

**SPECIAL CITY COUNCIL MEETING WILL BEGIN AT 6:30 PM**

**NOTICE OF SPECIAL MEETING  
TOWN OF RANSOM CANYON  
CITY COUNCIL AGENDA  
TUESDAY, FEBRUARY 7, 2023**

**Jana Trew, Mayor**

Val Meixner, Alderwoman  
Ron McWilliams, Alderman  
Terry Waldren, Alderman

Brandt Underwood, Mayor Pro Tem  
John Hand, Alderman  
Elena Quintanilla, City Administrator

Notice is hereby given that the special meeting for the governing body of the Town of Ransom Canyon is called for 6:30 p.m. on Tuesday, February 7, 2023 will be held at City Hall located at 24 Lee Kitchens Drive in Ransom Canyon, Texas. The City Council agenda and packet are posted online at <https://www.ci.ransom-canyon.tx.us>.

1. CALL TO ORDER/PRAYER/PLEDGES AT 6:30 P.M.
2. CITIZEN COMMENTS AND PROPERTY OWNER'S ASSOCIATION REPORT - **In accordance with law, no Council *discussion or action* is to be taken until such matter is placed on the Agenda.** Citizens shall be allowed to speak on any matter other than personnel matters, matters under litigation or matters concerning the purchase, exchange, lease or value of real property
3. DISCUSSION ITEM: First Reading of Chapter 3: Building Code Ordinances to amend and adopt changes to Chapter Three to coincide with the latest International Building Codes and also to adapt changes that are more suitable for the community.
4. ACTION ITEM: APPROVE MINUTES OF:
  - a. Regular Meeting on January 10, 2023
5. ACTION ITEM: APPROVE FINANCIALS
  - a. Financial Reports
  - b. January 2023 Claims & Demands
  - c. Financial Investment Report
6. ACTION ITEM: CONSIDER AND ACT UPON Ordinance 22-00200, providing an amendment to the 2022-2023 Budget to increase line item entitled "Engineering" from \$17,000 to \$37,000.

7. ACTION ITEM: CONSIDER AND ACT UPON Ordinance 121322 to consider changes in the speed limit on Ransom Road, from the intersection of West Canyon View Drive to FM 3523, from 50 mph to 35mph and on Johnston Road from CR 7000 to East Canyonview from 35 mph to 25mph.
8. ACTION ITEM: CONSIDER AND ACT UPON ORDER OF ELECTION (ORDEN DE ELECCIÓN) – Call for an election of one Mayor and Two Alderman At-Large for two-year terms (un alcalde y dos concejales general por termino de dos años).
9. ACTION ITEM: CONSIDER AND ACT UPON a joint resolution, R23-020723 which calls the election to be held jointly with all cities/schools inside Lubbock County who may need an election to be held through September 30, 2023.
10. ACTION ITEM: CONSIDER AND ACT UPON a contract with Lubbock County for election services.
11. ACTION ITEM: CONSIDER AND ACT UPON Resolution 020723-1 to adopt the use of Hart Intercivic Verity 2.0 Voting Equipment.
12. ACTION ITEM: CONSIDER AND ACT UPON THE NOTICE OF ELECTION (AVISO DE ELECCIÓN) FOR THE MAY 6, 2023 ELECTION.
13. ACTION ITEM: CONSIDER AND ACT UPON THE FOLLOWING APPOINTMENTS AND ITEMS AS THEY RELATE TO THE MAY 6, 2023 ELECTION:
  - A. Roxzine Stinson, Elections Administrator, as the Joint Elections Officer;
  - B. Roxzine Stinson, Elections Administrator, as the Joint Early Voting Clerk;
  - C. Elections Office at 1308 Crickets Avenue in Lubbock, Texas, as the main voting polling place;
  - D. Election Administrator's permanent county employees shall serve as the deputy early voting clerks, along with other appointments made by the Elections Administrator if deemed necessary;
  - E. Exhibit A, the Joint Early Voting Schedule
  - F. Exhibit B, Election Day Vote Centers
  - G. Election Day Voting Ballot Board: Judge- Johnny Franklin, Alternate Judge- Ruth Martinez
  - H. Signature Verification Committee: Judge- Mary Ann Bridges, Alternate Judge- Ruth Martinez
  - I. Central Count Station personnel:
    - a. Roxzine Stinson – Elections Administrator as Central Count Manager
    - b. Kristen Phelps- Tabulation Supervisor
    - c. Beth Bender – Central County Presiding Judge
  - J. Bilingual Election Clerks:
    - a. Sandy Salazar

- b. Ruth Martinez
- c. Aaron Frodsham

14. CONSIDER AND ACT UPON THE FOLLOWING LIBRARY BOARD MEMBER APPOINTMENTS:

- Monica Nowlin
- Crystal Miller
- Ashton Carney

15. CONSIDER AND ACT UPON THE FOLLOWING BUILDING REVIEW COMMITTEE MEMBER APPOINTMENTS:

- John Russell – Chair
- Ross John Narvaeth
- John Kelley
- Michael Blaine Gibson
- Ralph Chilton
- Emily Garrett
- David Riley

16. CONSIDER AND ACT UPON THE FOLLOWING FIRE DEPARTMENT OFFICERS:

- Rand McPherson – Fire Chief
- Angela Hill – Assistant Fire Chief
- Michael Reyna – Fire Captain
- Mary Roberts – Secretary
- Jim Waters – Treasurer
- Ron McWilliams – Firewise Captain
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17. CONSIDER AND ACT UPON THE FOLLOWING CAPITAL IMPROVEMENT ADVISORY COMMITTEE MEMBERS:

- Jim Bertram - Chair
- Dr. Denton Collins – Vice Chair
- Ron McWilliams – Ex Officio
- Allen Butler
- Ralph DeWitt
- Jennifer Edwards
- Penny Golightly
- Dr. Ron Kendall
- Craig Morton
- Eraldo Resendez
- Lisa Wentz

K. BUILDING REVIEW COMMITTEE REPORT: The Building Review Committee met on January 9, 2023 to review plans for construction of a garage at 42 South Lakeshore for owners Brad and Barbara Bouma to be built by Sharkey Custom Homes. The permit was denied and the committee requested some corrections to the plans.

L. DEPARTMENT REPORTS:

- a. Administration: Elena Quintanilla
  - City Administrator Schedule of Events
  - Strategic Plan Update
  - Legislative Update
  - Election Law Seminar
  - City Election – May 6, 2023
  - Capital Improvement Advisory Committee Update
  - Hospice Beans and Cornbread Luncheon
- b. Court: Elena Quintanilla
  - Report on Pending Municipal Court Cases
  - Report on New Municipal Court Cases
- c. Operations: Cory Needham
  - Beast/Quad Investments Subdivision
  - Winterizing Equipment/Preparation for Inclement Weather
  - Optimum/Suddenlink Fiber Optic Project
  - Sewer Issues
- d. Police: James Hill
  - Report of Citations, Warnings, and Arrests
  - Police Training and Education
- e. Fire: Rand McPherson
  - EMS Calls
  - Fire Calls
  - Fire Department Remodel
  - Fire Department Training
  - Lubbock County Funds
- f. Library: Angie Fikes
  - “Girls Who Code Computer Program”
  - Alice in Wonderland Project
  - Researching Lego Activities
  - Valentine’s Center

18. ADJOURN

Executive Session Disclosure Statement: The City Council reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by the Texas Government Code, Section 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property),



551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices and 551.087 (Economic Development).

If any accommodations for a disability are required, please notify the City Administrator's office at 806-829-2470 at least two (2) working days prior to the date of the meeting. The building has handicap parking areas and is wheelchair accessible at the front entrance to the building.

All items listed on this agenda are eligible for both discussion and action unless expressly limited.

### **CERTIFICATION**

#### **DATED THIS THE 3rd DAY OF FEBRUARY, 2023**

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the governing body of Ransom Canyon, Texas is a true and correct copy of said notice that has been posted in the display case at the City Hall of Ransom Canyon, Texas, a place convenient and readily accessible to the general public at all times, and said notice was posted on or before February 3, 2023 by 4:00 PM and remained so posted continuously for at least 72 hours preceding the scheduled time of such meeting.

Elena Quintanilla, City Secretary

I certify that the attached notice and agenda of items to be considered by the City Council was removed by me from the front doors of City Hall on \_\_\_\_\_ day of \_\_\_\_\_, 2023.

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Elena Quintanilla, City Secretary

**AGENDA ITEM 3:**

**1<sup>ST</sup> READING**

**BUILDING CODE**

**ORDINANCE**

**CHAPTER 3**

## CHAPTER 3

### BUILDING REGULATIONS

#### ARTICLE 3.01 GENERAL PROVISIONS

##### Sec. 3.01.001 Title

The regulations contained in [articles 3.01](#) through [3.16](#) of this chapter shall be collectively known as the building code of the Town of Ransom Canyon, hereinafter referred to as "this code."

##### Sec. 3.01.002 Scope

(a) The provisions of this code shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal, and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures, as well as the construction, alteration, movement, enlargement, replacement, repair, maintenance, removal and demolition of building systems governed by the specific technical codes referenced in the following articles of this chapter:

[Article 3.09](#): The [2018](#) International Building Code, as amended;

[Article 3.10](#): The [2018](#) International Plumbing Code, as amended;

[Article 3.11](#): The [2018](#) International Mechanical Code, as amended;

[Article 3.12](#): The [2017](#) National Electrical Code (NFPA 70), as amended;

[Article 3.13](#): The [2018](#) International Residential Code, as amended;

[Article 3.14](#): The [2018](#) International Fuel Gas Code, as amended;

[Article 3.15](#): The [2018](#) International Energy Conservation Code, as amended;

(b) The general administrative provisions of this article are applicable to all work governed by the provisions of [articles 3.09–3.16](#). Supplemental administrative provisions applicable to the specific technical documents adopted in [articles 3.09–3.16](#) of this chapter are included within the applicable article, as are the technical provisions pertaining to that class of work. [Articles 3.09–3.16](#), as they existed on the date of adoption of this section, shall continue in full force and effect until such time as the specific technical codes referenced above are individually adopted.

##### Sec. 3.01.003 Intent

The purpose of this code is to establish the minimum requirements to safeguard the public health, safety, and general welfare through structural strength, means of egress, facilities, stability, sanitation, adequate light and ventilation, energy conservation, and safety of life and property from fire and other hazards attributed to the built environment and to provide safety to firefighters and emergency responders during emergency operations.

##### Sec. 3.01.004 Referenced codes

The technical codes listed in [section 3.01.002](#) above and adopted in [articles 3.09](#) through [3.16](#) shall be considered part of the requirements of this code to the prescribed extent of each such reference. Where a conflict is determined to exist between said codes and the provisions of this article and [articles 3.02](#) through [3.08](#), the provisions of the more [specific restrictive](#) code will generally govern, subject to the approval of the building official.

##### Sec. 3.01.005 General applicability

Where, in any specific case, different sections of this code specify different materials, methods of construction or other requirements, the most restrictive shall govern. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.

##### Sec. 3.01.006 Other laws

The provisions of this code shall not be deemed to nullify any provisions of local, state or federal law.

##### Sec. 3.01.007 Application of references

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References to chapter or section numbers, or to provisions not specifically identified by number, shall be construed to refer to such chapter, section or provision of this code.

#### **Sec. 3.01.008 Referenced codes and standards**

The codes and standards referenced in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between provisions of this code and referenced codes and standards, the provisions of this code shall apply.

#### **Sec. 3.01.09 Partial invalidity**

In the event that any part or provision of this code is held to be illegal or void, this shall not have the effect of making void or illegal any of the other parts or provisions.

#### **Sec. 3.01.010 Existing structures**

The legal occupancy of any structure existing on the date of adoption of this code shall be permitted to continue without change, except as is specifically covered in this code, the International Property Maintenance Code or the International Fire Code, or as is deemed necessary by the building official for the general safety and welfare of the occupants and the public.

#### **Sec. 3.01.011 Connection of service utilities prior to approval**

It shall be unlawful for any person or utility company to make any permanent or temporary connection from a utility, source of energy, fuel, or power to any new building or system that is regulated by this code until released by the building official.

#### **Sec. 3.01.012 Temporary connection of utilities**

The building official shall have the authority to authorize the temporary connection of the building or system to the utility source of energy, fuel, or power for construction and other approved circumstances. It shall be unlawful for any building to be occupied by the permanent residents or tenants while temporarily connected to utilities.

All construction services shall be in the name of the general contractor and shall be designated as temporary services. Permanent services shall be authorized by the city building official only after an approved final inspection. Temporary services are not authorized for use in an occupied building. Utility companies shall secure clearance from a city building official before changing from temporary service to permanent service and from the contractor's name to the owner's name. The general contractor shall request permanent service, and shall be liable for all water and sewer services until the request has been made after an approved final inspection.

