



# **GUIDANCE** for reporting truck yard violations

CREATED BY

**THE UNIVERSITY OF TEXAS  
SCHOOL OF LAW  
ENVIRONMENTAL CLINIC**

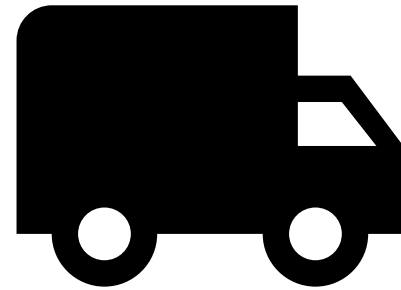
IN PARTNERSHIP WITH

**LONE STAR LEGAL AID**

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# Potential rule violations in Houston truck yards



## **PAVING**

Truck yards must be paved with asphalt, concrete, gravel, or other types of all-weather surfacing. Report truck yards that park trucks on dirt, mud, or grass surfaces.

**HOUSTON  
CODE  
26-581**

## **GRADING & DRAINING**

Truck yards must have permanent storm drainage facilities like pipes, ditches, curbs, or retention ponds. Report truck yards that appear to have no drainage infrastructure or that discharge excessive stormwater during heavy rainfall. Unpaved truck yards are likely not graded or drained.

**HOUSTON  
CODE  
26-581**

## **TREES**

Truck yards must have one street tree per thirty feet of street adjacent to the property. Truck yards must also have one tree for every ten parking spaces on the property. Report truck yards that appear to have very few trees.

**HOUSTON  
CODE  
33-126  
33-127**

## **FENCES**

Truck yards that are adjacent to single-family residential properties must have either (1) a wood, concrete, or masonry fence around the property line adjacent to the residential property or (2) an evergreen screening on the property line. Report truck yards with metal fences if they are adjacent to single-family homes.

**HOUSTON  
CODE  
33-128**

## RVs

Truck yards cannot have any RVs or mobile homes on the property that are either (1) occupied temporarily or permanently or are (2) connected to utilities. Report truck yards with RVs that are connected to utilities or appear to be in use.

**HOUSTON  
CODE  
29-56**

## SITE PLANS

Truck yards built on land not previously used for parking must have a site plan on file with the City of Houston. Determine whether a truck yard has a site plan by emailing [HPC.openrecords@houstontx.gov](mailto:HPC.openrecords@houstontx.gov) or calling 832-394-8800. Report truck yards that do not have a site plan.

**HOUSTON  
CODE  
26-473**

## STORMWATER PERMIT

Truck yards that maintain, repair, or clean trucks must have a state-issued stormwater permit. Report truck yards that (1) repair, maintain, or clean trucks and that (2) do not have a TCEQ stormwater permit. Check to see if the truck yard has a stormwater permit by entering its address in the TCEQ Central Registry (see image below). Most truck yards will not have a stormwater permit; if nothing shows up in the TCEQ database for the address, the facility lacks a stormwater permit.

**HOUSTON  
CODE  
47-711**

<https://www15.tceq.texas.gov/crpub/index.cfm?fuseaction=regent.RNSearch>

### Central Registry Query - Regulated Entity Search

*Search for a person, organization, place, or thing that is of environmental interest to the TCEQ, where regulatory activities or interest to us occur or have occurred in the past.*

#### Regulated Entity Search

##### Option 1: Enter a Regulated Entity Reference Number (RN):

RN Number  (9 digits or RN + 9 digits)

##### Option 2: Complete one or more of these fields:

Regulated Entity:  (Name or part of name 2-40 characters.)

Program: -- Select a regulatory program if desired --

Program ID:  (Permit, registration, or other program identifier.)

ID Status:  (ID status, only used if program or ID entered.)

Street Address  (3-35 characters.)

City: Houston (Enter complete or partial city name, 3-30 characters.)

ZIP Code:  (Must be numeric and 5 digits.)

County:

**! No results were found for the criteria you entered. Please try again. For hints on searching for Central Registry data, please see the [Search Hints](#) page.**

## AUTOMOTIVE REPAIR PERMIT

Truck yards that repair trucks (including truck yards that replace parts or fluids) must have an automotive repair facility permit from the City of Houston. Determine what permits a truck yard has by emailing [HPC.openrecords@houstontx.gov](mailto:HPC.openrecords@houstontx.gov) or calling 832-394-8800. Report truck yards that repair trucks without a permit.

