

Neighborhood Improvement Services (N.I.S.)

Frequently Asked Questions

Q. How do I report a possible code violation?

A. You may call the N.I.S. Coordinator at 972-771-7708, or you may submit your concerns online at <http://www.rockwall.com/NIS/codecomplaints.asp>.

Q. Why should I give my name, number or e-mail address when calling in a complaint?

A. Providing the City with your contact information will give us a means of communicating with you regarding the status of the complaint.

Q. What steps does N.I.S. take when going out to investigate a complaint and what is the notification process?

A. A concern from a resident may come directly to N.I.S., or a resident may contact City Hall, and the concern will be forwarded to N.I.S. A citizen's concern is entered into the department software and an inspection request is generated and assigned to the N.I.S. Representative assigned to the area in question.

The initial inspection is typically conducted within 24-48 hours, and if a code violation is confirmed, notification is either given in person or by mail. Different violations are given different time periods to comply. For instance, a high grass or unsightly matter violation must be corrected within 7 days, while a junked vehicle violation must be corrected within 10 days. Violations that are a danger to the health and safety of the community are given less time to comply.

Q. Do I need a permit to have a garage sale? Where can I place garage sale signs?

A. No permit is required for a garage sale; however, a garage sale cannot last more than three days, and each household is only allowed 1 garage/yard sale every 6 months. Garage Sale signs also do not require a permit but can only be placed on private property and must be removed within 24 hours after the conclusion of the sale. For a complete list of the garage sale sign requirements, please click on the following link:

<http://library.municode.com/index.aspx?clientID=14830&stateID=43&statename=Texas>

Q. What do I do if I have a common fence and the neighbors do not want to pay their portion to repair/replace it?

A. The upkeep of common fences separating two private properties should be the responsibility of both property owners. However, in many cases, one of the property owners cannot or will not share in the financial or physical responsibility for the project. In cases such as this, it would become a civil matter between the respective property owners, and they would have to pursue this matter without City involvement in the dispute.

The City does require a privacy fence if there is a swimming pool, hot tub, or spa present, in which case the property owner with the swimming pool, hot tub, or spa is responsible for the repair or replacement of the fence. Where these amenities are not present, the City does not require a fence, but one may possibly be required by the covenants of any existing homeowner's association. Contact the Building Inspections Department at 972-771-7709 for fence permit requirements.

Q. What can I do if branches or shrubs from a neighbor's yard are overhanging my yard?

A. Property owners in every state have the right to cut off branches that grow into their property. This rule is not written down or created by state statute or local ordinance, but is a common law right that has been created by prior court decisions. However, any property owner that does the trimming is responsible for the cost of the work, as well as responsible for any damages that result.

Q. What are the regulations for branches or shrubs overhanging a public sidewalk or street?

Tree limbs or branches must be at least 12' above a public street or alley. This height ensures that the tree limbs will not interfere with a school bus or emergency vehicles, such as a fire truck or an ambulance. Tree limbs and shrubs should be at least 8' above a public sidewalk. Also, shrubbery and tree limbs should be a minimum of 6" away from the street or alley.

Q. What are the restrictions for parking a utility/cargo trailer in a residential neighborhood? Section 26-507 of the City of Rockwall Code of Ordinances

A. Trailers in a residential neighborhood are required to be screened from view from the public right-of-way (street) at all times. Trailers are also prohibited from being parked in the street in a residential neighborhood.

It shall be an affirmative defense to prosecution under this section that, at the time of the offense:

- a. The utility trailer is being used in the loading or delivery of passengers or goods within a residential zone and only for such period of time as is actually necessary to accomplish such loading or delivery;
- b. The utility trailer is being used in the repair or construction of a public utility or for construction activities; or
- c. The trailer is associated with a service person performing work at a residence, other than the service person's residence

Q. What are the restrictions for parking a boat, trailer, or recreational vehicle in a residential neighborhood?

Recreational vehicles shall not be parked or stored on any residential or agricultural lot or the adjacent street unless such equipment shall be located beside or behind the primary structure and back from the nearest corner of the front facade of the house a minimum of ten feet. The RV shall be screened from view of public street rights-of-way with a minimum six-foot solid fence or equivalent landscaping; and on lots less than 1.5 acres, equipment taller than eight feet above grade shall respect a three-foot setback from all side and rear property lines; and, if located on a lot which is less than 1.5 acres, it shall be parked on an approved surface of concrete, asphalt or stabilized gravel.