#### **Sec. 3.01.013 Substandard Buildings**

All buildings or structures which are or hereafter become structurally unsafe, unsanitary, or deficient because of inadequate means of egress, inadequate light, and ventilation, or which constitute a fire hazard, or are otherwise dangerous to human life, or which in relation to existing use constitute a hazard to safety or health, or public welfare, by reason of inadequate maintenance, dilapidation, obsolescence, fire hazard, disaster damage or abandonment, or by reason of illegal or improper occupancy as specified in the Code of Ordinances or any other ordinance, are, for the purpose of this section, unsafe buildings. All such unsafe buildings are hereby declared to be public nuisances and shall be abated by repair, rehabilitation, demolition or removal in accordance with the procedures as required herein, or by any other procedures provided by law.

**State law reference**—Authority of the municipality to regulate dangerous and substandard structures, V.T.C.A., Local Government Code, sec. 214.001 et seq.

#### **Sec. 3.01.014 Definitions**

The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

**Abate.** To eliminate noncompliance or cure a violation as directed or permitted by the city, including by securement, removal, vacation, or demolition.

**Alter or alteration.** Any change or modification in construction or occupancy.

**Applicable building codes.** Any and all building codes that are applicable to the particular condition or component of a structure or building which is being addressed.

**Building.** Any structure used, or intended for, supporting or sheltering any use or occupancy and shall include:

(1) Any structure classified as a "building" pursuant to section 202 of the International Building Code, adopted

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by section 3.09.001 of this code; and

(2) A dwelling.

Building codes. The technical building codes are adopted pursuant to section 3.09.001 of this code.

Building official. The person charged with the administration and enforcement of this article, and any duly authorized representative.

Condemn. To adjudge as unfit for occupancy.

Dilapidated. The state of a building or structure that has deteriorated or is in disrepair.

Dwelling. A building designed or intended for human habitation shall include those structures that are classified as a "dwelling" under section 202 of the International Building Code and all structures described in, and referred to, in section 310.1 of the International Building Code.

Occupant. Any person living or sleeping in a building or having possession of a space within a building.

Owner. The holder of the title to a property, as it may appear in the real property records of Lubbock County or the records of the Lubbock Central Appraisal District. It shall also mean any person who, alone or jointly or severally with others, shall have charge, care or control of the property, including, without limitation, as executor, administrator, trustee, guardian of the estate of the owner, mortgagee, lienholder, and any other person in control of the property, or any of their duly authorized agents.

Premises. A lot, plot or parcel of land, including the buildings or structures thereon.

Property. Includes buildings, structures, and premises.

Repair. The permitted, lawful replacement of existing work with the same kind of material used in the existing work, or permitted substitute, but no additional work beyond that. The term "repair" or "repairs" shall not apply to any change of construction.

Required. Required by some provision of this article or other applicable law.

Residential building. A building designed, used, or intended to be used for human habitation, and includes dwellings or dwelling units.

Structure. That which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner, or any part of the aforementioned, and shall include any fence, shed, or awning.

Vacant. A property which is lacking the habitual presence of human beings or at which all business operations or residential occupancy has ceased.

#### **Sec. 3.01.015 Architecture Control Committee renamed as Building Review Committee**

Provisions concerning the Architecture control committee renamed as Building Review Committee are as provided in Chapter 1, article 1.04, division 2, 1.04.031 of this code. (Ordinance adopting Code) (Ordinance 196, adopted 3/9/04)

#### **Sec. 3.01.016 Appeals board**

The City Council shall serve as the appeals board for the building review committee. (Ordinance 196, sec. 2, adopted 3/9/04)

#### **Sec. 3.01.017 Temporary outdoor storage containers; outdoor storage at residences**

(a) Definitions. The following definitions and word usage are hereby adopted for the purposes of this section:

Outdoor storage, temporary residential. Portable, weather-resistant containers designed and used for the temporary storage or shipment of household goods, wares, building materials, merchandise, or yard waste may be permitted.

(b) Restrictions. "Open storage and use areas" shall be defined as follows:

(1) Residential uses. In all residential districts, no open outside accessory storage or display of materials, commodities, or machinery shall be permitted, other than that which is incidental to the main use of the property as a residence. The following conditions shall apply to incidental storage and temporary residential outdoor storage:

(A) Incidental storage.

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(i) Permitted behind the front of the main structure and must be visually screened.	Formatted	... [1]
(ii) Area devoted to storage is not more than 25 percent of the permitted area.	Formatted	... [2]
(iii) Said area shall be kept neat and clean and free of all tall grass and weeds.	Formatted	... [3]
(iv) Must be screened from all adjacent properties and streets.	Formatted	... [4]
(v) No materials shall be stacked to a height greater than the visual screen.	Formatted	... [5]
(vi) Materials shall not be stored in a manner that would attract or harbor vermin.	Formatted	... [6]
(B) Temporary enclosed storage.	Formatted	... [7]
(i) Permit required. The homeowner must contact the building official or his designee to apply for a temporary permit that will be displayed on the container and identify when the container shall be removed. (See subsection (c)(1) for fee schedule.)	Formatted	... [8]
(ii) Effective period of the permit. Temporary permit valid for 30 days. Limited to 2 times per year. Under extreme circumstances, the applicant may appeal to the building official, who may consider granting an extension.	Formatted	... [9]
(iii) Portable on-demand (PODS) containers can be no larger than 8' x 16' on the ground and 8' tall.	Formatted	... [10]
(iv) Cannot be located in easement, alleyway, street, or public right-of-way.	Formatted	... [11]
(v) Placement shall be on a paved surface. Location on an unpaved surface shall be approved by the building official.	Formatted	... [12]
(vi) Cannot be located any closer than 3 feet from the primary structure.	Formatted	... [13]
(vii) The container should be secured when unattended for safety reasons. The structure must be kept clean and free of trash and debris at all times.	Formatted	... [14]
(c) Fees. The following fees shall apply:	Formatted	... [15]
(1) Enclosed storage, temporary residential permit: \$25.00.	Formatted	... [16]
(d) Penalty. It shall be unlawful for any person, firm, or corporation to build or construct any building or structure or to place any temporary storage unit on or about any residential homesite which is not in compliance with the codes herein adopted. Any person, firm or corporation violating any provision of this section shall be deemed guilty of a misdemeanor and, upon conviction, shall be subject to a fine of an amount not to exceed the maximum as mandated by the state. Said fine shall be cumulative of any other right or remedy available to the city to enjoin the continued violation hereof. Each transaction and violation of any of the provisions hereof shall be a separate offense.	Formatted	... [17]
(Ordinance 05-00295, secs. I-III, V, adopted 12/6/05; Ordinance adopting Code)	Formatted: Font (Default) Times New Roman, 12 pt	
<b>Sec. 3.01.018 Occupancy of a tent, trailer, or other temporary or portable building</b>	Formatted: Font (Default) Times New Roman, 12 pt	
(a) <u>Prohibited; exception.</u> No tent, lean-to, house trailer, or other temporary portable building or shack of any character shall be constructed or placed on any lot, tract, or parcel of land within the city and used as a principal place of abode for a continuous period of more than three (3) days. Provided, however, that there is excepted from the terms of this section a tract of land to be used for municipal buildings, the tract is described as follows:	Formatted	... [18]
Beginning at a found 3" iron rod from which the SE corner of Section 8, Block I bear south 1722.40 feet and east 87.40 feet;	Formatted	... [19]
Thence South 89°57'15" East a distance of 255 feet for the SE corner of this tract;	Formatted	... [20]
Thence north a distance of 218.60 feet more or less to the south line of a 5.286-acre tract described in Vol. 1771, page 279 of the Deed Record of Lubbock County, Texas;	Formatted	... [21]
Thence North 89°57'15" W. a distance of approximately 255 feet to a found 1/2" iron rod;	Formatted	... [22]
Thence South 0°02'45" W. at a distance of 120 feet past a 1/2" iron rod set in the northeast corner of the telephone lease tract continued for a total distance of 218.60 feet to the point of beginning;	Formatted	... [23]
(b) <u>Enforcement.</u> Violation of this section is hereby declared to be a nuisance and shall be abated by any procedure provided by law.	Formatted	... [24]
(Ordinance 74, sec. 1, adopted 5/24/83; Ordinance adopting Code)	Formatted: Font (Default) Times New Roman, 12 pt	
<b>Sec. 3.01.019 Boat docks and retaining walls at the shoreline</b>	Formatted: Font (Default) Times New Roman, 12 pt	
The following requirements are to be applied to any boat dock construction:	Formatted: Font (Default) Times New Roman, 12 pt	



(1) Retaining walls in existence prior to 12/14/04 are considered legal non-conforming. If the existing wall fails, the new wall shall be placed within a foot of the existing wall and backfilled appropriately.

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(2) New retaining walls shall be constructed at the existing shoreline and abut the retaining wall of adjacent properties if such retaining wall exists. Retaining walls shall be backfilled appropriately.

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(3) Docks shall extend no more than 30 feet from the shoreline and no dock shall have a covered structure. Docks located at Block 30 Lot 33 and all lots west of this point shall not extend more than 12 feet or no more than 25% of the channel width, whichever is less. The dock shall be constructed within the middle 50% of the lot. Docks may have electrical features. No plumbing other than fresh (potable) water shall be allowed at docks. A building permit shall be required for dock construction.

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(4) A survey shall be required for the construction of a new dock.

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(Ordinance 04-00245, adopted 12/14/04; Ordinance adopting Code)

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#### Sec. 3.01.020 Wind generators and windmills

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Only ornamental windmills under twelve (12) feet in height are permitted. Energy-producing wind generators are prohibited. (Ordinance adopting Code)

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Sec 3.01.021-3.01.050 Reserved

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### ARTICLE 3.02 ADMINISTRATION AND ENFORCEMENT

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#### Division 1. Generally

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##### Sec. 3.02.001 Liability

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The building official, member of the building review committee, or employee charged with the enforcement of this code, while acting for the jurisdiction in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall not thereby be rendered liable personally and is hereby relieved from personal liability for any damage accruing to persons or property as a result of any act or by reason of an act or omission in the discharge of official duties. Any suit instituted against an officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by the legal representative of the jurisdiction until the final termination of the proceedings. The building official or any subordinate shall not be liable for cost in any action, suit or proceeding that is instituted in pursuance of the provisions of this code.

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##### Sec. 3.02.002 Work done in violation of licensing laws

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It shall be unlawful for a general contractor, subcontractor, owner, or builder to perform or to allow or permit to be performed, any electrical, plumbing or mechanical work, on a project permitted by him or otherwise within his control, by any person not in possession of the required license, or in violation of the provisions of any licensing law of the State of Texas or the Town of Ransom Canyon, where such laws require licensing and are applicable to the work in question.

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##### Sec. 3.02.003 Unlawful acts

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It shall be unlawful for any person, firm, or corporation to erect, construct, alter, extend, repair, move, remove, demolish or occupy any building, structure, system, or equipment regulated by this code, or cause same to be done, in conflict with or in violation of any of the provisions herein, or any rules established by the building official for the administration of this code. It shall also be unlawful for any person, firm or corporation to fail to abide by a lawful order or directive given by the building official for purposes of securing the intent of this code.

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##### Sec. 3.02.004 Notice of violation

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The building official is authorized to serve a notice of violation or order on the person responsible for the erection, construction, alteration, extension, repair, movement, removal, or demolition of any building or system regulated by this code, or occupancy of a building or structure in violation of the provisions of this code, or in violation of a permit or certificate issued under the provisions of this code. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation.

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**Sec. 3.02.005 Prosecution of violation**

If the notice of violation is not complied with promptly, the building official is authorized to request the legal counsel of the jurisdiction to institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the building or structure in violation of the provisions of this code or of the order or direction made pursuant thereto. Additionally, the building official may file, or cause to be filed, a criminal complaint in municipal court for any violation of this code.

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**Sec. 3.02.006 Penalties for violation**

Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters, or repairs a building, structure or regulated system in violation of the approved construction documents or a directive of the building official, or of a permit or certificate issued under the provisions of this code, shall, upon conviction, be subject to a fine of not less than two hundred dollars (\$200.00) nor more than one thousand dollars (\$1,000.00), and each day that such violation is allowed to exist shall constitute a separate offense.

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**Sec. 3.02.007 Stop-work orders—Issuance**

Whenever the building official finds any work regulated by this code being performed in a manner either contrary to the provisions of this code or dangerous or unsafe, the building official is authorized to issue a stop-work order.

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**Sec. 3.02.008 Same—Form and contents**

The stop-work order shall be in writing and shall be given to the owner of the property involved, or to the owner's agent, or to the person doing the work. Upon issuance of a stop-work order, the cited work shall immediately cease. The stop-work order shall state the reason for the order, and the conditions under which the cited work will be permitted to resume.

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**Sec. 3.02.009 Same—Unlawful continuance of work**

Any person who shall continue any work after having been served with a stop-work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to penalties as prescribed by law.

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**Secs. 3.02.010–3.02.050 Reserved**

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**Division 2. Department of Building Inspection and Building Official**

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**Sec. 3.02.051 Creation of enforcement agency**

The department of building inspection is hereby created and the official in charge thereof shall be known as the building official.

