HELPFUL PHONE NUMBERS

Marshal’s Office (Code Enforcement) .......................................................... 393-8470
Health Dept. ............................................................................................. 393-8440
Animal Control ....................................................................................... 805-2650
City Hall .................................................................................................. 393-8000
Engineering ............................................................................................ 393-8130
Fire Dept. ................................................................................................ 805-2660
Fire Marshal ........................................................................................... 393-8470
Human Resources .................................................................................. 393-8060
Library ..................................................................................................... 393-8200
Municipal Court ...................................................................................... 393-8190
SMEU ....................................................................................................... 393-8300
PARD ........................................................................................................ 393-8400
Permit Center ........................................................................................... 805-2630
Planning ................................................................................................. 393-8230
Police Dept. ............................................................................................ 753-2108
Public Works ......................................................................................... 393-8036
Water Dept. ............................................................................................. 393-8010
This booklet was created as an educational tool for the citizens of San Marcos. The ordinances listed in this book are not all-inclusive. The information contained herein is only current to the date of the last printing.

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IF YOU HAVE AN EMERGENCY, DIAL 911.

TO REPORT A CITY ORDINANCE VIOLATION, call the Marshals Office (Code Enforcement) at (512) 393-8470.

NON-EMERGENCY REQUESTS for Police/Fire/EMS, please call the San Marcos Police Department at (512) 753-2108.

Please refer to the City of San Marcos website at www.sanmarcostx.gov for the most current version of the City Ordinances.

NO CODE VIOLATION(s) IS/ARE APPROVED by City of San Marcos.
JUNK VEHICLES

A junked vehicle that is located in a place where it is visible from a public place or public right-of-way, is detrimental to the safety and welfare of the general public, tends to reduce the value of private property, invites vandalism, creates a fire hazard and constitutes an attractive nuisance creating a hazard to the health, safety of minors, or is detrimental to the economic welfare of the city by producing urban blight adverse to the maintenance and continuing development of the city and is a public nuisance.

TIPS:

1. Cover the car with a form-fitting cover (only ONE per property)
2. Store vehicle in garage
3. Store vehicle in backyard out of public view
4. Store vehicle outside the city
5. Make the car legal with the proper license and inspection
6. Dismantled or cars being worked on for long periods of time constitute a junk vehicle
RESIDENTIAL PARKING

PARKING PROHIBITED ON FRONT AND SIDE YARDS  SEC. 82.184

It is unlawful for a person to park or allow to remain parked a motor vehicle, large motor vehicle, farm equipment, construction vehicle, boat, personal watercraft or trailer of any kind at any time in the side or front yard, in any single family residential zoning district.

PARKING PROHIBITED ON VACANT LOTS  SEC. 82.186

(a) It is unlawful for a person to park or allow to remain parked at any time on a vacant lot in any single family residential zoning district more than two of the following:

1. A motor vehicle
2. A large motor vehicle
3. A travel trailer
4. A boat or personal watercraft

(b) It is unlawful for a person to park or allow to remain parked a semi-trailer, pole trailer, commercial vehicle, construction vehicle or farm equipment on a vacant lot in any single family residential zoning district.

TIPS:
1. Park on approved off-street parking spaces
2. No vehicles on street for greater than 24 hours
3. Park in back yards out of view from public way
RESIDENTIAL PARKING

RESTRICTED PARKING ON STREETS

SEC. 82.187

(a) It is unlawful for a person to leave, stand or park a large motor vehicle, travel trailer, personal watercraft or boat, either attached or unattached to a motor vehicle on a public street in any single family residential zoning district in excess of 24 hours.

(b) It is unlawful for a person to park a commercial vehicle larger than one-ton capacity, farm equipment or construction vehicle on a street in any single family residential zoning district for a period of more than 30 minutes, except during the process of loading and unloading or active use.
(1) Home occupations shall be permitted as accessory use in single-family residential zoning districts provided that they comply with all restrictions.

