

Sec. 15-131. - Selling of vehicles in a signed parking facility.

- (a) *Definition.* Parking facility shall have the same meaning as currently assigned in Texas Transportation Code § 684.001, as it now exists or may be hereafter amended.
- (b) *Prohibition of parking.* A person commits an offense if he knowingly stops, stands or parks a vehicle in a parking facility to offer the vehicle for sale, lease or trade and the parking facility bears authorized signs prohibiting such stopping, standing or parking. Stopping, standing or parking a vehicle to offer the vehicle for sale, lease or trade shall be unauthorized parking.
- (c) *Erection of signs.* The owner or operator of any parking facility is authorized to erect clearly legible signs prohibiting unauthorized parking to sell a vehicle. Such signs shall be placed in the parking facility advising the public of the parking restriction set forth in subsection (b) above and it shall not be effective until such signs are erected.
- (d) *General requirements for signs prohibiting unauthorized parking to sell vehicles.* Signs prohibiting unauthorized parking shall conform to the following requirements:
 - (1) Face and be conspicuously visible to drivers entering a parking facility;
 - (2) Be situated on the right side of each driveway or curb cut through which a vehicle can enter the facility, including an entry from an alley abutting the facility;
 - (3) Be permanently mounted on a pole or post;
 - (4) Be installed so that the bottom edge of the sign is no lower than five feet and no higher than eight feet above ground;
 - (5) Be constructed of weather-resistant material;
 - (6) Bear the words "NO PARKING OF VEHICLES FOR SALE OR TRADE" in at least two-inch letters, black or blue in color with a white background.
- (e) *Presumptions.* In a prosecution for an offense under this section, it shall be presumed that:
 - (1) The registered owner of the vehicle is the person who stopped, stood, or parked the vehicle at the time and place the offense occurred.
 - (2) The parked vehicle is for sale, lease or trade if the vehicle or the area immediately surrounding the vehicle bears inscriptions, signs, placards, markings, symbols or language commonly accepted as an offer to sell, lease, trade or otherwise vend the vehicle.
- (f) *Enforcement.* Only a police officer or code enforcement officer of the city shall be authorized to issue citations for offenses in violation of this section. This section does not affect any regulation regarding the towing, removal, impoundment or capturing of a parked vehicle.

(Ord. No. 2800-05-2002, § 1, 5-6-02; Ord. No. 2818-06-2002, § 1, 6-17-02)