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**Sec. 3.02.052 Building Official**

The Director of Public Works for The Town of Ransom Canyon shall be the Building Official for The Town of Ransom Canyon.

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**Sec. 3.02.053 General duties and powers of building official**

The building official is hereby authorized and directed to enforce the provisions of this code. The building official shall have the authority to render interpretations of this code and to adopt policies and procedures in order to clarify the application of its provisions. Such interpretations, policies, and procedures shall be in compliance with the intent and purpose of this code. Such policies and procedures shall not have the effect of waiving requirements specifically provided for in this code. The building official shall have authority as necessary in the interest of public health, safety, and general welfare to adopt and promulgate rules and regulations to interpret and implement the provisions of this code to secure the intent thereof and to designate requirements applicable because of local climatic or other conditions. Such rules shall not have the effect of waiving structural or fire performance requirements specifically provided for in this code, or of violating accepted engineering practices involving public safety.

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**Sec. 3.02.054 Applications and permits**

The building official shall receive applications, review construction documents, and issue permits for the erection,

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alteration, demolition, and moving of buildings and structures, inspect the premises for which such permits have been issued and enforce compliance with the provisions of this code.

**Sec. 3.02.055 Notices and orders**

The building official shall issue all necessary notices or orders to ensure compliance with this code.

**Sec. 3.02.056 Inspections**

Inspections shall be required as listed on the city-issued building permit. Calls for inspections shall be to City Hall, 806-829-2470. (Ordinance adopting Code)

The City Inspector shall make all of the required inspections, or the building official shall have the authority to accept reports of inspection by approved agencies or individuals. Reports of such inspections shall be in writing and be certified by a responsible officer of such approved agency or by the responsible individual. The building official is authorized to engage such expert opinion as deemed necessary to report upon unusual technical issues that arise, subject to the approval of the appointing authority.

**Sec. 3.02.057 Identification**

The building official shall carry proper identification when inspecting structures or premises in the performance of duties under this code.

**Sec. 3.02.058 Right of entry**

Where it is necessary to make an inspection to enforce the provisions of this code, or where the building official has reasonable cause to believe that there exists in a structure or upon a premise a condition which is contrary to or in violation of this code which makes the structure or premises unsafe, dangerous or hazardous, the building official is authorized to enter the structure or premises at reasonable times to inspect or to perform the duties imposed by this code, provided that if such structure or premises be occupied that credentials be presented to the occupant and entry requested. If such structure or premises is unoccupied, the building official shall first make a reasonable effort to locate the owner or other person having charge or control of the structure or premises and request entry. If entry is refused, the building official shall have recourse to the remedies provided by law to secure entry. When the building official shall have first obtained a proper inspection warrant or other remedy provided by law to secure entry, no owner or occupant or person having charge, care or control of any building or premises shall fail or neglect, after proper request is made as herein provided, to promptly permit entry therein by the building official for the purpose of inspection and examination pursuant to this code.

**Sec. 3.02.059 Department records**

The building official shall keep official records of applications received, permits and certificates issued, fees collected, reports of inspections and notices and orders issued. Such records shall be retained in the official records for the period required for the retention of public records.

**Sec. 3.02.060 Authority to disconnect service utilities**

The building official shall have the authority to authorize immediate disconnection of temporary utility service to a building, structure, or system regulated by this code. The building official shall have the authority to authorize disconnection of permanent utility service in case of an emergency where necessary to eliminate an immediate hazard to life or property. The building official shall notify the serving utility, and wherever possible the owner and occupant of the building, structure, or service system of the decision to disconnect prior to taking such action. The placement of a door hanger shall be considered sufficient notification to the owner and occupant. If not notified prior to disconnecting, the owner or occupant of the building, structure or service system shall be notified in writing as soon as practical thereafter. It shall be unlawful for any person or utility company to refuse an order of the building official to disconnect a utility, source of energy, fuel or power to any building or system in accordance with this section.

**Sec. 3.02.061 Modifications**

(a) Wherever there are practical difficulties involved in carrying out the provisions of this code, the building official shall have the authority to grant modifications for individual cases, upon application of the owner or owner's representative, provided the building official shall first find that special individual reason makes the strict letter of this code impractical and the modification is in compliance with the intent and purpose of this code and that such modification does not lessen the health, accessibility, life and fire safety, or structural requirements. The details of action granting modifications shall be recorded and entered in the files of the department of building inspection.

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(b) Wherever this chapter, or any other provision of this Code of Ordinances, contains construction prohibitions or building requirements or limitations that are predicated upon a minimum or maximum distance from a property line, or that prohibit encroachment of building construction upon a property line, the building official may, at his discretion, and with the approval of other affected departments and/or agencies, as applicable, grant relief from such requirements, limitations or prohibitions, provided that all of the following are met:

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(1) The land parcels or lots sharing the property line are under common ownership;

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(2) A covenant agreement approved by the city attorney is executed by the owner of the property wherein the property owner agrees to hold both parcels as one so that they may not thereafter be separately conveyed without release of the covenant by the building official;

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(3) The covenant agreement shall be filed in the deed records of Lubbock County, and shall run with the land until a release is subsequently filed by the building official;

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(4) The building official shall not release the covenant without having first verified that the buildings on each parcel have been made to wholly conform to the requirements of the building code, or other city ordinance, from which relief had been originally granted, and that any similar condition created subsequent to the filing of said covenant has also been removed such that there exists no current violation;

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(5) The covenant agreement procedure shall not be used to contravene or circumvent subdivision regulations that are otherwise valid and applicable, as determined by the ~~director of planning~~ Deputy City Secretary.

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### ARTICLE 3.03 CONTRACTOR REGISTRATION

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#### Sec. 3.03.001 Registration of contractors required

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No permit for work required by this code shall be issued to any contractor or other person unless such contractor or person is registered with the building official of the city in accordance with the following provisions:

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Exceptions:

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(1) No registration shall be required for a homeowner seeking a permit to perform authorized work on his/her existing primary personal residence (homestead), provided that the homeowner and/or an immediate family member personally perform the work and no such person holds himself out as providing contracting services for the public. Any such homeowner seeking to construct his own home, including the installation and setup of any moved building or manufactured home, shall be required to be registered as a contractor.

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(2) No registration shall be required for a building owner seeking a permit to perform authorized work on rental residential property owned by him, provided that he personally performs the work and does not hold himself out as performing contracting services for the public.

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(3) The building official may require any proof deemed necessary to verify ownership and occupancy for the purposes of (1) and (2) above, and may require the applicant's execution of an affidavit attesting to any fact that cannot otherwise be verified, including a sworn statement that the project will not be subcontracted to other parties.

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(4) The above exceptions shall not be construed as authorizing work for which a license is otherwise required by applicable state law.

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#### Sec. 3.03.002 Requirements for registration

Application for registration as a contractor shall be made upon forms provided by the building official. All data requested shall be provided. In addition to a completed application form, proof of insurance and/or bonding, as specified below, shall be provided at the time of application.

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#### Sec. 3.03.003 Bond requirements

(a) Bond for general contractors.

(1) Any person, firm, or corporation desiring to engage in the business of general contracting in the city shall file with the ~~e~~City Administrator or Deputy City Secretary, the same ~~to~~ be immediately effective and the principal deemed to have complied with the bond provisions of this code, a surety bond in the sum of twenty thousand dollars (\$20,000.00) conditioned on a faithful performance of all the provisions of the city ordinances, as well as the repair of any damage to property, such surety to be a company authorized to transact business in the state. Such bonds shall be in effect for one year from the date of approval and must be renewed annually.

(2) All sureties on any bond required by the city shall be liable for breach thereof to the owner of any property, the city, and any other person actually damaged by such breach not to exceed the face amount of said bond, provided written notice of such damage and the probable amount thereof is given to the surety within thirty (30) days after the discovery of the damage, and in no event later than ninety (90) days after final inspection or abandonment of the work by such contractor, and provided that no permit shall be granted and no work started on the contract until such bond has been filed and approved, such approval has been written on the face of the bond, the same shall be immediately effective and the principal deemed to have complied with the bond provisions of the code, and provided further that liability on said bond for the full amount thereof shall continue until the surety has given the city written notice of cancellation or of amount to claims it has been notified of, in which event the contractor shall not pursue work further until bond for the full amount is filed and approved and must provide the building official with a certificate of insurance as may be otherwise required. Said bond to be substantially as follows:

GENERAL CONTRACTOR'S PERFORMANCE BOND

State of Texas

County of Lubbock

\_\_\_\_\_, General Contractor

Address \_\_\_\_\_ Phone No. \_\_\_\_\_

TO

TOWN OF RANSOM CANYON

KNOW ALL MEN BY THESE PRESENTS, that \_\_\_\_\_, hereinafter called the Principal(s), as Principal(s), and \_\_\_\_\_, hereinafter called the Surety(s), as Surety(s), are held and firmly bound unto the Town of Ransom Canyon and to any person with whom Principal has contracted to perform building construction, alteration, repair or other work, and to any person who may be damaged or injured by faulty workmanship or defective materials furnished by the Principal, hereinafter called the Obliges, in the amount of Twenty Thousand and no/100 dollars (\$20,000.00) for the payment whereof the said Principal and Surety bind themselves and their heirs, administrators, executors, successors and assigns, jointly and severally, firmly by these presents.

NOW THEREFORE, The Condition of This Obligation is such, that if the said Principal shall faithfully perform all work contracted for in accordance with the plans, specifications and contract documents; and also in accordance with the requirements of all ordinances and regulations established and to be established by the Town of Ransom Canyon; and further, shall remedy all damages to public or private property occasioned by principal as well as defects due to faulty workmanship or defective materials without cost to such person, firm or corporation for whom the work was contracted to be performed, then this obligation shall be void; otherwise to remain in full force and effect.

Written notice of any breach and the probable amount to correct it shall be given to the Surety within thirty (30) days after the discovery of the breach and in no event later than ninety (90) days after final inspection or abandonment of the work by said Contractor.

Liability for future acts, omissions, or breach of contract may be terminated by the Surety herein by giving thirty (30) days' notice in writing to the Building Official for the Town of Ransom Canyon, and the liability of Surety shall cease at the expiration of said thirty (30) days, provided however said Surety shall be liable for all acts, omissions or breach of contract by said Principal covered by this bond up to and including the day of expiration of said thirty (30) days' notice.

This bond expires at midnight of \_\_\_\_\_, 20\_\_\_\_.

In Witness Whereof, the said Principal(s) and Surety(s) have signed and sealed this instrument this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Surety	Principal
By: _____	By: _____
Title	Title
_____	By: _____
Surety	Title



By: \_\_\_\_\_ By: \_\_\_\_\_  
Title Title

The undersigned surety company represents that it is duly qualified to do business in Texas, and hereby designates \_\_\_\_\_ as agent resident in Lubbock County to whom any requisite notices may be delivered and on whom service of process may be had in matters arising out of such suretyship.

\_\_\_\_\_  
Surety Surety  
By: \_\_\_\_\_ By: \_\_\_\_\_  
Title Title

If the above bond is signed by an officer of the surety company, there must be furnished for our file a certified extract from the bylaws of said company showing that this person has authority to sign such obligation. If signed by an Attorney-in-Fact, there must be a certified copy of the Power of Attorney for our files.

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Agency \_\_\_\_\_  
Approved Address \_\_\_\_\_

Building Inspector Phone No. \_\_\_\_\_

(b) Bond for other contractors.

(1) All other contractors engaged in the contracting business, when a permit is required to accomplish any construction work, shall furnish a similar bond in the sum of ~~five~~ Twenty ~~thousand~~ thousand dollars (\$~~50,000.00~~ \$20,000.00), said bond to be subject to the same conditions and liabilities as provided for the general contractor's bond hereinabove with appropriate adjustments for job description. Plumbers, electricians, sign erectors, and house movers shall have said bond in effect at all times when engaging in their trade. Carpenters, plasterers, masons, concrete contractors, and painters when subcontracting for a bonded general contractor need not be bonded to the city, but when acting independently, and when a permit is required for the construction being accomplished, must provide a bond as hereinabove.

(2) Contractors engaged in paving of parking lots, separate from other construction work, shall be bonded to the city in the same amount as a general contractor and must provide a certificate of insurance as otherwise required.

(3) Any person, firm or corporation using explosives shall give a bond to be approved by the city attorney or an authorized assistant as to form and condition and, when such approval has been written on the face of the bond, the same shall be immediately effective and the principal deemed to have complied with the bond provisions of this code, conditioned upon payment of all damages caused by said excavation or use of explosives in the amount of twenty thousand dollars (\$20,000.00). In cases where work is extremely hazardous, the amount of the bond shall be increased not to exceed fifty thousand dollars (\$50,000.00) at the discretion of the building official. All such bonds shall be in effect for one year from the date of approval and must be renewed annually.

