

CODE OF ORDINANCES
City of
JACKSON, MISSISSIPPI

Codified through
Ord. No. 2007-4(10), adopted Jan. 1, 2007.
(Supplement No. 19)

PARKING IN FRONT YARD

Sec. 118-347

(a) ***Prohibited parking areas.***

(1) It is unlawful to park a vehicle in a front yard, in a side yard on the street side of a corner lot, or in a rear yard that abuts a public street.

(2) It is unlawful to park a vehicle over any part of the sidewalk or curb that is parallel to the public way, including the part of the sidewalk that is part of a driveway.

(b) ***Exceptions.*** For the purposes of this section, parking is not prohibited in the following areas:

(1) An improved space in the prohibited parking area used as a parking space before this section was adopted, provided that the entrance to the approved area is by a driveway or curb cut, except where adjacent to a paved street where there is no curb.

(2) Parking in any portion of the driveway that may be located in the front yard, rear yard, or side yard, except the portion that is part of the sidewalk.

(3) Parking within ten feet of the edge of the street where no curb is present, within the existing right-of-way, and in an improved area.

(4) Any improved area meeting applicable zoning provisions. The department of planning and development for the city must determine compliance of all such improved areas.

(5) Parking in a front yard, side yard, or rear yard for the purpose of unloading a vehicle, washing a vehicle or some other similar, temporary purpose. The vehicle, however, must be removed from the front yard, side yard, or rear yard once the purpose for temporarily parking the vehicle is accomplished.

Parking under this section is not prohibited for a vehicle displaying a license plate or placard issued to a disabled person under Section 27-19-56 of the Mississippi Code Annotated of 1972, as amended.

Notwithstanding that a vehicle fails to display a license plate or placard issued under Section 27-19-56 of the Mississippi Code Annotated of 1972, as amended, parking under this section is not prohibited for any persons with disabilities which limit or impair the ability to walk.

Parking under this section is not prohibited where the residence is occupied by a renter and the property has no driveway or improved area.

Parking under this section is not prohibited if all of the following conditions are met:

(1) The property is zoned residential; and

(2) The property does not conform to the minimum lot dimension requirements of Section 602.02.4 of the Zoning Ordinance of the City of Jackson; and

(3) The property does not already have a driveway or improved area.;b2 At the property owner's option, any property owner whose property meets the requirements of this section, subsection (b)(5), may apply to the zoning administrator for a parking permit. The purpose of this permit is to provide the property owner with proof that the requirements of this section, subsection (b)(5) are met.

(c) *Definitions.*

Vehicle and *motor vehicle* mean automobiles, trucks, boats, and trailers.

Front yard, side yard and *rear yard* have the same meaning as the identical terms defined in the City of Jackson Zoning Ordinance.

Driveway means a passageway for vehicles composed of concrete, asphalt, stone pavers or gravel that serves to connect a public street or alley to a garage or legal parking space.

Improved area means a section of the lot that has been altered and defined by concrete, asphalt, stone pavers or gravel with a positive boundary for the means of providing a parking space for a vehicle. The improved area must be entered by a driveway or curb cut, except where adjacent to a paved street where there is no curb.

Persons with disabilities which limit or impair the ability to walk means those persons who, as determined by a licensed physician:

a. Cannot walk 200 feet without stopping to rest; or
b. Cannot walk without the use of, or assistance from, a brace, cane, crutch, another person, prosthetic device, wheelchair, or other assistive device;
or

c. Are restricted by lung disease to such an extent that the person's forced (respiratory) expiratory volume for one second, when measured by spirometry, is less than one liter, or the arterial oxygen tension is less than 60 mm/hg on room air at rest; or

d. Use portable oxygen; or

e. Have a cardiac condition to the extent that the person's functional limitations are classified in severity as Class III or Class IV according to standards set by the American Heart Association; or

f. Are severely limited in their ability to walk due to an arthritic, neurological or orthopedic condition.

(d) ***Enforcement.*** Violation of this section shall be punishable by a fine. No person will be fined for violating this section without first having been warned of the violation. **After receiving one warning for violating this section, each violation after the first will be punished by a fine of \$100.00.** Nothing contained in this section shall be understood as preventing the enjoining of the conduct prohibited by this section as a means of enforcement.

(Ord. No. 2002-23(2), §§ 1--4, 6-28-02; Ord. No. 2002-7(4), §s 1--3, 8-8-02)