



Protecting the Public Use of the Right of Way

Administration & Regulatory Affairs Department

March 4, 2021

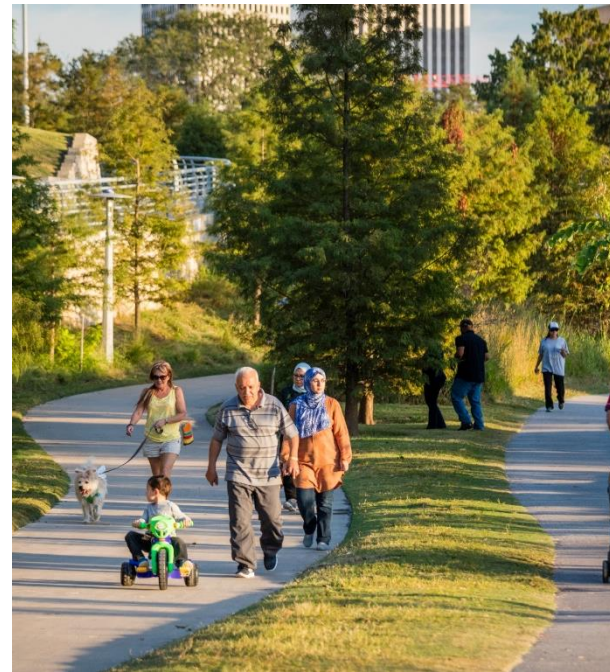


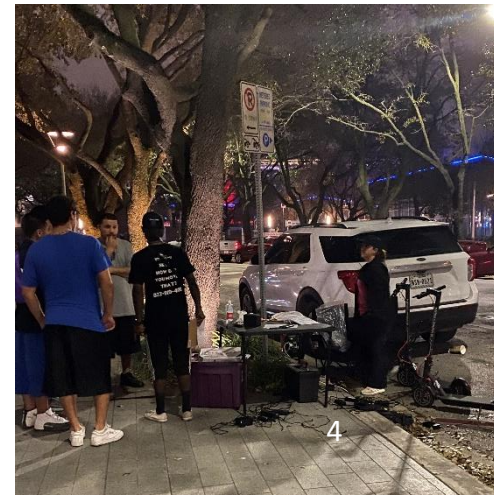
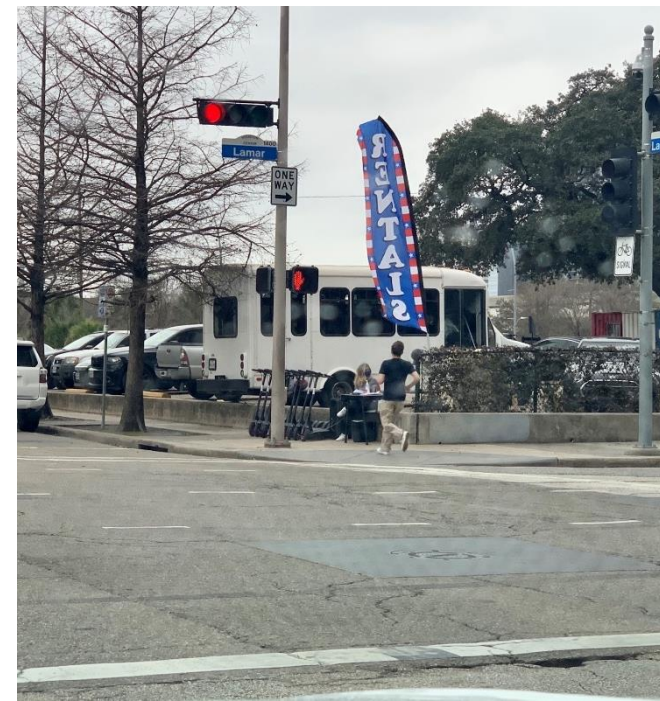


The Problem

- Public Rights-of-way (ROW) are reserved for pedestrian and vehicle traffic and utilities
- But ROW is being used by private vendors, sometimes to the exclusion of the public
- Locations include Discovery Green, Buffalo Bayou Park, Alameda Corridor and East Downtown
- Vendors creating obstructions
- Safety Concerns