(Ordinance 56, sec. 3, 4, adopted 8/11/81)

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**Sec. 3.03.004 Insurance requirements**

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Any person, firm or corporation seeking to obtain permits required by this code shall have in force a comprehensive general liability insurance policy in a minimum amount of one hundred thousand dollars (\$100,000.00) per occurrence, and including coverage for bodily injury and property damage with products liability and completed operations coverage. Prior to approval of any permits, the applicant shall furnish the building official with a certificate of insurance evidencing the required insurance coverage. The certificate shall include the company name and DBA, if applicable, and shall clearly indicate the nature of the work for which permits are sought. The insurance coverage shall include a provision that in the event such coverage is cancelled or reduced, the insurance carrier shall notify the building official in writing at least ten (10) days prior to such cancellation or reduction in coverage. Any active permit shall be automatically suspended during any period in which the applicant fails to maintain in effect the required insurance coverage.

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**Sec. 3.03.005 Denial, suspension and revocation**

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The building official may deny, suspend, or revoke a contractor registration under the following conditions:

- (1) Failure to accurately complete the application form;
- (2) Failure to obtain and keep in effect required insurance or bonds;
- (3) Failure to pay required fees;
- (4) Receipt of a notice of insufficient funds for checks made payable to the Town of Ransom Canyon for registration or permit fees;
- (5) Providing false information on any application;
- (6) Failure to maintain and keep in effect any license, registration, or certification required by the State of Texas in order to legally pursue the applicable construction trade, or violation of applicable State of Texas licensing laws;
- (7) Refusal to correct violations of this code after notice;
- (8) Continuous or repeated violations of the city Code of Ordinances or applicable state or federal laws;
- (9) Gross technical incompetence, as evidenced by work quality not meeting applicable codes or accepted industry standards, that could reasonably be determined to constitute a hazard to the health, safety or welfare of any person;
- (10) Illegal behavior towards a government employee during the discharge of his or her official duties;
- (11) For purposes of (9) above, an acceptable guideline for determining "accepted industry standards" shall include the specifications recommended by the Construction Specifications Institute (CSI), and/or the performance standards promulgated by the Texas Residential Construction Commission.
- (12) With regard to (6) – (10) above, the registered contractor shall be responsible for the actions of all subcontractors or tradesmen performing work under the scope of the contractor's permit.

#### **Sec. 3.03.006 Appeal of denial, suspension, or revocation**

A situation where a registration has been denied, suspended, or revoked under [section 3.04.005\(7\) – \(9\)](#) above may be appealed to the building control committee City Council.

#### **Sec. 3.03.007 Expiration**

- (a) Registrations shall expire on December 31 of each year and must be renewed annually in order to obtain permits or to continue work pursuant to active permits.
- (b) Failure to keep proper bonds or insurance in force will result in automatic termination of registration and will invalidate any active permits. In order to reinstate the registration and any active permits, all fees, including registration and permit fees, must again be paid as for an initial application.

#### **Sec. 3.03.008 Responsibility for compliance with chapter**

The building owner and any contractor performing work governed by the technical codes are jointly responsible for compliance with the provisions of this chapter. Where a contractor is employed by the owner to perform said work, the contractor must be registered in accordance with [section 3.04.001](#) of this article and must obtain all required permits. Where a contractor is otherwise required to be licensed by the state to practice in his/her respective area, and the statutes governing that licensee prohibit the city from requiring that the licensee obtain a registration, permit, or other approval from the city in connection with their practice, then the property owner is responsible for ensuring compliance of the work with the provisions of this chapter, including any requirement to submit construction documents and obtain permits or inspection approvals. The term "property owner" includes authorized representatives of the owner, such as full-time maintenance personnel, property management agents, and employees working in a supervisory capacity with responsibility for the premises.

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## **ARTICLE 3.04 PERMITS AND INSPECTIONS**



#### Sec. 3.04.001 Permit required

Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit.

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#### Sec. 3.04 .002 Fee schedule; plan review

##### (a) Permit fees.

(1) One permit shall be assessed to each general contractor on each new single-family home to be constructed within the corporate limits of the city, which fee shall be in the amount of \$0.30 per square foot under roof for each level. This permit fee is composed of the following:

(A) General building permit fee: \$0.12 per square foot.

(B) Plumbing permit fee: \$0.06 per square foot.

(C) Electrical permit fee: \$0.06 per square foot.

(D) Mechanical permit fee: \$0.06 per square foot.

(2) One permit shall be assessed for concrete work that involves cut and fill. This fee is \$75.00.

(b) Reinspection fee. As required, a fee will be charged for reinspection; the cost of same shall not exceed the charge to the city.

(c) Roofing permits. Fees for roofing permits shall be \$200.00 for each roof permit. A final inspection of the roof shall be performed by the city.

(Ordinance 081319 adopted 9/17/19)

(d) Plan review fee. The building permit fee shall cover up to three plan reviews. If more than three reviews are required, a fee of \$100.00 per review, after the third review, may be charged to the builder.

(e) Expiration of plan review. Applications for which no permit is issued within 180 days following the date of application shall expire by limitation, and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the building official. The building official may extend the time for action by the applicant for a period not exceeding 180 days on request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken. No application shall be extended more than once. In order to renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan review fee.

(f) Expiration of building permit. Every permit issued shall expire by limitation and become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. In determining the date of cessation of building activity, the building official may use the last inspection date associated with the permit, or any sub permits applicable to the project. The building official may consider proof of activity involving correspondence, invoices, checks, and other dated documents submitted by the contractor that are clearly associated with construction at the subject premises. The building official is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing prior to expiration, and justifiable cause demonstrated. A permit that has been allowed to expire may be extended for a 180-day period upon reapplication and payment of one-half of the original permit fees. Incomplete building projects where the permit has expired with no request for extension thereof shall be deemed abandoned and shall constitute a public nuisance actionable under the provisions of section 34.01.001 of this Code of Ordinances.

##### (g) Investigation when work commenced without permit.

(1) Investigation required. Whenever any work for which a permit is required by this code has been commenced without first obtaining said permit, a special investigation may be made before a permit may be issued for such work.

(2) Investigation fee. An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be equal to an inspection fee as required by this

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code. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of this code nor from any penalty prescribed by law.

(Ordinance 05-00285, sec. 1, adopted 9/13/05; Ordinance adopting Code).

(g) **Water meter fee.** A fee of \$800.00 shall be assessed for up to a one-inch water meter. This fee includes the cost of the meter, the water tap, and labor. Larger meters shall be assessed based on the cost of the actual meter plus labor for the water tap of \$150.00. (Ordinance 13-00911 adopted 9/10/13).

#### **Sec. 3.04.003 Issuance of permit; a collection of fees from subcontractors.**

Upon payment of the fees set out in [section 3.04.002](#) of this article, all permits set out in [section 3.04.002](#) shall be issued to the general contractor, who may collect such permit fees from the respective subcontractors. (Ordinance 05-00285, sec. 2, adopted 9/13/05).

#### **Sec. 3.04.004 Minimum permit fee/other permit fees**

Fees for building permits that are not addressed in this chapter shall be based on the number of inspections required but shall not be less than \$75.00. (Ordinance adopting Code).

#### **Sec. 3.04.005 Payment required**

It shall be unlawful for any person, firm or corporation to build or construct any building or structure without first having paid the permit fees herein established and adopted. (Ordinance 05-00285, sec. 6, adopted 9/13/05).

#### **Sec. 3.04.006 Penalty**

Any person, firm or corporation violating any provision of this article shall be deemed guilty of a misdemeanor and, upon conviction, shall be subject to a fine not exceeding the current state maximum for a class C misdemeanor. Said fine shall be cumulative of any other right or remedy available to the city to enjoin the continued violation hereof. Each transaction and violation of any of the provisions hereof shall be a separate offense. (Ordinance 05-00285, sec. 7, adopted 9/13/05).

#### **Sec. 3.04.007 Amended construction documents**

Work shall be installed in accordance with the approved construction documents, and any changes made during construction that are not in compliance with the approved construction documents shall be resubmitted for approval as an amended set of construction documents. Change orders and other amendments to the construction documents require review and approval in the same manner as that of the original permit documents prior to incorporating the changes in the field, unless otherwise approved by the building official.

#### **Sec. 3.04.008- 3.04.050 Reserved**

### **Division 3. Inspections**

#### **Sec. 3.04.051 Scope**

The building official, upon notification from the permittee, shall make the inspections set forth in [section 3.02.056](#).

#### **Sec. 3.04.052 Footing and foundation inspection**

Footing and foundation inspections shall be made after excavations for footings are complete and any required reinforcing steel is in place. For concrete foundations, any required forms shall be in place prior to inspection. Materials for the foundation shall be on the job, except where concrete is ready mixed in accordance with ASTM C 94, the concrete need not be on the job.

#### **Sec. 3.04.053 Concrete slab and under-floor inspection**

Concrete slab and under-floor inspections shall be made after in-slab or under-floor reinforcing steel and building service equipment, conduit, piping accessories, and other ancillary equipment items are in place, but before any concrete is placed or floor sheathing installed, including the subfloor.

#### **Sec. 3.04.054 Finished floor elevation**

In flood hazard areas, upon placement of the lowest floor, including the basement, and prior to further vertical construction, the elevation certification shall be submitted to the building official. Where necessary to determine that the finished floor elevation is in compliance with other provisions of this code, the building official is authorized to require that an elevation certificate be prepared by a registered professional land surveyor or a licensed professional engineer prior to authorizing further vertical construction.

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**Sec. 3.04.055 Framing**

Framing inspections shall be made after the roof deck or sheathing, all framing, fire blocking, and bracing are in place and pipes, chimneys, and vents to be concealed are complete and the rough electrical, plumbing, heating wires, pipes, and ducts are approved.

**Sec. 3.04.056 Other inspections**

In addition to the inspections specified above, the building official is authorized to make or require other inspections of any construction work to ascertain compliance with the provisions of this code and other laws that are enforced by the ~~department of building safety~~ **City Inspector and/or the Building Official**.

**Sec. 3.04.057 Special inspections**

For special inspections, see section 1704 of the International Building Code.

**Sec. 3.04.058 Final inspection**

The final inspection shall be made after all work required by the building permit is completed.

**Secs. 3.04.059–3.04.130 Reserved**

**ARTICLE 3.05 TECHNICAL AND CONSTRUCTION CODES**

**Division 1. Generally**

**Sec. 3.05.001 Board of ~~a~~Appeals**

The ~~City Council~~**City Council** shall function as the ~~b~~**Board of ~~a~~Appeals**. (Ordinance adopting Code)

**Secs. 3.05.002–3.05.050 Reserved**

**ARTICLE 3.05 SUBSTANDARD BUILDINGS**

**Sec. 3.05.001 Purpose and scope**

- (a) This article shall be known as the substandard building ordinance.
- (b) This article covers the responsibilities of owners of property subject to this article and the city's authority to direct the securement, occupancy, repair, removal, and demolition of such properties; establishes standards to hear and determine cases concerning alleged violations; prescribes procedures for notice to owners, hearings, appeals and other procedural requirements, and establishes civil and criminal penalties for violations of this article.
- (c) This article is hereby declared to be remedial and is intended to promote the beneficial interests and purposes hereof, which are to promote public health, safety, and welfare insofar as they are affected by the continued occupancy and maintenance of buildings, structures, and premises.
- (d) This article shall apply to all existing residential and nonresidential properties, and it is intended to enforce applicable codes and ordinances and established minimum standards for the continued use and occupancy of all properties, regardless of when they were constructed or when their occupancy began, including, without limitation: the minimum requirements and standards for light, ventilation, heating, sanitation, protection from the elements, life safety, safety from fire and other hazards, and for safe and sanitary maintenance.
- (e) All property covered by this article, both existing and new, and all parts thereof, shall be maintained in a safe and sanitary condition. All devices or safeguards that are required by this article or other applicable ordinances in a property when erected, altered, or repaired shall be maintained in good working order. The owners shall be responsible for the maintenance of properties and compliance with all other requirements of this article.
- (f) Existing properties that do not comply with the applicable provisions of this article shall only be altered, repaired, removed or demolished in a way that provides a minimum level of health and safety as required herein.

**Sec. 3.05.002 Definitions**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

**Abate.** To eliminate a noncompliance or cure a violation as directed or permitted by the city, including by

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~~seizement, removal, vacation, or demolition.~~

~~Alter or alteration.~~ Any change or modification in construction or occupancy.

~~Applicable building codes.~~ Any and all building codes that are applicable to the particular condition or component of a structure or building which is being addressed.

~~Building.~~ Any structure used, or intended for, supporting or sheltering any use or occupancy and shall include:

~~(1) Any structure classified as a "building" pursuant to section 202 of the International Building Code, adopted by section 3.05.003 of this code; and~~

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~~(2) A dwelling.~~

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~~Building codes.~~ The technical building codes adopted pursuant to section 3.05.003 of this code.

~~Building official.~~ The person charged with the administration and enforcement of this article, and any duly authorized representative.

~~Condemn.~~ To adjudge as unfit for occupancy.

~~Dilapidated.~~ The state of a building or structure that has deteriorated or is in disrepair.