(2) The occupation shall produce no alteration or change in the character or exterior appearance of the principal building from that of a residential dwelling, and performance of the occupation activity shall not be visible from the street;

(3) Such use shall be incidental and secondary to the use of the premises for residential purposes, and shall not utilize floor area exceeding 20% of the combined gross floor area of dwelling unit and any accessory building(s) that are used for the home occupation (in no case shall the combined floor area utilized for a home occupation exceed 600 square feet);

(4) The occupation shall not employ more than one person who is not a member of the household in which the home occupation occurs;

(5) Not more than one business-related vehicle shall be present at one time, and the proprietor shall provide adequate off-street parking on the property where the use is located;

(6) The operation of such an occupation shall be between the hours of 8:00 a.m. and 6:00 p.m. for outdoor activities, and between 8:00 a.m. and 10:00 p.m. for indoor activities;

(7) One commercial vehicle, GVW capacity of one ton or less, according to the manufacturer’s classification, may be used, or parked behind the front buildingline on the property, in connection with the home occupation, but the vehicle may not be parked in the street;

(8) The occupation activity shall not increase vehicular traffic flow beyond what normally occurs within a residential district, and shall not require regular and frequent deliveries (more than twice per day) by large delivery trucks or vehicles with a rated capacity in excess of one and one-half tons, according to the manufacturer’s classification;
(9) The home occupation use/activity shall take place primarily within the dwelling, and there shall be no outside storage, including trailers, or outside display related to the home occupation use;

(10) No mechanical or electrical equipment shall be employed on the premises other than that which is customarily found in a home office environment, and that which is customarily associated with a hobby or avocation which is conducted solely for pleasure and not for profit or financial gain;

(11) The home occupation shall not generate noise, vibration, glare, fumes or odors, heat or electrical interference beyond what normally occurs within a residential district;

(12) The occupation shall not require the use of chemicals on the property that are obnoxious or hazardous to the welfare of the neighborhood;

(13) The home occupation shall be permitted one advertising sign for the home occupation that is a maximum of one square foot in size and is attached to the front façade such that it is flush with the façade;

(14) The occupation shall not offer any commodity for sale on the premises unless the commodity is made or assembled on-site, including arts and crafts items, handmade clothing; and,

(15) The occupation shall not be harmful or detrimental to the health, welfare and safety of the neighborhood, nor shall it interfere with the comfortable enjoyment of life, property and recreation by residents of the area.

(16) Applicability of Other Regulations. Home occupations shall also be subject to any and all other provisions of local, State and Federal regulations and laws that govern such uses.
OCCUPANCY RESTRICTIONS

LAND DEVELOPMENT CODE (LDC)  
SEC. 4.3.4.5

(a) Limited Number of Unrelated Individuals. All dwelling units located in SF-R, SF-11, SF-6, SF-4.5, DR, TH, PH-ZL zoning districts shall be restricted to occupancy by a family, and up to one other person who is not related to any of the family members by blood, legal adoption, marriage, or conservatorship.

TIPS:
1. No more than two (2) unrelated persons per residence
2. Non-related guests and friends count as residents if proof supports their presence, regardless if they are on a lease
3. Be good neighbors by keeping yard and house clean and neat. Limit on-street parking.
4. No parking on front or side yards
5. Bring your trash can up to house on non-trash days
6. Reduce noise levels at night
WASTE & LOT MAINTENANCE

PLACEMENT OF BAGS AND CONTAINERS FOR COLLECTION  
SEC. 66.031

Bags and containers shall be placed for collection between 9:00 p.m. the night preceding collection day and 7:00 a.m. of collection day and shall be placed as close to the roadway as practicable without interfering with vehicles or pedestrians.

Bulky waste, construction debris and yard waste shall be placed for collection only after the city has been notified of the need for special collection. Yard waste must be securely tied together in bundles not exceeding four feet in length or 50 pounds in weight.

Emptied containers shall be removed to a location at the side or rear of a building on the premises by 9:00 p.m. of collection day.

TIPS:
1. Plan your clean-up for the weekend before bulk collection in your area.
2. Bulk collection is the 1st and 3rd weeks of the month, first trash collection day of that week.
3. Call 393-8026 to schedule pick up.

MAINTENANCE OF LOTS

PROHIBITED CONDITIONS DESIGNATED  
SEC. 34.078

It is unlawful for an owner or occupant of a lot to cause or permit weeds, rubbish, brush or stagnant water to accumulate or remain on the lot.

