

ORDINANCE NO. 2026-12

AN ORDINANCE OF THE CITY COUNCIL OF THE OF THE CITY OF SAN MARCOS, TEXAS AMENDING CHAPTER 82, ARTICLE 4, DIVISION 4 OF THE SAN MARCOS CITY CODE BY ADDING A DEFINITIONS SECTION, AMENDING THE PREVIOUSLY NUMBERED SECTION 82.198 TO MENTION THE SPECIFIC EXEMPTION FOR RESIDENTS (“LOCAL AREA PARTICIPANTS”) AND RENUMBERING THE EXISTING SECTIONS TO MAKE ROOM FOR THE NEW DEFINITIONS SECTION; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF ANY CONFLICTING PROVISIONS; AND DECLARING AN EFFECTIVE DATE.

RECITALS:

1. The City Council of the City of San Marcos, Texas has determined that there is a need to define the term “Local Area Participant” of the City of San Marcos for purposes of the Parking Citations by Mail division of the ordinances and expand that definition to include those who reside within the boundaries of zip code 78666 or within the boundaries of the San Marcos Consolidated Independent School District.

2. The City Council has determined that there is a need to renumber the existing sections to make room for the new definitions section and remove an errant reference to a previous draft of the ordinance.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS:

SECTION 1. Chapter 82, Article 4, Division 4, Parking Citations by Mail of the San Marcos Municipal Code of Ordinances is hereby amended as set forth below:

DIVISION 4. PARKING CITATIONS BY MAIL

Section 82.197. Definitions

In this division:

Local Area Participant means any person who resides within the territorial limits of the City of San Marcos, within the boundaries of zip code 78666 or within the boundaries of the San Marcos Consolidated Independent School District.

Section 82.1978. General Provisions.

(a) This Division only applies to designated City of San Marcos paid parking lots and citations issued for non-payment of parking fees within the paid

parking lots.

(b) The City of San Marcos may utilize an automated system that will monitor the duration of a vehicle's stay within a paid parking lot. If an individual fails or refuses to pay the required parking fee to park a motor vehicle in the parking lot, then the automated system will note the violation.

(c) All violations identified by the automated system for non-payment of parking fees shall be reviewed by an employee of the City of San Marcos.

(d) Upon review and verification by a city employee of a non-payment parking violation, the automated system will prepare a citation and letter to the registered owner of the motor vehicle. Parking citations shall be issued by mailing them via first class mail to the registered owners thereof for illegally stopped or parked vehicles.

(e) The registered owner of the motor vehicle shall have **30 days** to address the citation in the manner prescribed in Division 1 of this Article. Failure to answer the citation or appear within **30 days** is considered an admission of liability.

(f) Unless otherwise specified in this Division, all other provisions of Division 1 apply to this Division for purposes of enforcement and appeal.

Section 82.1989. Paid Parking Lots.

(a) The following matrix provides for the lot location and times when parking is restricted to paid parking:

Parking lot	Restricted parking times
City Park	6:00am – 11:00pm

(b) The city shall post signs in a conspicuous location, in English and Spanish at the entrance of each paid parking lot to indicate the required fees to park.

(c) The required parking fees shall be established by the city council from time to time in conjunction with the city council's approval, at least every three years, on the schedule of other city fees. **Local Area Participants, as defined by this Division, are exempt from the required parking fees.**

(d) Overnight parking is prohibited.

(e) In order to receive the Local Area Participant benefit described in ~~under~~ subsection (c)(1), the Local Area Participant shall register with the city and provide proof of **eligibility for the exemption** through one of the following:

(1) Valid driver's license or **government-issued identification card.**

- (2) Current San Marcos Utilities statement accompanied by photo identification.
- (3) Current utility statement from another provider accompanied by photo identification.
- (4) Current Rental or Housing contract accompanied by photo identification.
- (5) Enhanced Library Card provided by the San Marcos Public Library.

Section ~~82.199~~200. Sunset Provision.

This Division will expire on April 30, 2028, unless otherwise renewed by the city council.

SECTION 2. In codifying the changes authorized by this ordinance, paragraphs, sections and subsections may be renumbered and reformatted as appropriate consistent with the numbering and formatting of the San Marcos City Code.

SECTION 3. If any word, phrase, clause, sentence, or paragraph of this ordinance is held to be unconstitutional or invalid by a court of competent jurisdiction, the other provisions of this ordinance will continue in force if they can be given effect without the invalid portion.

SECTION 4. All ordinances and resolutions or parts of ordinances or resolutions in conflict with this ordinance are repealed.

SECTION 5. After its passage, approval and adoption on second reading, this ordinance shall be effective on April 7, 2026.

PASSED AND APPROVED on first reading on March 31, 2026

PASSED, APPROVED AND ADOPTED on second reading on April 7, 2026.

Jane Hughson
Mayor

Attest:

Approved:

Elizabeth Trevino
City Clerk

Samuel J. Aguirre
City Attorney