~~Dwelling.~~ A building designed or intended for human habitation and shall include those structures that are classified as a "dwelling" under section 202 of the International Building Code and all structures described in, and referred to, in section 310.1 of the International Building Code.

~~Occupant.~~ Any person living or sleeping in a building or having possession of a space within a building.

~~Owner.~~ The holder of the title to a property, as it may appear in the real property records of Lubbock County or the records of the Lubbock Central Appraisal District. It shall also mean any person who, alone or jointly or severally with others, shall have charge, care or control of the property, including, without limitation, as executor, administrator, trustee, guardian of the estate of the owner, mortgagee, lienholder, and any other person in control of the property, or any of their duly authorized agents.

~~Premises.~~ A lot, plot or parcel of land, including the buildings or structures thereon.

~~Property.~~ Includes buildings, structures, and premises.

~~Repair.~~ The permitted, lawful replacement of existing work with the same kind of material used in the existing work, or permitted substitute, but not additional work beyond that. The term "repair" or "repairs" shall not apply to any change of construction.

~~Required.~~ Required by some provision of this article or other applicable law.

~~Residential building.~~ A building designed, used or intended to be used for human habitation, and includes dwellings or dwelling units.

~~Structure.~~ That which is built or constructed; an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner, or any part of the aforementioned, and shall include any fence, shed, or awning.

~~Vacant.~~ A property which is lacking habitual presence of human beings or at which all business operations or residential occupancy has ceased.

### **Sec. 3.05.0023 Buildings and structures regulated**

The following buildings or structures, regardless of their date of construction, are subject to the regulations in this article and may be referred to by the titles set for in subsections (1), (2), and (3) below:

**(1) Substandard building or structure.** Any building or structure that is dilapidated, substandard, or unfit for human habitation or use and a hazard to public health, safety, and welfare. A building or structure is presumed to be a substandard building or structure if it does not meet the following minimum standards:

**(A)** A dwelling must have an adequate water closet, lavatory, bathtub or shower, kitchen sink, hot and cold running water to plumbing fixtures in accordance with all applicable building codes.

**(B)** A dwelling must have adequate heating facilities and ventilating equipment.

**(C)** A dwelling must have lighting that is properly installed and that is operating in accordance with all applicable building codes.

**(D)** All electrical wiring in any building or structure must be installed and operating in accordance with all applicable building codes.

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- (E) A dwelling must not have dampness in any portion used, or constructed for use, as a human habitation.
- (F) Properties must be free of hazardous or unsanitary items or conditions including any accumulation of weeds, vegetation, junk, dead organic matter, debris, garbage, offal, stagnant water or conditions likely to harbor or promote the breeding or infestation of insects, snakes, vermin, or rodents.
- (G) Buildings and structures and components thereof must be maintained in accordance with all applicable building codes, including, without limitation, the following codes: The International Building Code, the International Residential Code, the ICC Electrical Code, Administrative Use of the National Electrical Code, the International Fire Code, the International Plumbing Code, the International Mechanical Code, the International Fuel Gas Code and the International Property Maintenance Code.
- (H) Dwellings must be properly connected to the city's sanitary sewer system.
- (I) A building or structure with a water closet, lavatory, bathtub, shower, clothes washer, or dishwasher must be properly connected to the city's sanitary sewer system.
- (J) A property must not have garbage, rubbish or other unsightly material in or around its location.
- (K) A building must have a foundation which is adequate to support the building and loads imposed on the foundation in a safe manner.
- (L) A building must have flooring and floor supports of sufficient size, structure, and condition to carry loads imposed in a safe manner.
- (M) The walls, partitions or other vertical support members of a building or structure must be adequate to carry the imposed loads in a safe manner and support the roof of the building or structure, and must not be split, must not lean, must not list, or must not buckle.
- (N) The ceilings, roofs, and ceiling and roof supports of a building or structure must be of sufficient size, structure, and condition to carry imposed loads in a safe manner and must not sag, split, or buckle.
- (O) Chimneys and ventilation systems for fireplaces and stoves must be of sufficient size, structure, and condition to effectively remove smoke and other gases created from combustion in the fireplace or stove in a safe manner and must be sufficiently insulated so that they do not create a risk or hazard of fire to adjacent structures within the building in which they are installed.
- (P) Chimneys and ventilation systems for fireplaces and stoves must have sufficient strength, structure, and condition to carry the structural loads imposed on them in a safe manner.
- (Q) All plumbing in any building or structure shall be installed in a condition that complies with the International Plumbing Code.
- (R) All mechanical systems in a building or structure shall be installed in a condition that complies with the International Mechanical Code.
- (S) All buildings shall have effective waterproofing on exterior walls, roofs, foundations, or floors. The following are examples of ineffective waterproofing: deteriorated, crumbling or loose plaster on exterior walls or foundations, broken or missing exterior windows or doors, lack of paint on exterior walls, broken, rotted, split or buckled exterior wall coverings or roof coverings.
- (T) All properties shall be free of combustible waste or vegetation or from any substance which could be an accelerant to a fire or likely to cause an explosion unless the substance which could accelerate a fire or cause an explosion is properly stored in accordance with applicable law.
- (U) All buildings must have adequate exits as required by applicable building codes.
- (V) When any portion of a building is used as a living or sleeping quarters or a place where food is cooked for human consumption, such building shall comply with the building codes applicable to dwellings with respect to its plumbing, electrical, and heating systems.
- (W) A building that is damaged by fire, windstorm, hail, or any act of nature, or acts of vandalism shall be immediately secured to avoid it being an unsecured building or structure or a dangerous building or structure, and work to bring the building or structure into compliance with the regulations of this article must be commenced within 30 days unless a longer time period is permitted by the eCity aAdministrator or Police Department which is responsible for eCode eEnforcement, officers.
- (2) Unsecured building or structure. Any building or structure that, regardless of its structural condition, is unoccupied by its owners, lessees, or other invitees and is unsecured from unauthorized entry to the extent that it

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could be entered or used by vagrants or other uninvited persons as a place of harborage or could be entered or used by children.

(3) Dangerous building or structure. Any building or structure that is boarded up, fenced, or otherwise secured in any manner if;

(A) The building or structure constitutes a danger to the public even though secured from entry; or

(B) The means used to secure the building or structure are inadequate to prevent unauthorized entry or use of the building.

#### Sec. 3.05.00~~34~~ Offenses; penalty.

(a) Maintaining a nuisance. A substandard building or structure, an unsecured building or structure, or a dangerous building or structure, as defined by section 3.05.00~~23~~ is hereby declared a nuisance. It shall be unlawful for the owner of a building or a structure to allow it to exist in a condition in which it is a substandard building or structure, an unsecured building or structure, or a dangerous building or structure, as defined above.

(b) Failure to comply with city council/City Council order. It shall be unlawful for any person to fail to timely comply with an order of the ~~city council~~City Council entered pursuant to the regulations in this article to requiring the vacation, relocation of occupants, securing, repair, removal or demolition of a substandard building or structure, an unsecured building or structure, or a dangerous building or structure as defined by section 3.05.00~~23~~.

(c) Penalty. Any person, firm or corporation who shall fail to comply with any of the provisions of section 3.05.00~~23~~ of this article commits an offense and shall, upon conviction thereof, be punished by a fine in accordance with the general penalty provision found in section 1.01.00~~9~~ of the general penalty for violations of code; continuing violations.

#### Sec. 3.05.00~~45~~ City authority to require remediation

The city may require the vacation, relocation of occupants, securing, repair, removal or demolition of a substandard building or structure, an unsecured building or structure, or a dangerous building or structure as defined by section 3.05.00~~23~~ by the procedures specified in this article.

#### Sec. 3.05.00~~56~~ Complaint and notice

(a) Complaint. The ~~Police Chief or eCity a~~Administrator or the code enforcement officer of the city shall prepare a written complaint with respect to any building or structure that is a substandard building or structure, an unsecured building or structure, or a dangerous building or structure, as defined by section 3.05.00~~23~~ of this article. The complaint shall contain the following:

(1) Identification of the building or structure (which shall not require a legal description of the property);

(2) A description of the manner in which the building or structure is a substandard building or structure, an unsecured building or structure, or a dangerous building or structure, as defined by section 3.05.00~~23~~ of this article.

(3) The name, office address and phone number of the ~~Police Chief or eCity a~~Administrator or code enforcement officer that can be contacted during regular office hours to discuss the complaint;

(4) Direction to the owner, lienholder or mortgagee that they must by either;

(A) Remedy the violations in the complaint by a date certain; or

(B) Present the ~~Police Chief or eCity a~~Administrator or code enforcement officer with a detailed plan stating the manner in which each violation will be remedied and the time by which all work necessary to remedy the violations will be completed; ~~which plan shall be presented to the city administrator or code enforcement officer by a date certain specified in the complaint;~~

(5) A statement that a public hearing will be held on the complaint before the ~~city council~~City Council if the owner fails to comply with subsection (4) preceding by the deadlines stated therein or if the owner or lienholder or mortgagee desires to contest the allegations in the complaint;

(6) The date, time and place of the public hearing before the ~~eCity~~eCity Council; and

(7) The following statement:

"The owner, lienholder or mortgagee of this property will be required to submit at the public hearing proof of the scope of any work that may be required to comply with the city's code and the time it will take to reasonably perform the work."

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(b) Notice of the complaint and hearing. The complaint shall be mailed to the owner and any lienholder or mortgagee of the building or structure. The following procedures shall govern the mailing of such notice.

(1) Determining identity and address of owner, lienholder, or mortgagee.

- (A) The real property records of the county;
- (B) The records of the Lubbock Central Appraisal District;
- (C) The records of the ~~Texas~~ ~~s~~Secretary of ~~s~~State;
- (D) The assumed name records of the county;
- (E) The tax records of the town; and
- (F) The utility records of the town.

(2) Method of mailing. The complaint and notice of hearing shall be mailed to the owner and any lienholder, or mortgagee of the building or structure by certified mail with return receipt requested, delivered by the United States postal service using signature confirmation service or by personal delivery to the owner, lienholder, or mortgagee of the building or structure. If a notice or complaint is mailed in accordance with this subsection to a property owner, lienholder, mortgagee, or registered agent and the United States postal service returns the notice as "refused" or "unclaimed," the validity of the notice is not affected, and the notice is considered delivered.

#### **Sec. 3.05.0067 Public hearing; procedure.**

(a) Hearing before eCity eCouncil. The public hearing on the complaint shall be conducted by the ~~city~~ ~~council~~City Council.

(b) Evidence; burden of proof. At the public hearing on a complaint the ~~eCity~~ ~~e~~Council shall consider any verbal or written evidence presented by the ~~Police Chief or the eCity~~ ~~a~~Administrator or ~~code enforcement officer~~ and by the owner, lienholder, or mortgagee. The presentation of evidence shall be subject to any procedural rules applicable to public hearings or proceedings before the ~~eCity~~ ~~e~~Council. In the public hearing the owner, lienholder, or mortgagee has the burden of proof to demonstrate the scope of any work that may be required to comply with this article and the time it will take to reasonably perform the work.

#### **Sec. 3.05.0078 Action by eCity eCouncil following public hearing**

After the public hearing if the ~~eCity~~ ~~e~~Council determines that the building or structure that is the subject of the hearing is a substandard building or structure, an unsecured building or structure, or a dangerous building or structure, as defined in by ~~section 3.05.0023~~ of this article, the ~~eCity~~ ~~e~~Council may order that the building or structure be vacated, secured, repaired, removed, or demolished by the owner within a reasonable time and may order that any occupants of a building be relocated within a reasonable time. The order of the ~~city council~~City Council shall be reduced to writing and shall be signed by the ~~m~~Mayor or the ~~m~~Mayor ~~p~~Pro ~~t~~em and the ~~eCity~~ ~~s~~Secretary.

#### **Sec. 3.05.0089 Time periods for remediation**

If the ~~eCity~~ ~~e~~Council orders the owner to remediate violations respect to a building or structure, the remediation work shall be conducted within the following time periods:

(1) 30 days. Except as provided in subsections (2) and (3) below the owner shall secure the building or structure or repair, remove, or demolish the building or structure within 30 days from the date of the public hearing, unless the nature of the violation shall require a more immediate securing of the condition.

(2) More than 30 days; conditions. If the ~~eCity~~ ~~e~~Council finds that the work required to remedy all violations cannot be accomplished within 30 days from the date of the public hearing, the ~~eCity~~ ~~e~~Council may allow the owner, lienholder, or mortgagee of the building or structure more than 30 days to repair, remove, or demolish the building or structure if the following conditions are satisfied:

- (A) The ~~eCity~~ ~~e~~Council establishes a specific time schedule for the commencement and performance of the work; and
  - (B) Requires the owner, lienholder or mortgagee of the building or structure to secure the property in a reasonable manner from unauthorized entry while the work is being performed in a manner approved by the city administrator or code enforcement officer.
- (3) More than 90 days; additional conditions. The ~~eCity~~ ~~e~~Council may not allow the owner, lienholder or mortgagee of the building or structure more than 90 days to repair, remove, or demolish the building or structure unless the owner, lienholder or mortgagee:

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(A) Submits a detailed plan and time schedule for the work at the hearing;

(B) Establishes at the hearing that the work cannot reasonably be completed within 90 days because of the scope and complexity of the work; and

(C) Is required by the eCity eCouncil's order to regularly submit progress reports to the ~~Police Chief or eCity Administrator or code enforcement office~~ to demonstrate compliance with the time schedules established for commencement and performance of the work.