TIPS:
1. Mow your yard regularly
2. Keep “natural” landscape free of weeds
3. Drain stagnant water
4. Pick up newspapers, litter, rubbish
(a) It is unlawful for a host to fail:

(1) To advise his guests that streets and driveways cannot be blocked by vehicles of persons attending the host’s party;

(2) To ensure that noise from the host’s party does not reach an unlawful level;

(3) To ensure that litter related to the host’s party is properly disposed of by 10 a.m. of the day after the party started; or

(4) To ensure that any alcoholic beverages provided or served at the host’s party are controlled in a manner that ensures the alcoholic beverage laws are not violated.

TIPS:
1. Advise your neighbor of the gathering/party
2. Keep guest list short
3. Give your neighbors your phone number
4. Remember that your neighbors may not be on YOUR SLEEP SCHEDULE.
NOISE FROM MOTOR VEHICLES

SEC. 34.087

(a) It is unlawful for any person operating or controlling a motor vehicle to operate any radio, stereo receiver, compact disc player, cassette tape player, or other similar device in the motor vehicle in such a manner that, when operated;

(1) Is audible in a public place or on private property other than that owned or occupied by the person at a distance of 30 feet or more from the vehicle, or

(2) Causes vibration that can be felt at a distance of 30 feet or more from the vehicle.

NUISANCE

SEC. 34.088

It is unlawful for a person who owns, occupies, or acts as a property manager for a residence to allow the residence to become or to remain a nuisance due to excessive noise.

TIPS:

1. If you can hear noise while standing on your property line - IT IS TOO LOUD.
2. Exchange phone numbers with your neighbors.

SIGNS ON UTILITY POLES PROHIBITED

LDC 6.3.3.6 (A)

Placement of Signs on Utility Poles Prohibited. It is unlawful for any person to attach or cause to be attached any advertisement, handbill, circular, poster or piece of paper to any public utility pole located within the City.
ADDRESS NUMBERS REQUIRED

SEC. 38 AMENDMENT 505.1

New and existing buildings shall have their address numbers, building numbers, or building identification placed in a position to be plainly legible and visible from the street or road fronting the property. The numbers and letters shall contrast with their background and shall be a minimum of six inches in height for commercial buildings and three inches in height for residential buildings. The numbers and letters shall have a minimum stroke width of .5 inches (12.7 mm).

FIREWORKS PROHIBITED

SEC. 38.054

(a) The following are declared public nuisances:

(1) The sale, possession, storage, discharge, or offer for sale of fireworks; or

(2) Any violation of this article which poses a serious danger to the safety of persons or property.

(b) It is unlawful for a person to create or maintain a public nuisance, or to engage in any activity that constitutes a public nuisance, within the city limits or within 5,000 feet of the city limits.

TIPS:
1. DO NOT have fireworks inside the city limits
2. DO NOT create a public nuisance
Outdoor cooking. It is unlawful to **USE** or to **STORE** a charcoal burner, open flame, LP gas burner, outdoor grill, barbecue, or other outdoor cooking appliance with open flame on the premises of a residential building with three or more dwelling units or of a multifamily residential building with two or more stories. The provision does not apply to the use of permanently mounted outdoor cooking devices located ten or more feet from any structure.

**TIPS:**
1. Do not store, possess, or use BBQ pits of ANY kind at apartment complexes
2. Only permanently mounted pits provided by the complex are allowed

It is unlawful for a person to play with any type of ball on any public street or alley.
STREETS AND SIDEWALKS

MAINTENANCE OF SIDEWALK AREAS BY PROPERTY OWNERS

SEC. 74.122

It is unlawful for any person to allow the sidewalk in front of any property owned or controlled by the person to become or remain in any condition which might endanger a person or interrupt a person’s free passage on the sidewalk, or to allow tall weeds or tall grass to grow between the person’s front property line and the curb line.

AREA AND BUILDING REGULATIONS

SIGHT VISIBILITY

LDC 4.4.1.1 (G)

(1) Visual clearance shall be provided in all zoning districts so that no fence, wall, architectural screen, earth mounding or landscaping 30 inches or higher above the street center line obstructs the vision of a motor vehicle driver approaching any street, alley, or driveway intersection as follows:

a. At a street intersection, clear vision must be maintained for a minimum of 25 feet across any lot measured from the corner of the property line in both directions.

b. At an intersection with an alley, this clearance must be maintained for 10 feet.

c. Shrubs and hedges that are typically less than 30 inches in height at maturity, as measured from the centerline of the street, may be located in the visual clearance areas of all districts.

d. A limited number of single-trunk trees having a clear trunk (branching) height of at least eight feet may be located within sight visibility areas provided that they are spaced and positioned such that they will not produce a visibility inhibiting effect when they attain mature size.
(a) A minor commits an offense if the minor remains in any public place within the city during curfew hours.

