

STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

ORDER CREATING RULES AND REGULATIONS FOR PARKING AT DESIGNATED FORT BEND COUNTY OWNED PROPERTY

WHEREAS, the purpose of this Order is to establish regulation for parking by the general public, elected officials and employees to protect and promote the general health, safety, welfare, public convenience and responsible government of Fort Bend County; and

WHEREAS, the authority to promulgate and enforce this Order is granted to the Fort Bend County Commissioners Court by Chapter 615 of the TEXAS LOCAL GOVERNMENT CODE.

NOW THEREFORE, BE IT ORDERED BY THE COUNTY COMMISSIONERS COURT OF FORT BEND COUNTY that the following Rules and Regulations are hereby enacted as set forth herein below:

I.
Scope

This Order regulates parking by the general public as well as employees of Fort Bend County (hereinafter referred to as "Employees") on designated County owned property whether located within a municipality or in the unincorporated areas of the County. The general public, elected officials, and Employees who violate this Order shall be responsible for any applicable fines and/or removal, impoundment or storage fees. Employees should refer to Policy 614 in the Fort Bend County Employee Information Manual for further clarification. (Attachment A)

The scope of this Order applies only to County-owned properties described below and furthermore, may be expanded by amending this Order by the Commissioners Court.

The following properties and their surface parking lots will be referred to as the "Courthouse Complex," Richmond, Texas

- ◆ Courthouse, 401 Liberty Street, Richmond, Texas
- ◆ William B. Travis Building, 309 S. 4th Street, Richmond, Texas
- ◆ Jane Long Annex, 501 Liberty Street, Richmond, Texas
- ◆ O.J. "Mac" MacDowell Jury Assembly Room, 212 Houston Street, Richmond, Texas
- ◆ Emergency Medical Services, Station 6, 204 Main Street, Richmond, Texas

II.
Authority

Commissioners Court may designate areas on County-owned property to be used for parking vehicles and shall regulate the areas where County elected officials, Employees and the general public shall

park pursuant to Chapter 615, TEXAS LOCAL GOVERNMENT CODE. Signage shall be posted as appropriate to facilitate parking rules and regulations policy compliance.

III.
Rules and Regulations

- A. It is the responsibility of the motor vehicle operator to only park in designated areas.
- B. Lack of parking space is not a valid reason for violating a parking regulation.
- C. Vehicles are considered parked when left unattended for any period of time.
- D. Signs shall not be erected to indicate parking is prohibited on a lawn or other area that does not appear to be a place intended for use as a parking area.
- E. The owner or operator of a vehicle may not leave a vehicle unattended on county owned property that:
 - a. Is in or obstructs a vehicular traffic aisle, entry, or exit of the County-owned property; or
 - b. Prevents a vehicle from exiting a parking space on County-owned property; or
 - c. Is in or obstructs a marked fire lane; or
 - d. Is in or obstructs a posted reserved parking space; or
 - e. Does not display the specialty license plates issued under TRANSPORTATION CODE § 504.201, or the disabled parking placard issued under Chapter 681 of the TRANSPORTATION CODE, for a vehicle transporting a disabled person and is in a parking space that is designated for the exclusive use of a vehicle transporting a disabled person; or
 - f. Has been designated as Reserved and properly posted as such (OC §2308.305)
- F. These rules and regulations do not apply to an authorized emergency vehicle owned or operated by a governmental entity responding to an emergency call. [OC 2308.251(b)].
- G. These rules and regulations are enforceable Monday-Friday from 7:00 a.m. -6:00 p.m., exclusive of County holidays.