(4) Bond as additional condition in certain circumstances. If the eCity eCouncil allows the owner, lienholder or mortgagee of a building or structure more than 90 days to complete the required repairs, removal or demolition of a building or structure and if the owner, lienholder, or mortgagee owns property, including structures or improvements on property, within the boundaries of the city that exceeds \$100,000.00 in total value, the city may require the owner, lienholder, or mortgagee to post a cash or surety bond in an amount adequate to cover the cost of repairing, removing, or demolishing a building or structure under this article. In lieu of a bond, the city may require the owner, lienholder, or mortgagee to provide a letter of credit from a financial institution or a guaranty from a third party approved by the city. The bond must be posted, or the letter of credit or third-party guaranty provided, not later than the 30th day after the date the city issues the order.

#### Sec. 3.05.0910 Notice of eCity eCouncil's order

Notice of the eCity eCouncil's order shall be given as follows:

(1) It shall be promptly mailed to the owner and any lienholder or mortgagee of the building or structure by certified mail with return receipt requested, delivered by the United States postal service using signature confirmation service or by personal delivery to the owner, lienholder or mortgagee of the building or structure.

(2) A copy of the order shall be filed with the eCity eSecretary within 10 days after the date the order is issued.

(3) A notice shall be published in a newspaper of general circulation in the city within 10 days after the date the order is issued. The published notice shall state the street address or legal description of the property, the date of the public hearing, a brief statement of the results of the order and instructions on where a complete copy of the order may be obtained.

#### Sec. 3.05.0101 Remediation by the city; civil penalty.

(a) Securing the building or structure. If the building or structure is not vacated, secured, repaired, removed, or demolished, or the occupants are not relocated within the allotted time in the eCity eCouncil's order, the city may vacate, secure, remove, or demolish the building or relocate the occupants at its own expense.

(b) Repairing the certain buildings. If the building is a residential building with 10 or fewer dwelling units and is not repaired within the allotted time in the eCity eCouncil's order, the city may repair the building and assess the expenses on the land on which the building or structure stands or to which it is attached. The city may repair the building only to the extent necessary to bring it into compliance with the minimum standards set forth in this article. The repairs may not improve the building to the extent that the building exceeds those minimum housing standards.

(c) Civil penalty. If the building or structure is not vacated, secured, repaired, removed, or demolished, or the occupants are not relocated within the allotted time in the ~~city council~~City Council's order, the city may assess a civil penalty against the property owner for failure to repair, remove, or demolish the building or structure and may provide for that assessment, the mode and manner of giving notice, and the means of recovering the assessment. The civil penalty shall only be imposed if the owner does not complete the action required by the ~~city council~~City Council's order within the time period specified in such order. Any civil penalty shall be specified in the ~~city council~~City Council's order but shall not exceed \$500.00 (five hundred dollars) a day for each violation or, if the owner shows that the property is the owner's lawful homestead, in an amount not to exceed \$10.00 (ten dollars) a day for each violation, if the ~~city council~~City Council finds.

(1) That the property owner was notified of the requirements of this article and the owner's needs to comply with the requirements; and

(2) After notification, the property owner committed an act in violation of this article or failed to take an action necessary for compliance with this article.

#### Sec. 3.05.0112 Lien for city's expenses and civil penalty.

The city may impose a lien against the land on which a building or structure stands or stood, unless it is a homestead as protected by the Texas Constitution, to secure the payment of any repair, removal, or demolition

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expenses incurred by the city pursuant to section 3.05.0104 or any civil penalty assessed by the city pursuant to section 3.05.0104(c). The lien is extinguished if the property owner or another person having an interest in the legal title to the property reimburses the municipality for the expenses.

(1) Contents of lien notice. The lien notice must contain the name and address of the owner if that information can be determined with a reasonable effort, a legal description of the real property on which the building or structure was located, the amount of expenses incurred by the city, and the balance due.

(2) Lien attachment and priority. The lien arises and attaches to the property at the time the notice of the lien is recorded and indexed in the office of the eCounty eClerk of theLubbock eCounty. If notice has been given to the owner and any lienholder or mortgagee prior to the public hearings so that such persons or firms have the opportunity to relocate the tenants of the building or to repair, remove, or demolish the building or structure, the lien is a privileged lien subordinate only to tax liens but shall be inferior to any previously recorded bona fide mortgage lien attached to the real property if the mortgage lien was filed for record in the office of the Lubbock eCounty eClerk's Office of the county, before the date the civil penalty is assessed or the repair, removal, or demolition is begun by the municipality. The city's lien is superior to all other previously recorded judgment liens.

(3) Interest. Any civil penalty or other assessment imposed shall accrue interest at the rate of 10 percent a year from the date of the assessment until paid in full.

#### **Sec. 3.05.013 Additional authority to secure certain buildings or structures**

(a) Authority to secure. The city may secure a substandard building or structure, an unsecured building or structure, or a dangerous building or structure, as defined by section 3.05.0104 and the building or structure is unoccupied or is occupied only by persons who do not have a right of possession to the building or structure.

(b) Notice to owner. Before the 11th day after the date the building or structure is secured, the city will give notice to the owner by:

(1) Personally serving the owner with written notice;

(2) Depositing the notice in the United States mail addressed to the owner at the owner's post office address;

(3) Publishing the notice at least twice within a 10-day period in a newspaper of general circulation in the county if personal service cannot be obtained and the owner's post office address is unknown; or

(4) Posting the notice on or near the front door of the building or structure if personal service cannot be obtained and the owner's post office address is unknown.

(c) Contents of notice. The notice will contain:

(1) An identification, which is not required to be a legal description, of the building or structure and the property on which it is located;

(2) A description of the violation of the city standards that are present at the building or structure;

(3) A statement that the city will secure or has secured, as the case may be, the building or structure; and

(4) An explanation of the owner's right to request a hearing before the city councilCity Council about any matter relating to the municipality's securing of the building or structure.

(d) Hearing. The city will conduct a hearing at which the owner may testify or present witnesses or written information about any matter relating to the city's securing of the building or structure if, within 30 days after the date the city secures the building or structure, the owner files with the City Administrator or Deputy City Secretary city secretary a written request for the hearing. The city shall conduct the hearing within 20 days after the date the request is filed.

(e) Assessment of expenses as lien. The city shall have the same authority to assess expenses under this section as it has to assess expenses under section 3.05.0112. A lien is created under this section in the same manner that a lien is created under section 3.05.0112 and is subject to the same conditions as a lien created under that section.

(f) Authority to secure is cumulative. The authority granted to the city by this section is in addition to the city's authority to require remediation by the owner, lienholder or mortgagee pursuant to other provisions of article 3.05 or its authority to impose civil penalties or criminal sanctions.

#### **Sec. 3.05.014 Property bid off to the city**

The provisions of this article shall be applicable to all property that has been bid off to the city under the Tax Code 34.01(j) so that the city, subject to the limitations set forth in this article and in applicable law, shall have the authority to require the vacation or relocation of occupants and the securing, repair, removal, and demolition of

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buildings or structures located on such property and may assess a lien for its expenses in doing so.

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#### **Sec. 3.05.0145 Judicial enforcement**

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In addition to the remedies which the city has pursuant to other provisions of this article, the city may bring a civil action pursuant to subchapter B of chapter 54 of the Texas Local Government Code with respect to violations of this article. In any such civil action the city may ask for injunctive relief, the assessment of a civil penalty, an order compelling the repair or demolition of a building or structure, the recovery of its costs in enforcing the provisions of this article and in bringing any such civil action, and any other relief that it may be entitled to request under applicable law.

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### **ARTICLE 3.06 FLOOD DAMAGE PREVENTION**

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#### **Division 1. Generally**

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##### **Sec. 3.06.0051 Definitions**

Unless specifically defined below, words or phrases used in this article shall be interpreted to give them the meaning they have in common usage and to give this article its most reasonable application.

Alluvial fan flooding. Flooding occurring on the surface of an alluvial fan or similar landform which originates at the apex and is characterized by high-velocity flows; active processes of erosion, sediment transport, and deposition; and unpredictable flow paths.

Apex. A point on an alluvial fan or similar landform below which the flow path of the major stream that formed the fan becomes unpredictable and alluvial fan flooding can occur.

Appurtenant structure. A structure which is on the same parcel of property as the principal structure to be insured and the use of which is incidental to the use of the principal structure.

Area of future conditions flood hazard. The land area that would be inundated by the 1 percent annual chance (100-year) flood based on future conditions hydrology.

Area of shallow flooding. A designated AO, AH, AR/AO, AR/AH, or VO zone on a community's flood insurance rate map (FIRM) with a 1 percent or greater annual chance of flooding to an average depth of 1 to 3 feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

Area of special flood hazard. The land in the floodplain within a community subject to a 1 percent or greater chance of flooding in any given year. The area may be designated as zone A on the flood hazard boundary map (FHBM). After detailed rate-making has been completed in preparation for publication of the FIRM, zone A usually is refined into zone A, AO, AH, AI-30, AE, A99, AR, AR/AI-30, AR/AE, AR/AO, AR/AH, AR/A, VO, VI-30, VE or V.

Base flood. The flood having a 1 percent chance of being equaled or exceeded in any given year.

Basement. Any area of the building having its floor subgrade (below ground level) on all sides.

Breakaway wall. A wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces, without causing damage to the elevated portion of the building or supporting foundation system.

Critical feature. An integral and readily identifiable part of a flood protection system, without which the flood protection provided by the entire system would be compromised.

Development. Any man-made change to improved and unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.

Elevated building. For insurance purposes, a non-basement building which has its lowest elevated floor raised above ground level by foundation walls, shear walls, posts, piers, pilings, or columns.

Existing construction. For the purposes of determining rates, structures for which the "start of construction" commenced before the effective date of the FIRM or before January 1, 1975, for FIRMs effective before that date.

"Existing construction" may also be referred to as "existing structures."

*Existing manufactured home park or subdivision.* A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by a community.

*Expansion to an existing manufactured home park or subdivision.* The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

*Flood elevation study.* An examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of mudslide (i.e., mudflow) and/or flood-related erosion hazards.

*Flood insurance rate map (FIRM).* An official map of a community, on which the Federal Emergency Management Agency has delineated both the special flood hazard areas and the risk premium zones applicable to the community.

*Flood insurance study (FIS).* See "Flood elevation study."

*Flood or flooding.* A general and temporary condition of partial or complete inundation of normally dry land areas from:

- (1) The overflow of inland or tidal waters.
- (2) The unusual and rapid accumulation or runoff of surface waters from any source.

*Floodplain management.* The operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works and floodplain management regulations.

*Floodplain management regulations.* Zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a floodplain ordinance, grading ordinance and erosion control ordinance) and other applications of police power. The term describes such state or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.

*Floodplain or floodprone area.* Any land area susceptible to being inundated by water from any source (see definition of flooding).

*Floodproofing.* Any combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

*Flood protection system.* Those physical structural works for which funds have been authorized, appropriated, and expended and which have been constructed specifically to modify flooding in order to reduce the extent of the area within a community subject to a "special flood hazard" and the extent of the depths of associated flooding. Such a system typically includes hurricane tidal barriers, dams, reservoirs, levees or dikes. These specialized flood-modifying works are those constructed in conformance with sound engineering standards.

*Floodway.* See "Regulatory floodway."

*Functionally dependent use.* A use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities.

*Highest adjacent grade.* The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

*Historic structure.* Any structure that is:

- (1) Listed individually in the National Register of Historic Places (a listing maintained by the Department of the Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- (2) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a



registered historic district;

(3) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or

(4) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:

(A) By an approved state program as determined by the Secretary of the Interior; or

(B) Directly by the Secretary of the Interior in states without approved programs.

**Levee.** A man-made structure, usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control, or divert the flow of water so as to provide protection from temporary flooding.

**Levee system.** A flood protection system which consists of a levee, or levees, and associated structures, such as closure and drainage devices, which are constructed and operated in accordance with sound engineering practices.

**Lowest floor.** The lowest floor of the lowest enclosed area (including basement). An unfinished or flood-resistant enclosure, usable solely for parking of vehicles, building access or storage, in an area other than a basement area, is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirement of section 60.3 of the National Flood Insurance Program regulations.

**Manufactured home.** A structure transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. The term "manufactured home" does not include a recreational vehicle.

**Manufactured home park or subdivision.** A parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

**Mean sea level.** For purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929, or other datum, to which base flood elevations shown on a community's flood insurance rate map are referenced.