(b) A parent of a minor commits an offense if the parent knowingly permits or by insufficient control allows the minor to remain in any public place within the city during curfew hours.

(c) An operator commits an offense if the operator’s establishment has normal business hours during the curfew hours described in subsections (1) and (2) of the definition of curfew hours in section 54.076 and the operator fails to post a sign at each entrance to the establishment containing the following or similar language:

NOTICE OF CURFEW HOURS:

Persons under 17 years of age are not to remain in this business during the following hours:

1. Between 11:00 p.m. and 12:00 midnight on any Sunday, Monday, Tuesday, Wednesday or Thursday.

2. Between 12:00 midnight and 6:00 a.m. of any day.

(a) Each residence shall have **NO MORE THAN FIVE (5)** dogs or **EIGHT (8)** cats or a combination of dogs and cats that exceeds a **TOTAL OF EIGHT (8)**.

(b) The pen where any livestock is confined shall be kept in a clean and sanitary manner at all times.

(b) All fowl shall be confined in suitable sanitary pens or cages. The total number of fowl is limited to **EIGHT (8)**.

(c) Fowl shall be kept in an enclosure that is located at least 30 feet from any residential dwelling, other than that of the owner.
VACCINATION OF DOGS AND CATS  

SEC. 6.167

(a) Every owner of a dog or cat shall have the animal vaccinated against rabies by a veterinarian by the time the animal is four months of age and at regular intervals not less than one(1) to three(3) years thereafter.

(b) A veterinarian who vaccinates a dog or cat against rabies shall issue to the owner of the animal a dated vaccination certificate describing the animal vaccinated and a rabies vaccination tag.

(c) The owner of the vaccinated animal shall keep the rabies vaccination tag securely fastened around the neck of the animal at all times by means of a collar or harness.

LICENSES REQUIRED  

SEC. 6.056

(a) The owner of any dog, cat or miniature swine over four months of age and residing within the city shall obtain a license annually for the animal.

(b) No dog or cat shall be licensed unless it has a current rabies vaccination as prescribed by section 6.167.

(c) No miniature swine shall be licensed unless it has a current erysipelas vaccination and a current veterinarian’s statement verifying the animal’s size.
(a) Every owner or handler of a dog or miniature swine shall keep such animal under restraint at all times.

(b) Owners and handlers must maintain restraint of an animal in a humane manner in accordance with the following:

(1) The collar does not restrict the animal’s breathing or cut into its skin.

(2) If the animal is restrained by a leash, rope, cord, or wire, it is fastened so that the animal does not become entangled or injured.

(3) Fences are free of protruding wire, nails, screws or other objects which could injure the animal.

(4) The mesh of any fence is small enough so that the animal cannot become stuck in it.

(5) Animals that are restrained by a fence, leash, rope, cord, or wire are able to reach their food, water, and shelter at all times.

(c) Fences must be constructed or equipped to prevent the animal from climbing over or digging under them.

(d) Every owner or handler of an animal shall exercise control over the animal to prevent it from becoming a public nuisance.

(e) Every owner or handler of a dog or cat in heat shall confine the animal in a building or secure enclosure that prevents any contact between the animal and any other animal, except for planned breeding.

(f) No owner or handler of a dog or cat may leave the animal attached to a stationary object in a public place.

(g) No electric fences permitted inside the city limits.
(1) Landscape irrigation.
   a. Landscape watering with sprinklers between 8:00 a.m. and 7:00 p.m. is prohibited.
   b. Watering with sprinklers is recommended to be done only once every seven days.
   c. Watering with handheld buckets or drip irrigation is permitted at any time.
   d. Watering with reused water is exempt from reduction measures.

(2) Vegetable gardens.
   a. Watering between 8:00 a.m. and 7:00 p.m. is prohibited.
   b. Watering with sprinklers is recommended to be done only once every seven days.
   c. Watering with handheld hoses, buckets or drip irrigation systems is permitted at any time.