Why

Right of way is reserved for pedestrian and vehicle traffic and utilities

- Permit is required for most uses in the ROW**
 - Lane closures/construction
 - Utility work
- Vendors creating obstructions**
 - Tables
 - Motor-assisted scooters
 - Tents
 - Signs
- Liability concerns**
 - Pedestrian collisions
 - Pets hurt or killed
 - Propane tank usage
 - Electric cords in street





How – Multi-Pronged Approach

<p>1. Prohibit use of public property for rental or services of goods</p>	<p>2. Prohibit display of motor-assisted scooters for rentals in the ROW</p>
<p>3. Prohibit riding of motor-assisted scooters on sidewalks in downtown</p>	<p>4. Make it unlawful for someone to block any part of a sidewalk as to render it impassable</p>





How

- **Chapter 26 - Parking**

- Add prohibition against parking a vehicle on any public property in the city, including any roadway, sidewalk, park, street, parking space, right-of-way or other public property, for the principal purpose of “exhibiting, placing, displaying or offering to rent any good or service on the public property in the city”

- **Penalty**

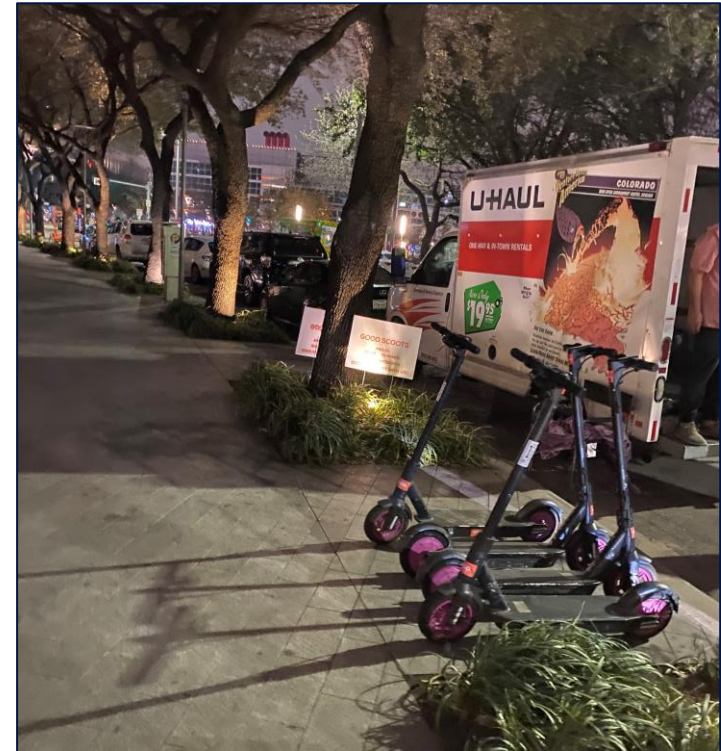
- Civil fine
- \$1-\$200
- Three or more delinquent citations result in boot eligibility
- Issued by ParkHouston or HPD





How

- **Chapter 26 - Parking**
 - Prohibit displays of motor-assisted scooters for the principal purpose of renting in the public right of way.
 - Add provision to authorize City to remove, impound, charge for release or dispose of any item left on public property in violation of the above.
- **Penalty**
 - Misdemeanor
 - \$300-\$500
 - Issued by HPD
 - Removal/Impound fee estimated \$100 per scooter





How

- **Chapter 45 - Traffic**
 - Add provision to Section 45-302 to prohibit the riding of motor-assisted scooters on the sidewalk in downtown.
- **Penalty**
 - Misdemeanor
 - \$1-\$200
 - Issued by HPD





How

- **Chapter 40 – Streets and Sidewalks**
 - Make it unlawful for someone to block any part of a sidewalk as to render it impassable
- **Penalty**
 - Misdemeanor
 - \$200-\$500
 - Issued by HPD





Recommendation

- Approve ordinance amending Chapter 26 to prohibit rental activity at a public parking space; and make it unlawful to display motor-assisted scooters for the principal purpose of renting them in the right-of-way.
- Approve an ordinance amending Chapter 40 to make it unlawful for someone to block any part of the sidewalk.
- Approve ordinance amending Chapter 45 to prohibit the riding of motor-assisted scooters on the sidewalk in downtown





Questions?