalty for violation shall be as prescribed in section 1-5. Each day of violation shall constitute a separate offense.

Sec. 19-37. Owner prima facie responsible.

When any vehicle is found parked in violation of any parking provisions contained in this chapter, such fact shall be prima facie evidence that the person in whose name it is registered is guilty of a violation of the parking provisions contained in this chapter.

Sec 19-38. Payment of fine, issuance of process.

(a) The following schedule of fines for parking violations is hereby established:

<u>Violations</u>	<u>Fine</u>
(7) Facing oncoming traffic	35.00
(9) Parked in an alley	35.00
(13) Blocking a street	35.00
Blocking a sidewalk	35.00
Blocking a driveway	35.00
(15) Parked more than 18 inches from the curb/edge of roadway	35.00
(16) Parked with tire on or over the curb/edge of roadway	35.00
(18) Using public street for storage	48.00
(21) Oversized vehicle in residential zone with prohibiting signs	200.00
(22) Parked on front lawn/side yard setback	48.00

Division 3. Impounding

Sec 19-51. Removal of vehicles to police pound.

Any vehicles that shall be found standing or parked in violation of any city ordinance, or any vehicle that may be abandoned or left in any public place, or any wrecked or disabled vehicle that constitutes a traffic hazard, shall be immediately removed to and impounded in the police department's vehicle storage facility provided by the city for such purposes, by any police officer, or parking manager of the public works department and duly authorized representatives, or the police department's operator of the vehicle storage facility, or any other persons duly authorized and acting under and by authority and direction of any member of the police department.

Article VI. Stopping, Standing, and Parking

Division 1. Generally

Sec. 19-168. Parking in alleys, alleys, designated loading zones.

No person shall park a vehicle within any alley in such a manner or under such conditions as to leave available less than ten (10) feet of the width of the roadway for the free movement of vehicular traffic, and no person shall stop, stand or park a vehicle within any alley in such position as to block the driveway entrance to any abutting property; alleys within the central business district are hereby designated loading zones and also subject to the provisions of section 19-163.

Sec. 19-169. Parking for certain purposes prohibited.

It shall be unlawful for any person to park unused cars in any street or public place for more than twenty-four (24) hours or at any time for purposes of storage, washing, greasing or repairing such vehicle, (except repairs necessitated by an emergency) sale, or display of advertising signs or posters fixed to such vehicle, or any trailer, semi-trailer, or house trailer, not attached to a tractor or towing vehicle.

Division 2. Specific Parking Regulations*

Sec. 19-191. Application of article.

The provisions of this division prohibiting the standing or parking of a vehicle shall apply at all times or at those times herein specified or as indicated on official signs except when it is necessary to stop a vehicle to avoid conflict with other traffic or in compliance with the directions of a police officer or official traffic-control device.

Sec 19-192. Regulations not exclusive.

The provisions of this article imposing a time limit on parking shall not relieve any person from the duty to observe other and more restrictive provisions prohibiting or limiting the stopping, standing, or parking of vehicles in specified places or at specified times.

Sec. 192-194. Parking of certain vehicles prohibited on certain streets, and parking of certain motor vehicles prohibited on front lawns of residential zones. (Partial sections)

- (a) It shall be unlawful for any person owning or having control of any oversized vehicle as defined in chapter 35 of this Code, to park the same upon any street within the following residential zones districts: A, B, C, D, temporary A, temporary R-1, R-A, R-1, R-2, R-2A, R-3, R-4, R-5, R-6 R-7 R-8 or planned residential districts, according to the zoning provisions of the city (chapter 35) at all times. This section shall not apply to the parking of such vehicles for such time as is actually necessary to load or unload passengers, freight or merchandise.
- (b) No oversize vehicle of any type shall be parked at any time within the restricted parking area as defined in chapter 35 in any of the residential districts as listed in subsection (a) above, provided, however, this section shall not apply to the parking of such vehicles for such time as is actually necessary to load or unload passengers, freight or merchandise, or if the oversized vehicle bears a valid special handicapped

parking permit as allowed in section 35-3315 of this Code. In addition, an oversized vehicle, other than one that is also defined as a truck-tractor, semi-trailer, trailer or commercial motor vehicle with three (3) or more axles, may be parked within the restricted parking area for such time as is actually necessary for trip preparation as allowed in section-3315 of this Code.

- (c) In this section, the terms truck-tractor, road-tractor, semitrailer, trailer, and commercial motor vehicle shall not mean or include a recreational vehicle.
- (d) It shall be unlawful for any person owning or having control of a motor vehicle other than a recreational vehicle to park or allow same to be parked at any time in the side yard setback or front yard, as defined in Chapter 35 of this code, in any of the residential districts as listed in subsection (a) above; provided, however, that motor vehicle may be parked only on the side yard setback or front year with all wheels on permanently maintained parking areas constructed of:
 - (1) Gravel with barriers or permanent curbing to define the driveway;
 - (2) Concrete;
 - (3) Brick; or
 - (4) Asphalt;

Extending from the curb, street, or alley in a contiguous course, and only where such parking areas are no wider than the width established by subsection (e), below. Nothing in this subsection shall invalidate the provisions for oversized or recreational vehicles in a manner inconsistent with subsection (b) above or section 35-3315 of this code.