(3) Swimming pools, hot tubs and similar facilities.
   a. Filling and makeup of new and existing facilities is permitted.
   b. Draining onto impervious surfaces is prohibited.

(4) Aesthetic uses. Reduction is recommended for inside and outside use. It is recommended that non recirculating fountains be shut off and that recirculating fountains be operated only during low evaporation periods.

(5) Other outdoor uses.
   a. Waste is prohibited.
   b. Reduction of washing of impervious surface areas is recommended.
   c. Noncommercial washing of automobiles, trucks, trailers, boats, airplanes and other mobile equipment is permitted on designated days only. Washing shall be done with a handheld hose or bucket. Handheld hoses shall be equipped with a positive shutoff nozzle.
STAGE 2 WATER USE RESTRICTIONS

(1) Landscape irrigation.
   a. Watering with sprinklers is permitted on designated days only.
   b. Watering with handheld hoses, buckets or drip irrigation systems is permitted at any time.
   c. Watering with reused water is exempt from reduction measures.
   d. New landscapes. Planting of new landscapes is prohibited.

(2) Vegetable gardens.
   a. Watering with sprinklers is permitted on designated days only.
   b. Watering with handheld hoses, buckets or drip irrigation systems is permitted at any time.

(3) Swimming pools, hot tubs and similar facilities.
   a. Filling and makeup of existing facilities are permitted.
   b. Filling and makeup for new facilities are prohibited.
   c. Draining onto impervious surfaces is prohibited.

(4) Aesthetic uses. Inside or outside use is prohibited except with reused water.

(5) Other outdoor uses.
   a. Waste is prohibited.
   b. The washing of any impervious surface is prohibited, except for immediate human health, safety and welfare.
   c. Noncommercial washing of automobiles, trucks, trailers, boats, airplanes and other mobile equipment is permitted on designated days only. Washing shall be done with a handheld hose or bucket. Handheld hoses shall be equipped with a positive shutoff nozzle.
(1) Landscape irrigation.
   a. Watering with sprinklers is permitted only on the second and fourth Tuesdays of each month for buildings and premises with even-numbered addresses, and only on the second and fourth Thursdays of each month for buildings and premises with odd-numbered addresses, and only between 6:00 a.m. - 8:00 a.m. and 8:00 p.m. - midnight on these days.
   b. Watering with handheld hoses, buckets or drip irrigation systems is permitted between 7:00 p.m. and 8:00 a.m. any day.
   c. Irrigation with reused water is exempt from reduction measures.
   d. Watering of athletic playing fields is prohibited except as permitted under a separate athletic-field watering management plan approved by the city manager. The plan is to be kept on file at the city clerks’s office.
   e. New landscapes. Planting of new landscapes is prohibited.

(2) Vegetable gardens.
   a. Watering with sprinklers is prohibited.
   b. Watering with handheld hoses, buckets or drip irrigation systems is permitted between 7:00 p.m. and 8:00 a.m. any day.

(3) Swimming pools, hot tubs and similar facilities.
   a. Filling of existing facilities is prohibited.
   b. Filling and makeup for new facilities are prohibited.
   c. Makeup for existing facilities is permitted.
   d. Drainage onto impervious surfaces is prohibited.

(4) Aesthetic uses. Inside or outside use is prohibited except with reused water.

(5) Other outdoor uses.
   a. Waste is prohibited.
   b. The washing of any impervious surface is prohibited, except for immediate human health, safety and welfare.
(1) **Landscape irrigation.** Watering trees and shrubs with buckets or drip irrigation systems is permitted on designated days only. All other landscape irrigation is prohibited except with reused water.

(2) **Vegetable gardens.** Irrigation is prohibited, except with handheld hoses, buckets or drip systems only on designated days.

(3) **Swimming pools, hot tubs and similar facilities.**
   a. Filling and makeup of existing facilities are prohibited.
   b. Draining onto impervious surfaces is prohibited.

(4) **Aesthetic uses.** Inside or outside use is prohibited except with reused water.

(5) **Other outdoor uses.**
   a. Waste is prohibited.
   b. The washing of any impervious surface is prohibited, except for immediate human health, safety and welfare.
   c. Noncommercial washing of automobiles, trucks, trailers, boats, airplanes and other mobile equipment is prohibited.