**New construction.** For the purpose of determining insurance rates, structures for which the "start of construction" commenced on or after the effective date of an initial FIRM or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures. For floodplain management purposes, "new construction" means structures for which the "start of construction" commenced on or after the effective date of a floodplain management regulation adopted by a community and includes any subsequent improvements to such structures.

**New manufactured home park or subdivision.** A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of floodplain management regulations adopted by a community.

**Recreational vehicle.** A vehicle which is:

(1) Built on a single chassis;

(2) 400 square feet or less when measured at the largest horizontal projections;

(3) Designed to be self-propelled or permanently towable by a light duty truck; and

(4) Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

**Regulatory floodway.** The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

**Riverine.** Relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.

**Special flood hazard area.** See "Area of special flood hazard."

**Start of construction.** For other than new construction or substantial improvements under the Coastal Barrier Resources Act (Pub. L. 97-348), includes substantial improvement and means the date the building permit was

issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

Structure. For floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home.

Substantial damage. Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

Substantial improvement. Any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before "start of construction" of the improvement. This term includes structures which have incurred "substantial damage," regardless of the actual repair work performed. The term does not, however, include either:

- (1) Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or
- (2) Any alteration of a historic structure, provided that the alteration will not preclude the structure's continued designation as a historic structure.

Variance. A grant of relief by a community from the terms of a floodplain management regulation. (For full requirements see section 60.6 of the National Flood Insurance Program regulations.)

Violation. The failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in section 60.3(b)(5), (c)(4), (c)(10), (d)(3), (e)(2), (e)(4), or (e)(5) [of the National Flood Insurance Program regulations] is presumed to be in violation until such time as that documentation is provided.

Water surface elevation. The height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929 (or other datum, where specified), of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.

(Ordinance adopted 4/9/02, art. 2)

#### **Sec. 3.06.00~~12~~ Statutory authorization**

The legislature of the state has, in sections 16.3145 and 16.315 of the Texas Water Code, delegated the responsibility to local governmental units to adopt regulations designed to minimize flood losses. Therefore, the ~~city council~~City Council does ordain as follows. (Ordinance adopted 4/9/02, art. 1, sec. A)

#### **Sec. 3.06.00~~23~~ Findings of fact**

(a) The flood hazard areas of the city are subject to periodic inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, and extraordinary public expenditures for flood protection and relief, all of which adversely affect the public health, safety and general welfare.

(b) These flood losses are created by the cumulative effect of obstructions in floodplains which cause an increase in flood heights and velocities, and by the occupancy of flood hazard areas by uses vulnerable to floods and hazardous to other lands because they are inadequately elevated, floodproofed or otherwise protected from flood damage.

(Ordinance adopted 4/9/02, art. 1, sec. B)

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**Sec. 3.06.004 Statement of purpose**

It is the purpose of this article to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

- (1) Protect human life and health;
- (2) Minimize expenditure of public money for costly flood control projects;
- (3) Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- (4) Minimize prolonged business interruptions;
- (5) Minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in floodplains;
- (6) Help maintain a stable tax base by providing for the sound use and development of floodprone areas prone to floods in such a manner as to minimize future flood blight areas; and
- (7) ~~Insure~~ Ensure that potential buyers are notified that property is in a flood area.

(Ordinance adopted 4/9/02, art. 1, sec. C)

**Sec. 3.06.005 Methods of reducing flood losses**

In order to accomplish its purposes, this article uses the following methods:

- (1) Restrict or prohibit uses that are dangerous to health, safety or property in times of flood, or cause excessive increases in flood heights or velocities;
- (2) Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
- (3) Control the alteration of natural floodplains, stream channels, and natural protective barriers, which are involved in the accommodation of floodwaters;
- (4) Control filling, grading, dredging and other development which may increase flood damage;
- (5) Prevent or regulate the construction of flood barriers which will unnaturally divert floodwaters or which may increase flood hazards to other lands.
- (6) Control construction zones so that no mudslide, sediment, silt, or flood related erosion drains into the ponds, lake, or waterways of the city.

(Ordinance adopted 4/9/02, art. 1, sec. D)

**Sec. 3.06.006 Definitions**

Unless specifically defined below, words or phrases used in this article shall be interpreted to give them the meaning they have in common usage and to give this article its most reasonable application.

Alluvial fan flooding. Flooding occurring on the surface of an alluvial fan or similar landform which originates at the apex and is characterized by high-velocity flows, active processes of erosion, sediment transport, and deposition, and unpredictable flow paths.

Apex. A point on an alluvial fan or similar landform below which the flow path of the major stream that formed the fan becomes unpredictable and alluvial fan flooding can occur.

Accessory structure. A structure which is on the same parcel of property as the principal structure to be insured and the use of which is incidental to the use of the principal structure.

Area of future conditions flood hazard. The land area that would be inundated by the 1 percent annual-chance (100-year) flood based on future conditions hydrology.

Area of shallow flooding. A designated AO, AH, AR/AO, AR/AH, or VO zone on a community's flood insurance rate map (FIRM) with a 1 percent or greater annual-chance of flooding to an average depth of 1 to 2 feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

Area of special flood hazard. The land in the floodplain within a community subject to a 1 percent or greater chance of flooding in any given year. The area may be designated as zone A on the flood hazard boundary map (FIRM). After detailed rate making has been completed in preparation for publication of the FIRM, zone A usually is refined into zone A, AO, AH, A1-30, AE, A99, AR, AR/A1-30, AR/AE, AR/AO, AR/AH, AR/A, VO,

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V-1-20, VE or V.

**Base flood.** The flood having a 1 percent chance of being equaled or exceeded in any given year.

**Basement.** Any area of the building having its floor subgrade (below ground level) on all sides.

**Breakaway wall.** A wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces, without causing damage to the elevated portion of the building or supporting foundation system.

**Critical feature.** An integral and readily identifiable part of a flood protection system, without which the flood protection provided by the entire system would be compromised.

**Development.** Any man-made change to improved and unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.

**Elevated building.** For insurance purposes, a non-basement building which has its lowest elevated floor raised above ground level by foundation walls, shear walls, posts, piers, pilings, or columns.

**Existing construction.** For the purposes of determining rates, structures for which the "start of construction" commenced before the effective date of the FIRM or before January 1, 1975, for FIRMs effective before that date. "Existing construction" may also be referred to as "existing structures."

**Existing manufactured home park or subdivision.** A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by a community.

**Expansion to an existing manufactured home park or subdivision.** The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

**Flood elevation study.** An examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of mudslide (i.e., mudflow) and/or flood-related erosion hazards.

**Flood insurance rate map (FIRM).** An official map of a community, on which the Federal Emergency Management Agency has delineated both the special flood hazard areas and the risk premium zones applicable to the community.

**Flood insurance study (FIS).** See "Flood elevation study."

**Flood or flooding.** A general and temporary condition of partial or complete inundation of normally dry land areas from:

- (1) The overflow of inland or tidal waters;
- (2) The unusual and rapid accumulation or runoff of surface waters from any source.

**Floodplain management.** The operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works and floodplain management regulations.

**Floodplain management regulations.** Zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a floodplain ordinance, grading ordinance and erosion control ordinance) and other applications of police power. The term describes such state or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.

**Floodplain or floodprone area.** Any land area susceptible to being inundated by water from any source (see definition of flooding).

**Floodproofing.** Any combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

**Flood protection system.** Those physical structural works for which funds have been authorized, appropriated, and expended and which have been constructed specifically to modify flooding in order to reduce the extent of the area within a community subject to a "special flood hazard" and the extent of the depths of associated flooding. Such a

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system typically includes hurricane tidal barriers, dams, reservoirs, levees or dikes. These specialized flood-modifying works are those constructed in conformance with sound engineering standards.

**Floodway.** See "Regulatory floodway."

**Functionally dependent use.** A use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities.

**Highest adjacent grade.** The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

**Historic structure.** Any structure that is:

(1) Listed individually in the National Register of Historic Places (a listing maintained by the Department of the Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;

(2) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;

(3) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or

(4) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:

(A) By an approved state program as determined by the Secretary of the Interior; or

(B) Directly by the Secretary of the Interior in states without approved programs.

**Levee.** A man-made structure, usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control, or divert the flow of water so as to provide protection from temporary flooding.

**Levee system.** A flood protection system which consists of a levee, or levees, and associated structures, such as closure and drainage devices, which are constructed and operated in accordance with sound engineering practices.

**Lowest floor.** The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage, in an area other than a basement area, is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirement of section 60.2 of the National Flood Insurance Program regulations.

**Manufactured home.** A structure transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. The term "manufactured home" does not include a recreational vehicle.

**Manufactured home park or subdivision.** A parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

**Mean sea level.** For purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929, or other datum, to which base flood elevations shown on a community's flood insurance rate map are referenced.

**New construction.** For the purpose of determining insurance rates, structures for which the "start of construction" commenced on or after the effective date of an initial FIRM or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures. For floodplain management purposes, "new construction" means structures for which the "start of construction" commenced on or after the effective date of a floodplain management regulation adopted by a community and includes any subsequent improvements to such structures.

**New manufactured home park or subdivision.** A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of floodplain management regulations adopted by a community.

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**Recreational vehicle.** A vehicle which is:

- (1) Built on a single chassis;
- (2) 400 square feet or less when measured at the largest horizontal projection;
- (3) Designed to be self-propelled or permanently towable by a light duty truck; and
- (4) Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

**Regulatory floodway.** The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

**Riverine.** Relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.

**Special flood hazard area.** See "Area of special flood hazard."

**Start of construction.** For other than new construction or substantial improvements under the Coastal Barrier Resources Act (Pub. L. 97-348), includes substantial improvement and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for basements, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

**Structure.** For floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home.

**Substantial damage.** Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

**Substantial improvement.** Any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before "start of construction" of the improvement. This term includes structures which have incurred "substantial damage," regardless of the actual repair work performed. The term does not, however, include either:

- (1) Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or
- (2) Any alteration of a historic structure, provided that the alteration will not preclude the structure's continued designation as a historic structure.

**Variance.** A grant of relief by a community from the terms of a floodplain management regulation. (For full requirements see section 60.6 of the National Flood Insurance Program regulations.)

**Violation.** The failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in section 60.3(b)(5), (c)(4), (c)(10), (d)(3), (e)(2), (e)(4), or (e)(5) [of the National Flood Insurance Program regulations] is presumed to be in violation until such time as that documentation is provided.

**Water surface elevation.** The height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929 (or other datum, where specified), of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.

(Ordinance adopted 4/9/02, art. 2.)

**Sec. 3.06.0067 Lands to which this article applies**

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This article shall apply to all areas of special flood hazard within the jurisdiction of city. (Ordinance adopted 4/9/02, art. 3, sec. A)

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**Sec. 3.06.0078 Basis for establishing the areas of special flood hazard**

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The areas of special flood hazard identified by the Federal Emergency Management Agency in a scientific and engineering report entitled "The Flood Insurance Study for 481577," dated September 18, 2002, with accompanying flood insurance rate maps and flood boundary-floodway maps (FIRM and FBFM) and any revisions thereto, are hereby adopted by reference and declared to be a part of this article. (Ordinance adopted 4/9/02, art. 3, sec. B)

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**Sec. 3.06.0089 Establishment of development permit**

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A development permit shall be required to ensure conformance with the provisions of this article. (Ordinance adopted 4/9/02, art. 3, sec. C)

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**Sec. 3.06.00910 Compliance**

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No structure or land shall hereafter be located, altered, or have its use changed without full compliance with the terms of this article and other applicable regulations. (Ordinance adopted 4/9/02, art. 3, sec. D)

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**Sec. 3.06.01011 Abrogation and greater restrictions**

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This article is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this article and another ordinance, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail. (Ordinance adopted 4/9/02, art. 3, sec. E)

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**Sec. 3.06.01112 Interpretation**

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In the interpretation and application of this article, all provisions shall be:

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- (1) Considered as minimum requirements;
  - (2) Liberally construed in favor of the governing body; and
  - (3) Deemed neither to limit nor repeal any other powers granted under state statutes.
- (Ordinance adopted 4/9/02, art. 3, sec. F)

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**Sec. 3.06.01213 Warning and disclaimer of liability**

The degree of flood protection required by this article is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. On rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes. This article does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This article shall not create liability on the part of the community or any official or employee thereof for any flood damages that result from reliance on this article or any administrative decision lawfully made thereunder. (Ordinance adopted 4/9/02, art. 3, sec. G)

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**Sec. 3.06.01314 Penalty**

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No structure or land shall hereafter be constructed, located, extended, converted, or altered without full compliance with the terms of this article and other applicable regulations. Violation of the provisions of this article by failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with conditions) shall constitute a misdemeanor. Any person who violates this article or fails to comply with any of its requirements shall upon conviction thereof be penalized in accordance with section 1.01.009, for each violation, and in addition, shall pay all costs and expenses involved in the case. Nothing herein contained shall prevent [the city] from taking such other lawful action as is necessary to prevent or remedy any violation. (Ordinance adopted 4/9/02, art. 4, sec. F; Ordinance adopting Code)

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**Secs. 3.06.01415–3.06.040 Reserved**