The ordinance does allow recreational vehicles to be parked anywhere on a residential premises not to exceed 48 hours for the purpose of loading and unloading only.

Q. What is the difference between HOA regulations and City regulations, and which regulations control?

A. The difference between HOA regulations (set forth in deed restrictions and covenants) and City regulations (set forth in the City's Code of Ordinances) can be a matter of the particular content of the regulation, a matter of enforcement of the particular regulation, or both. The general rule is that both sets of regulations are applicable to the property. Where HOA regulations differ from City regulations on a particular subject matter, the more restrictive regulation will control the situation, generally speaking. Enforcement of HOA regulations is performed by the appropriate HOA committee or board, as specified in the deed restrictions and covenants, and is a civil matter between the property owner and HOA. Enforcement of City regulations is performed by City staff (for example, the Neighborhood Improvement Services Department).

Q. What are the restrictions for placing a “For Sale” sign on a vehicle and parking it? Section 26-514 of the City of Rockwall Code of Ordinances

A. Placing a “For Sale” sign on your own private vehicle is allowed as long as you are operating the vehicle on a roadway or have it parked at your own private residential property.

Parking vehicles marked “For Sale” in retail shopping centers or other commercial areas is not allowed. The property owner does not have the authority to give you permission to park your vehicle on their property. Vehicles parked in retail shopping centers or other commercial areas are often subject to being towed by the property owner or could result in a fine or citation from the City.

Q. Do I need a permit for a home occupation?

A. Currently the City does not require home-based businesses to register, nor do they require a permit. Certain home occupations are allowed in all zoning districts within the City; however, there are some types of businesses that would not be allowed to operate in property zoned for residential use. Please contact the Planning and Zoning Department for further details at 972-771-7745.

Q. What are the codes for High Weeds & Grass?

A. It is a violation for any person owning, claiming, occupying, or having control of any property within the City to permit weeds, brush and grass to grow to a height greater than ten inches (10"). The cutting and removal of all weeds, brush and grass within 150 feet of any property line shall be deemed a compliance with this article. The City will have a property mowed if the property owner does not respond to the notice of violation. Once the City mows a property, an administrative fee of \$150 is assessed, in addition to the mowing fees. The City will bill a property owner for a forced mowing on their property and eventually place a lien on the property if the bill is not paid in full.

Q. Whom do I call regarding my neighbors watering their yard at a prohibited time or watering on a restricted day?

A. All residents are reminded that daily outdoor water use, including lawn watering, garden watering, and irrigation, is prohibited between 10 a.m. and 6 p.m. During severe drought conditions, the City may impose additional restrictions, such as limiting outdoor water use to certain days of the week. You can contact the N.I.S. Coordinator @ 972-771-7708 or the Conservation Coordinator @ 972-771-7730 concerning over-watering or watering during prohibited times. For more information on water restrictions, please click on the following link: <http://www.rockwall.com/documents/News/WateringSchedule.pdf>

Q. What are the codes regarding junked vehicles? Section 26-129 of the City of Rockwall Code of Ordinances

A. A junked vehicle is any vehicle that is or was originally designed to move under its own power and does not have lawfully attached to it an unexpired license plate OR a valid motor vehicle safety certificate; AND is wrecked, dismantled, or partially dismantled; OR is inoperable and has remained inoperable for more than 72 consecutive hours on public property or 30 consecutive days on private property. ()

A vehicle owner may store a vehicle on his or her property if it is screened from ordinary public view by appropriate means, including a fence, rapidly growing trees, or shrubbery. A vehicle or part of a vehicle covered by a tarp, car blanket, or similar covering does not meet the requisite screening requirements.

Q. My neighbor has a vehicle that has been stored on his driveway for several months. Is this a violation?

A. If the vehicle is not screened and it is a “junked vehicle” as defined by state law, it would be a violation. However, if the vehicle is operable (meaning the engine will run and it can be driven) then it can be parked in the driveway for any length of time, even if it is missing inspection and/or registration stickers.