

**TOWN OF PONDER  
ORDINANCE NO. 23-06**

**AN ORDINANCE OF THE TOWN OF PONDER, REPEALING AND  
REPLACING THE TOWN OF PONDER CODE OF ORDINANCES,  
CHAPTER 71, PARKING REGULATIONS**

**WHEREAS**, the Town of Ponder has enacted a Code of Ordinances, containing rules for the Town; and

**WHEREAS**, said Code must from time to time be amended; and

**WHEREAS**, the Town Council for the Town of Ponder, Texas has determined that it is necessary and expedient to amend the Code to replace all sections;

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PONDER, TEXAS:**

That the Town of Ponder Code of Ordinance be amended as shown in Exhibit A attached to this Ordinance.

**PASSED AND APPROVED BY THE TOWN COUNCIL OF THE TOWN OF PONDER, TEXAS, THIS 12th day of June, 2023.**

**APPROVED:**

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**John Bassler, Mayor**

**ATTEST:**

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**Sheri Clearman, Town Secretary**

## Chapter 71 PARKING REGULATIONS

### § 71.01 Definitions.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

**Bus:** means:

- (A) a motor vehicle used to transport persons and designed to accommodate more than 10 passengers, including the operator: or
- (B) a motor vehicle, other than a taxicab, designed and used to transport persons for compensation.

**Commercial Motor Vehicle:** means a motor vehicle, other than a motorcycle or moped, designed or used primarily to transport property. The term includes a passenger car reconstructed and used primarily for delivery purposes. The term does not include a passenger car used to deliver the United States mail.

**Pole Trailer:** means a vehicle without motive power:

- (A) designed to be drawn by another vehicle and secured to the other vehicle by pole, reach, boom, or other security device; and
- (B) ordinarily used to transport a long or irregularly shaped load, including poles, pipes, or structural members, generally capable of sustaining themselves as beams between the supporting connections.

**Public Alley:** See *'Public Right of Way'*

**Public Right of Way:** Shall mean any street, alley, road, boulevard, or other similar infrastructure dedicated to public use through plat filed with Denton County Appraisal District.

**Public Street:** See *'Public Right of Way'*

**Recreational Vehicle (RV):** Shall mean a vehicle, either motorized or nonmotorized, that is designed for temporary human habitation for uses including recreational camping or seasonal use. Examples include but are not limited to; motorhomes, campervans, coaches, caravans, travel trailers, camper trailers, fifth-wheel trailers, and popup campers.

**Road Tractor:** means a motor vehicle designed and used to draw another vehicle but not constructed to carry a load independently or a part of the weight of the other vehicle or its load.

**Semi-Trailer:** means a vehicle with or without motive power, other than a pole trailer:

- (A) designed to be drawn by a motor vehicle and to transport persons or property; and
- (B) constructed so that part of the vehicle's weight and load rests on or is carried by another vehicle.

**Trailer:** means a vehicle, other than a pole trailer, with or without motive power:

- (A) designed to be drawn by a motor vehicle and to transport persons or property; and

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(B) constructed so that no part of the vehicle's weight and load rests on the motor vehicle.

Truck-Tractor: means a motor vehicle designed and used primarily to draw another vehicle but not constructed to carry a load other than a part of the weight of the other vehicle and its load.

**§ 71.02 General parking restrictions.**

- (A) It shall be unlawful and a violation of the provisions of this section for any person to cause, allow, permit, or suffer any vehicle registered in the name of or operated by the person:
- (1) To be stopped or parked upon or adjacent to a public street or alley so that any portion of the vehicle, including but not limited to, any objects carried in or upon the vehicle, protrude into the main-traveled portion of the street or alley;
  - (2) To be parked on any street or alley in the town for a period of time longer than 24 hours;
  - (3) To park any bus, pole trailer, recreational vehicle, road tractor, semi-tractor, trailer, or truck tractor;
    - (A) In a residential zoned area; and
    - (B) upon a public right of way; and
    - (C) regardless of marking or signage as described in §71.03 of this chapter.
  - (4) To be parked if the vehicle be a truck-tractor, road tractor, trailer, semi-trailer, pole trailer, bus, recreational vehicle, or any commercial motor vehicle, upon an improved public street, alley, parkway, boulevard or public property, or other improved roadway easements; and nothing herein shall authorize the parking of mobile homes in any location, public or private, unless pursuant to a permitted use authorized by the zoning ordinance or regulations of the building official. This division shall not apply to:
    - (a) Street construction, maintenance and repair equipment;
    - (b) Trucks, equipment, trailers and vehicles used by public service utility companies engaged in repairing or extending public service utilities;
    - (c) Other vehicles when actually parked at a designated loading zone;
    - (d) Municipal vehicles in the course of performance of town business; or
    - (e) When it is lawful to park a commercial motor vehicle for the purpose of accepting or delivering transportable goods.
  - (5) To utilize a vehicle or RV as a living or sleeping quarters for more than 14 days within a 6-month period of time without obtaining a Temporary Living Quarters Permit. A Temporary Living Quarters Permit may be obtained at City Hall. Temporary Living Quarters Permit fees may be waived in the case of extenuating circumstance such as general health and safety concerns, dangerous structures, weather or fire damage to primary structure, etc.
- (B) It is an affirmative defense to prosecution under this section that the vehicle had a mechanical defect, making it unsafe to proceed further, in which event it shall be lawful to stand or park the vehicle during the time necessary to make emergency repairs.
- (C) When any vehicle is found parked in violation of any provision of this section, that fact shall be prima facie evidence that the person in whose name it is registered is guilty of a violation of this section.
- (D) The chief of police, his designee or assign, or a duly commissioned police officer of the town shall enforce this section (§ 71.02).

(2000 Code, § 10.101) (Ord. 113, passed 11-2-1987)

Cross reference(s)—Penalty, see § 71.99.

State law reference(s)—Authority to regulate parking, Tex. Transportation Code, § 542.202(2).

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### **§ 71.03 No Parking Signage and Markings.**

The chief of police or other town official designated by the town council shall cause the no-parking area to be maintained and marked as designated by this section. All such areas shall be clearly indicated by appropriate signs or markings on the pavement.

(2000 Code, § 10.102(b)) (Ord. 70, passed 12-6-1984)

Cross reference(s)—Penalty, see § 71.99.

### **§ 71.99 Penalty.**

- (A) Any person who violates any provision of this chapter for which no penalty is provided shall be subject to the terms of § 10.99.
- (B) Any person, firm or corporation violating any of the provisions of § 71.02 shall be deemed guilty of a Class C misdemeanor and upon final conviction thereof fined in accordance with the general penalty provision found in § 10.99 of this Code.
- (C) Any person, firm or corporation violating any of the provisions of § 71.02 shall be deemed guilty of a misdemeanor and upon final conviction thereof, fined in accordance with the general penalty provision found in § 10.99 of this Code. Each and every day such violation shall continue shall constitute a separate offense and shall be punishable as such hereunder.

(2000 Code, §§ 10.101, 10.102) (Ord. 70, passed 12-6-1984; Ord. 113, passed 11-2-1997)