



Ordinance Prohibiting Sitting or Lying in the Public Right-of-Way



City Council
August 10, 2021



Ordinance



- Sitting or lying in the public right-of-way obstructs travel, increases the risk of accidents, and lessens the use and enjoyment of neighboring property owners
- Ordinance adds Section 49 – 16 to the Corpus Christi Code prohibiting sitting or lying in the public right-of-way
- Public right-of-way includes the sidewalk, street curb, gutter, and the parkway between the sidewalk and street
- Ordinance applies to the Corpus Christi Central Business District, North Beach, and Flour Bluff



Violation and Enforcement



- It's an offense if:
 - a. A person has been notified of the violation by law enforcement
 - b. A person has been provided the opportunity to relocate
 - c. A person continues to lie or sit in the right-of-way
- The offense is considered a Class C Misdemeanor with a maximum fine of \$500



Defenses



- Medical emergencies
- Disabilities
- Operating or patronizing a business that legally operates on the sidewalk
- Viewing or participating in legal parades, festivals, performances, rallies, and demonstrations
- Sitting on a chair or bench supplied by a public agency or by the abutting property owner
- Sitting at a bus stop zone while waiting for public or private transportation
- There is no available overnight shelter in the City
- Performing emergency automotive repair



Recommendation



Adoption of the ordinance adding Section 49 - 16 to the Corpus Christi Code to prohibit sitting or lying in public right-of-ways within the Corpus Christi Central Business District, North Beach, and Flour Bluff; and providing for penalty of up to \$500 per violation.