**HOUSTON  
PERMITTING  
CENTER**

## DUMPSTER PERMIT

Truck yards with a dumpster larger than 50 cubic feet must have a Combustible Waste Storage permit from the City of Houston. Determine what permits a truck yard has by emailing [HPC.openrecords@houstontx.gov](mailto:HPC.openrecords@houstontx.gov) or calling 832-394-8800. Report truck yards that have a dumpster on the property without a permit.

**HOUSTON  
PERMITTING  
CENTER**

## NOTE: FINDING EXACT ADDRESSES

Exact truck yard addresses are required when requesting permit information from the City of Houston or searching for stormwater permits in the TCEQ Central Registry.

If an truck yard address cannot be found from physical markings on the property (such as address labels on mailboxes or street numbers on fences), find the exact address using Houston's City Map Viewer.

- Go to [cohegis.houstontx.gov/cohgisweb/houstonmapviewer/](http://cohegis.houstontx.gov/cohgisweb/houstonmapviewer/)
- Zoom in to your neighborhood.
- Under "select layers," check "Cadastral." The map will now show parcels with address points, allowing you to pinpoint where the truck yard is on the map and record its street number.



# Examples of Violations

## **PAVING, GRADING, AND DRAINING VIOLATIONS**



*Truck parking on mostly mud and grass surfaces; puddles indicate a lack of grading and draining*

## **TREE VIOLATIONS**



*Only one street tree on a large stretch of street-adjacent property*

## FENCING VIOLATIONS



*Metal fence adjacent to a single-family residence*

## RV VIOLATIONS



*RV, if in use, could result in a violation*

# Enforcing City rules



## STARTING THE PROCESS

Houston's code enforcement process begins when a resident submits a complaint to Houston 3-1-1 either by phone (dial 3-1-1 if local, 713-837-0311 if not) or by email ([311@houstontx.gov](mailto:311@houstontx.gov)). City investigators do not patrol the City for code violations and instead rely on citizen complaints to start the enforcement process.

## CITY INVESTIGATION

- 1** If the City's Investigation Department receives a complaint Monday through Thursday, an investigator will go out the next day to inspect the truck yard and evaluate the complaint. If the Investigation Department receives the complaint on a Friday, an investigator will go out the following Monday or Tuesday.
- 2** If the investigator makes contact with the truck yard owner, the investigator will advise the owner how to correct any violations. If the investigator does not make contact with the truck yard owner, the investigator will leave a notice on the property (also called a "red tag") that informs the owner of any violation that is readily visible.



**3** After making initial contact with the property owner or posting the first red tag, an investigator will go out to the property once every two weeks to check for progress. If owners make contact with the investigators or any City departments, the City does not follow any strict timeline for remedying violations as long as the owner makes progress and keeps in touch with the City. If owners do not make contact with the City, investigators will continue to visit the site every two weeks to try and make contact or post another red tag. After posting the fourth red tag, the investigator will issue a citation for any violations, which sets up a court date in one of the Houston municipal courts.

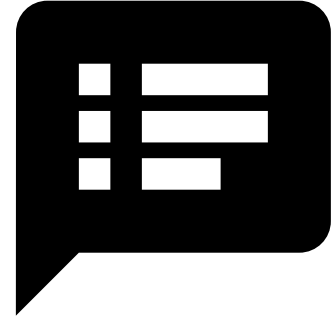
## **MUNICIPAL COURT**

After an investigator issues a citation, a court date will be set for 5-6 weeks after the date of the citation. This court date is an initial hearing in which a property owner can plead guilty or not guilty. If the property owner pleads guilty, he must pay the corresponding fine for the violation. If the property owner pleads not guilty, a trial date will be set for 4-8 weeks later. A guilty verdict at the trial will result in the property owner having to pay a fine for the violation.

If a property owner does not show up to the initial hearing, the Court may issue a warrant for the owner's arrest. Those with a warrant may be arrested during traffic stops or during other interactions with the police. Those with warrants will be unable to register their vehicles until all fines are paid to the Court.