IV.
Enforcement

- A. Responsibility:
It shall be the responsibility of the Fort Bend County Sheriff's Office or Constables' Offices, whichever agency is available, to enforce these rules and regulations on County-owned property designated in Section I, whether the property is located within a city limits or in an unincorporated area of the County.
- B. Offense:
 - a. A person commits an offense if the person parks a vehicle in violation of a rule or regulation adopted under this section. An offense under this section is a Class C misdemeanor per TEXAS LOCAL GOVERNMENT CODE § 615.001 (e).
 - b. A vehicle operator that parks a vehicle in a parking space that is designated for the exclusive use of a vehicle transporting a disabled person will be assessed a fine pursuant to TRANSPORTATION CODE §681.011 (g).
 - c. In addition, elected officials, and Employees are subject to Sections 614.01 and 614.07 of the Fort Bend County Employee Information Manual, Parking Policy.

C. Signage

All County-owned property subject to this Order shall contain appropriately worded signs to inform operators of a vehicle of the parking restrictions or prohibitions. (OCCUPATION CODE, Chapter 2308, Subchapter G)

D. Non-Consent Towing

- a. The County reserves the right to remove and impound any vehicle that is parked in such a way as to constitute a violation of any rule or regulation stated herein. The owner and/or operator of any vehicle that is removed for violation of these rules shall pay all costs for the removing, impounding and storing of such vehicle per TEXAS LOCAL GOVERNMENT CODE §615.001 (d).
- b. A non-consent tow s means any tow of a motor vehicle that is not initiated by the owner or operator of the vehicle or by a person who has possession, custody, or control of the vehicle and includes a tow of a motor vehicle initiated by the Fort Bend County Sheriff or Fort Bend County Constables, or their designee
- c. Towing and storage of a vehicle in violation of these Rules and Regulations shall be performed in accordance with the *Revised Order Creating Rules and Regulations for NonConsent Towing and Storage Service of Fort Bend County* as amended and adopted by Commissioners Court. (Attachment B)
- d. Phone number will be answered 24-hours and is 281-341-4666.
- e. The maximum allowable fee that may be collected in connection with a nonconsent Tow is \$150.00.

V.


Effective Date

The effective date of these Rules and Regulations shall be April 1, 2009.

PASSED AND APPROVED this the 24 day of March, 2009.

FORT BEND COUNTY, TEXAS

By:



Robert E. Hebert, County Judge

ATTEST:



Dianne Wilson, County Clerk

Attachment A

Fort Bend County Employee Manual Section 614

**Please refer to the most recent version of the
Fort Bend County Employee Manual for relevant updates.**

614 – PARKING POLICY AT DESIGNATED FORT BEND COUNTY OWNED PROPERTY

Section 614.01 Regulating Parking at Fort Bend County Designated Property

The Fort Bend County parking policy regulates parking by the general public as well as employees on designated County owned property. This policy is included in this manual to inform all employees that they are required to adhere to the parking policy at all times when parking at the Courthouse Complex, whether they are operating a county-owned vehicle, or a privately owned vehicle.

This policy is adapted from the *Order Creating Rules and Regulations for Parking at Designated Fort Bend County Owned Property* adopted by Commissioner Court and effective April 1, 2009.

Elected Officials, Department Heads, and other employees who violate this policy shall be responsible for any applicable fines and/or removal, impoundment or storage fees, whether the vehicle is a county-owned vehicle or a privately owned vehicle. County-owned vehicles must be retrieved from storage promptly (usually within 24-hours). In addition, an employee who repeatedly disregards or violates this parking policy may be subject to discipline, up to and including termination of employment.

Section 614.02 Scope Courthouse Complex, Richmond, TX

The scope of this policy will only include the County owned properties described below and furthermore, these properties and their surface parking lots will be referred to as the "Courthouse Complex, Richmond TX."

- Courthouse, 401 Liberty Street, Richmond TX
- William B. Travis Building, 309 S. 4th Street, Richmond TX
- Jane Long Annex, 501 Liberty Street, Richmond TX
- O.J. "Mac" MacDowell Jury Assembly Room, 212 Houston Street, Richmond TX
- Emergency Medical Services, Station 6, 204 Main Street, Richmond TX

Section 614.03 Purpose

The purpose of this policy is to protect and promote the general health, safety, welfare, public convenience and good government of Fort Bend County by regulating parking on property owned by the County, and to communicate to the general public, County Elected Officials, Department Heads, and employees, the County's formal policy and procedures for parking on County owned property.