- (e) The gravel, concrete, or asphalt parking area referred to in (d) above shall be no wider than fifty (50) percent of the average width of the lot, except in the following situations:
 - (1) The vehicle is parked at a residential building which does not meet the minimum setback requirements as set out in Chapter 35; or
 - (2) The vehicle is parked at a residential building where the width of the lot is twenty-five (25) feet or less; or
 - (3) The vehicle is parked at a residential building abutting a street which is curb less or which is less than thirty (30) feet wide.
- (f) The authority to enforce the provisions of this section shall be vested in the police department and with the code compliance department.
- (g) For purposes of this section, proof that the vehicle was, at the time of the offense alleged, owned by the person charged with the offense, shall constitute prima facie evidence that the vehicle was parked or left standing at the place charged by the owner, but the owner shall have the right to introduce evidence to show that the vehicle was not parked by him as charged in the complaint.
- (h) This section shall be enforced as prescribed in section 19-225 of this code.

ARTICLE VII. Miscellaneous Driving Rules

Sec. 19-286. Driving or parking on sidewalks prohibited.

- (a) It shall be unlawful for any person to drive or propel or park or stand any vehicle upon any sidewalk.

Sec. 19-292. Truck routes; weight of loaded vehicles.

- (a) All Interstate Highway, U.S. Highway and State Highway number routes within the city are designated as truck routes.
- (b) It shall be unlawful for any truck over 18,000 lbs. gross vehicle weight rating (or 18,000 lbs. gross cargo weight rating in the case of a truck-trailer or truck-trailer unit) to use, travel upon or be driven over any street, avenue or highway within the city not designated as a truck route.
- (c) If the point of origin or destination, for commercial purposes only, for any truck is off the truck route, but is on an arterial street, then the truck may proceed by the shortest possible route, consisting of city arterial streets (defined for this purpose as those streets marked for two (2) or more lanes in each direction) to or from the nearest truck route. If the point of origin or destination is not on a truck route or a city arterial street, then the truck may proceed by the shortest possible route to or from the nearest numbered route or city arterial street.
- (d) No commercial motor vehicle, truck, tractor, truck-tractor, trailer, semi-trailer, or other vehicle nor any combination of such vehicles shall be operated over or upon the streets, bridges, or public ways of the city, the total gross weight of which exceeds that permitted a like vehicle on the highways of the state.
- (e) Sections of the Code to the contrary notwithstanding, violations of this section shall be punishable by a fine not to exceed five hundred (\$500.00).

ARTICLE X. Junked Vehicles*

Sec. 19-356. Definitions.

Inoperable means a vehicle that is in such condition at the time of inspection, that it is no longer usable for the purpose for which it was manufactured, regardless of the potential for repair or restoration. If the vehicle is wrecked, dismantled or partially dismantled it is presumed to be inoperable.

Junked vehicle means a vehicle that is self-propelled or was manufactured to be self-propelled, or any part thereof, in ordinary public view, which remains inoperable for a continuous period of ten (10) days.

Ordinary public view means a vehicle or any part thereof or the tarp or cover thereon is visible at any time of the year from any public right of way, or adjacent land or the first floor level of a building thereon, which is owned or occupied by a person other than the property owner or occupant of the property on which the vehicle is located or parked.

Sec. 19-357. Declaration of junked vehicle to be a public nuisance.

A junked vehicle, including a part of a junked vehicle, that is visible at any time of the year from a public place or public right-of-way:

- (1) Is detrimental to the safety and welfare of the public;
- (2) Tends to reduce the value of private property;
- (3) Invites vandalism;
- (4) Creates a fire hazard;
- (5) Is an attractive nuisance creating a hazard to the health and safety of minors;
- (6) Produces urban blight adverse to the maintenance and continuing development of municipalities; and
- (7) Is a public nuisance.

Sec. 19-358. Offense. 

- (a) A person commits an offense if the person maintains a public nuisance as described by [section 19-357](#)
- (b) An offense under this article is a misdemeanor punishable by a fine not to exceed two hundred dollars (\$200.00). In the event, a defendant has once previously been convicted under this article; the defendant shall be fined an amount not less than one hundred dollars (\$100.00) for each conviction thereafter. Each day a violation is permitted to exist shall constitute a separate offense.
- (c) Upon conviction, the court shall order abatement and removal of the nuisance within ten (10) calendar days of conviction.
 - (1) The person convicted shall be responsible for the removal and abatement as provided in subsection [19-363](#)(b) and shall provide verification of the abatement and removal within fourteen (14) calendar days of conviction.
 - (2) Should the convicted person fail to remove the nuisance within the time allowed, the city shall remove and abate the nuisance without further notice to any party and shall recover all costs for the removal and abatement in the manner provided in this article.