If the municipal court system is unable to find a property owner, investigators may issue an additional citation. Generally, investigators will not issue another citation until the first citation is resolved. However, if the issue drags out long after the citation and the court date, the investigators will ask a City Prosecutor for advice and may issue another citation.

# Template for 3-1-1 complaints



Houston's code enforcement process will not begin until a resident submits a 3-1-1 complaint to the City. Thus, truck yards will not face City action unless community members report violations to the City. Residents may submit complaints either by phone (3-1-1 if local, 713-837-0311 if not) or by email (311@houstontx.gov).

## **EXAMPLE LANGUAGE FOR 3-1-1 COMPLAINTS**

Hello, my name is **[name]** and I live at **[address]**. I'm calling to report multiple code violations and permit deficiencies at **[truck yard address]**.

**[Identify code violations. Aim to be as specific as possible. Include all potential violations. Cite city code sections wherever possible.]**

The property at **[truck yard address]** is a commercial parking lot for 18-wheelers. Houston Code section 26-581 requires that parking facilities are paved, graded, and drained. This property does not have proper surfacing, and the trucks are parked mostly on dirt, mud, and grass. The truck yard has not been graded or drained, either, so stormwater washes onto adjacent properties during heavy rainfall.

Houston Code sections 33-126 & 33-127 require the property to have sufficient street and parking lot trees. The facility only has four trees on its property, but the Code requires more.

Houston Code section 33-128 requires that commercial properties adjacent to single-family homes have quality fences or evergreen screening. The truck yard, which is adjacent to my single-family home, has a metal fence instead of a "wood, concrete, or masonry" fence required by the Code. The property also has an RV that is connected to utilities, which violates Houston Code section 29-56.

**[If you've contacted the Houston Permitting Center (HPC.openrecords@houstontx.gov or 832-394-8800) to see if the truck yard has any permits or a site plan with the City, include any permit deficiencies here. If you've checked the TCEQ Central Registry to see if the truck yard has a stormwater permit, include missing stormwater permits here as well.]**

I've checked City records, and the truck yard does not have several necessary permits. First, the truck yard does not have a site plan on file. Houston Code section 26-473 requires that commercial parking lots file a site plan with the City. Second, I've seen truck yard workers repair trucks on the property. This type of work requires an Automotive Repair Facility permit from the City, which this property does not have. The truck yard also has a dumpster on the property, but it does not have a dumpster permit with the City. Finally, I've confirmed that the truck yard does not have an industrial stormwater permit from the TCEQ as required by Houston Code section 47-711.

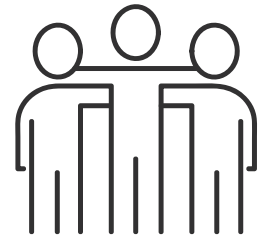
Please send a City Investigator to the site as soon as possible to correct these violations of the law. Thank you.

## **FOLLOW-UP COMPLAINTS**

If the truck yard violations are not corrected within two weeks, follow-up complaints to the City will ensure that the Investigation Department continues to post "red tags" at the truck yard, thus continuing to move the process forward. Consistent complaints from multiple sources will bring more awareness to this widespread problem, which may potentially spur City action outside of the normal course of enforcement.

If the problems are not resolved through the City's enforcement system, try contacting your city council member to ask for assistance in getting existing city ordinances enforced.

# Resources



## **LONE STAR LEGAL AID**

*For general questions regarding legal solutions for truck yard nuisances.*

500 Jefferson Street, 17th Floor

Houston, TX 77002

(713) 652-0077

## **THE HOUSTON PERMITTING CENTER**

*To request information regarding a truck yard's permits or site plan.*

1002 Washington Ave

Houston, TX 77002

(832) 394 - 9000

HPC.openrecords@houstontx.gov

## **TCEQ CENTRAL REGISTRY**

*To determine if a truck yard has a state-issued stormwater permit.*

[https://www15.tceq.texas.gov/crpub/index.cfm?](https://www15.tceq.texas.gov/crpub/index.cfm?fuseaction=regent.RNSearch)

[fuseaction=regent.RNSearch](https://www15.tceq.texas.gov/crpub/index.cfm?fuseaction=regent.RNSearch)

Search for permits using the truck yard's address.  
If the search returns no results, the truck yard does not have a stormwater permit.