Section 614.04 Authority and Application

This policy is issued under the authority of Section 445.001 of the Local Government Code, and applies to all County Elected Officials, Department Heads, employees and the public.

**Section 614.05
Responsibility**

It shall be the responsibility of the Fort Bend County Sheriff's Office or Constables' Offices, whichever agency is available, to enforce parking regulations on County owned property, whether the property is located within a city limits or in an unincorporated area of the County.

**Section 614.06
Policy**

1. Commissioners Court may designate areas on County-owned land to be used for parking vehicles and shall direct where County Elected Officials, Department Heads, employees and the public shall park. Signage will be posted where appropriate to facilitate parking policy compliance.
2. It is the responsibility of the motor vehicle operator to find a legal parking space.
3. Lack of space is not a valid reason for violating a parking regulation.
4. Vehicles are considered parked when left unattended for any period of time.
5. All areas not specifically designated for parking are "No Parking" zones. These areas will not be posted.
6. The owner or operator of a vehicle may not leave a vehicle unattended on county owned property that:
 - a. Is in or obstructs a vehicular traffic aisle, entry, or exit of the County-owned land
 - b. Prevents a vehicle from exiting a parking space on County owned land
 - c. Is in or obstructs a marked fire lane
 - d. Is in or obstructs a posted reserved parking space
 - e. Does not display the special license plates issued under Section 504.201 of the Transportation Code, or the disabled parking placard issued under Chapter 681, Transportation Code, for a vehicle transporting a disabled person and is in a parking space that is designated for the exclusive use of a vehicle transporting a disabled person
 - f. Has been designated as Reserved and properly posted as such under Occupation Code 2308.305.
7. These prohibitions do not apply to an emergency vehicle responding to an emergency, that is owned by, or the operation of which is authorized by, a governmental entity.
8. These prohibitions will be in place Monday-Friday from 7:00 a.m.-6:00 p.m. exclusive of County Holidays.

**Section 614.07
Enforcement**

A person commits an offense if the person parks a vehicle in violation of a rule adopted under this section. An offense under this section is a Class C misdemeanor,ⁱⁱ or subject to a fine as imposed by Transportation Code §681.011(g).

The County reserves the right to remove and impound any vehicle that is parked in such a way as to constitute a serious hazard or is in violation of any rule stated herein. The owner of any vehicle that is removed for violation of these rules will be required to pay all costs for the removing, impounding and storing of such vehicle,ⁱⁱⁱ in accordance with the *Revised Order Creating Rules and Regulations for Non-Consent Towing and Storage Services of Fort Bend County*.

FORT BEND COUNTY EMPLOYEE INFORMATION MANUAL

In addition, as per Section 614.01, an Elected Official, Department Head or other County employee who violates any parking regulation while operating a County owned vehicle, shall be responsible for all costs for the removing, impounding and storing of such vehicle, and any applicable fines. A County owned vehicle that has been impounded must be retrieved promptly (usually within 24 hours).

Policy Approved and Adopted By:
Fort Bend County Commissioners Court
March 24, 2009

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- ⁱ Occupations Code §2308.251
 - ⁱⁱ Local Government Code § 615.001(c)
 - ⁱⁱⁱ Local Government Code § 615.001(d)

Attachment B

Revised Order Creating Rules and Regulations for Nonconsent Towing and Storage Services of Fort Bend County

The attached Regulations have been updated, for the most recent copy of the "Revised Order Creating Rules and Regulations for Nonconsent Towing and Storage Services of Fort Bend County" Please visit <https://www.fortbendcountytexas.gov/government/departments/county-attorney/fort-bend-county-regulations>