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**Division 2. Administration**

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**Sec. 3.06.041 Designation of floodplain administrator**

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The City Administrator is hereby appointed the floodplain administrator to administer and implement the provisions of this article and other appropriate sections of 44 CFR (Emergency Management and Assistance, National Flood Insurance Program Regulations) pertaining to floodplain management. (Ordinance adopted 4/9/02,



art. 4, sec. A; Ordinance adopting Code)

#### Sec. 3.06.042 Duties and responsibilities of floodplain administrator.

Duties and responsibilities of the floodplain administrator shall include, but not be limited to, the following:

- (1) Maintain and hold open for public inspection all records pertaining to the provisions of this article.
- (2) Review permit applications to determine whether to ensure that the proposed building site project, including the placement of manufactured homes, will be reasonably safe from flooding.
- (3) Review, approve or deny all applications for development permits required by adoption of this article.
- (4) Review permits for proposed development to assure that all necessary permits have been obtained from those federal, state or local governmental agencies (including section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334) from which prior approval is required.
- (5) Where interpretation is needed as to the exact location of the boundaries of the areas of special flood hazards (for example, where there appears to be a conflict between a mapped boundary and actual field conditions), the floodplain administrator shall make the necessary interpretation.
- (6) Notify, in riverine situations, adjacent communities and the state coordinating agency, which is the state water development board, prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency.
- (7) Assure that the flood-carrying capacity within the altered or relocated portion of any watercourse is maintained.
- (8) When base flood elevation data has not been provided in accordance with section 3.06.007, the floodplain administrator shall obtain, review and reasonably utilize any base flood elevation data and floodway data available from a federal, state or other source, in order to administer the provisions of division 3 of this article.
- (9) When a regulatory floodway has not been designated, the floodplain administrator must require that no new construction, substantial improvements, or other development (including fill) shall be permitted within zones A1-30 and AE on the community's FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community.
- (10) Under the provisions of 44 CFR chapter 1, section 65.12, of the National Flood Insurance Program regulations, a community may approve certain development in zones A1-30, AE, and AH, on the community's FIRM which increases the water surface elevation of the base flood by more than 1 foot, provided that the community first completes all of the provisions required by section 65.12.

(Ordinance adopted 4/9/02, art. 4, sec. B; Ordinance adopting Code).

#### Sec. 3.06.043 Permit procedures

(a) Application for a floodplain development permit shall be presented to the floodplain administrator on forms furnished by him/her and may include, but not be limited to, plans in duplicate drawn to scale showing the location, dimensions, and elevation of proposed landscape alterations, existing and proposed structures, including the placement of manufactured homes, and the location of the foregoing in relation to areas of special flood hazard. Additionally, the following information is required:

- (1) Elevation (in relation to mean sea level) of the lowest floor (including basement) of all new and substantially improved structures;
- (2) Elevation in relation to mean sea level to which any nonresidential structure shall be floodproofed;
- (3) A certificate from a registered professional engineer or architect that the nonresidential floodproofed structure shall meet the floodproofing criteria of section 3.06.072(2);
- (4) Description of the extent to which any watercourse or natural drainage will be altered or relocated as a result of proposed development;
- (5) Maintain a record of all such information in accordance with section 3.06.042(1).
- (b) Approval or denial of a floodplain development permit by the floodplain administrator shall be based on all of the provisions of this article and the following relevant factors:
- (1) The danger to life and property due to flooding or erosion damage;
- (2) The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on

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the individual owner;

- (3) The danger that materials may be swept onto other lands to the injury of others;
- (4) The compatibility of the proposed use with existing and anticipated development;
- (5) The safety of access to the property in times of flood for ordinary and emergency vehicles;
- (6) The costs of providing governmental services during and after flood conditions, including maintenance and repair of streets and bridges, and public utilities and facilities such as sewer, gas, electrical and water systems;
- (7) The expected heights, velocity, duration, rate of rise and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site;
- (8) The necessity to the facility of a waterfront location, where applicable;
- (9) The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use.

(Ordinance adopted 4/9/02, art. 4, sec. C)

#### Sec. 3.06.044 Variance procedures

- (a) The ~~city council~~City Council shall hear and render judgment on requests for variances from the requirements of this article.
- (b) The ~~city council~~City Council shall hear and render judgment on an appeal only when it is alleged there is an error in any requirement, decision, or determination made by the floodplain administrator in the enforcement or administration of this article.
- (c) Any person or persons aggrieved by the decision of the ~~city council~~City Council may appeal such decision in the courts of competent jurisdiction.
- (d) The floodplain administrator shall maintain a record of all actions involving an appeal and shall report variances to the Federal Emergency Management Agency upon request.
- (e) Variances may be issued for the reconstruction, rehabilitation, or restoration of structures listed on the National Register of Historic Places or the state inventory of historic places, without regard to the procedures set forth in the remainder of this article.
- (f) Variances may be issued for new construction and substantial improvements to be erected on a lot of 1/2 acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing the relevant factors in ~~section 3.06.043(b)~~ of this article have been fully considered. As the lot size increases beyond the 1/2 acre, the technical justification required for issuing the variance increases.
- (g) Upon consideration of the factors noted above and the intent of this article, the ~~city council~~City Council may attach such conditions to the granting of variances as it deems necessary to further the purpose and objectives of this article (~~section 3.06.003~~).
- (h) Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.
- (i) Variances may be issued for the repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.
- (j) Prerequisites for granting variances:
  - (1) Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
  - (2) Variances shall only be issued upon:
    - (A) Showing a good and sufficient cause;
    - (B) A determination that failure to grant the variance would result in exceptional hardship to the applicant; and
    - (C) A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, or extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.
  - (3) Any applicant to which a variance is granted shall be given written notice that the structure will be permitted to be built with the lowest floor elevation below the base flood elevation, and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

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(k) Variances may be issued by a community for new construction and substantial improvements and for other development necessary for the conduct of a functionally dependent use provided that:

(1) The criteria outlined in [section 3.06.043\(b\)\(1\)](#) through (9) are met; and

(2) The structure or other development is protected by methods that minimize flood damages during the base flood and create no additional threats to public safety.

(Ordinance adopted 4/9/02, art. 4, sec. D; Ordinance adopting Code).

**Secs. 3.06.045–3.06.070 Reserved**

### **Division 3. Flood Hazard Reduction Standards**

#### **Sec. 3.06.071 General standards**

In all areas of special flood hazards, the following provisions are required for all new construction and substantial improvements:

(1) All new construction or substantial improvements shall be designed (or modified) and adequately anchored to prevent flotation, collapse or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy;

(2) All new construction or substantial improvements shall be constructed by methods and practices that minimize flood damage;

(3) All new construction or substantial improvements shall be constructed with materials resistant to flood damage;

(4) All new construction or substantial improvements shall be constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding;

(5) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the system;

(6) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into the system and discharge from the system into floodwaters; and

(7) On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

(Ordinance adopted 4/9/02, art. 5, sec. A)

#### **Sec. 3.06.072 Specific standards**

In all areas of special flood hazards where base flood elevation data has been provided as set forth in [section 3.06.007](#), [section 3.06.042\(8\)](#), or [section 3.06.073\(c\)](#), the following provisions are required:

(1) **Residential construction.** New construction and substantial improvement of any residential structure shall have the lowest floor (including the basement) elevated to or above the base flood elevation. A registered professional engineer, architect, or land surveyor shall submit a certification to the floodplain administrator that the standard of this subsection, as proposed in [section 3.06.043\(a\)\(1\)](#), is satisfied.

(2) **Nonresidential construction.** New construction and substantial improvements of any commercial, industrial or other nonresidential structure shall either have the lowest floor (including basement) elevated to or above the base flood level or, together with attendant utility and sanitary facilities, be designed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. A registered professional engineer or architect shall develop and/or review structural design, specifications, and plans for the construction, and shall certify that the design and methods of construction are in accordance with accepted standards of practice as outlined in this subsection. A record of such certification which includes the specific elevation (in relation to mean sea level) to which such structures are floodproofed shall be maintained by the floodplain administrator.

(3) **Enclosures.** New construction and substantial improvements with fully enclosed areas below the lowest floor that are usable solely for parking of vehicles, building access or storage in an area other than a basement and which are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls

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by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or meet or exceed the following minimum criteria;

- (A) A minimum of two openings on separate walls having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided.
- (B) The bottom of all openings shall be no higher than 1 foot above grade.
- (C) Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

**(4) Manufactured homes.**

**(A)** Require that all manufactured homes to be placed within zone A on a community's FIRM or FIRM shall be installed using methods and practices which minimize flood damage. For the purposes of this requirement, manufactured homes must be elevated and anchored to resist flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable state and local anchoring requirements for resisting wind forces.

**(B)** Require that manufactured homes that are placed or substantially improved within zones A1-30, AH, and AE on the community's FIRM on sites (i) outside of a manufactured home park or subdivision, (ii) in a new manufactured home park or subdivision, (iii) in an expansion to an existing manufactured home park or subdivision, or (iv) in an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as a result of a flood, be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated to or above the base flood elevation and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.

**(C)** Require that manufactured homes being placed or substantially improved on sites in an existing manufactured home park or subdivision within zones A1-30, AH and AE on the community's FIRM that are not subject to the provisions of subsection (4) of this section be elevated so that either:

- (i) The lowest floor of the manufactured home is at or above the base flood elevation; or
- (ii) The manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than 36 inches in height above grade and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.

**(5) Recreational vehicles.** Require that recreational vehicles placed on sites within zones A1-30, AH, and AE on the community's FIRM either (i) be on the site for fewer than 180 consecutive days, or (ii) be fully licensed and ready for highway use, or (iii) meet the permit requirements of [section 3.06.043\(a\)](#) and the elevation and anchoring requirements for manufactured homes in subsection (4) of this section. A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick-disconnect type utilities and security devices, and has no permanently attached additions.

(Ordinance adopted 4/9/02, art. 5, sec. B)

**Sec. 3.06.073 Standards for subdivision proposals**

**(a)** All subdivision proposals, including the placement of manufactured home parks and subdivisions, shall be consistent with [sections 3.06.002](#), [3.06.003](#), and [3.06.004](#) of this article.

**(b)** All proposals for the development of subdivisions, including the placement of manufactured home parks and subdivisions, shall meet the floodplain development permit requirements of [section 3.06.008](#) and [section 3.06.043](#) and the provisions of [division 3](#) of this article.

**(c)** Base flood elevation data shall be generated for subdivision proposals and other proposed development, including the placement of manufactured home parks and subdivisions, which development which is greater than 50 lots or 5 acres, whichever is lesser, if not otherwise provided pursuant to [section 3.06.007](#) or [section 3.06.042\(8\)](#) of this article.

**(d)** All subdivision proposals, including the placement of manufactured home parks and subdivisions, shall have adequate drainage provided to reduce exposure to flood hazards.

**(e)** All subdivision proposals, including the placement of manufactured home parks and subdivisions, shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize or eliminate flood damage.

(Ordinance adopted 4/9/02, art. 5, sec. C)

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#### Sec. 3.06.074 Standards for areas of shallow flooding (AO/AH zones)

Located within the areas of special flood hazard established in [section 3.06.007](#) are areas designated as shallow flooding. These areas have special flood hazards associated with flood depths of 1 to 3 feet where a clearly defined channel does not exist, where the path of flooding is unpredictable, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow; therefore, the following provisions apply:

(1) All new construction and substantial improvements of residential structures have the lowest floor (including basement) elevated to or above the base flood elevation or the highest adjacent grade at least as high as the depth number specified in feet on the community's FIRM (at least 2 feet if no depth number is specified); or

(2) All new construction and substantial improvements of nonresidential structures:

(A) Have the lowest floor (including basement) elevated to or above the base flood elevation or the highest adjacent grade at least as high as the depth number specified in feet on the community's FIRM (at least two feet if no depth number is specified); or

(B) Together with attendant utility and sanitary facilities be designed so that below the base specified flood depth in an AO zone, or below the base flood elevation in an AH zone, level the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads or effects of buoyancy.

(3) A registered professional engineer or architect shall submit a certification to the floodplain administrator that the standards of this section, as proposed in [section 3.06.043](#), are satisfied.

(4) Require within zone AH or AO adequate drainage paths around structures on slopes, to guide floodwaters around and away from proposed structures.

(Ordinance adopted 4/9/02, art. 5, sec. D)

#### ARTICLE 3.07 SIGNS

##### Sec. 3.07.001 Political signs

(a) Definitions.

City. The Town of Ransom Canyon, an incorporated municipality located in Lubbock County, Texas.

City limits. The incorporated municipal boundary of Ransom Canyon.

Political sign. A sign that contains primarily a political message and that is located on private real property with the consent of the property owner.

Private real property. Property that is not subject to an easement or other encumbrance that allows a municipality to use the property for public purpose.

(b) Prohibitions. From and after the effective date of this section, a political sign cannot have an effective area greater than 16 square feet, cannot be more than four feet high, cannot be illuminated, or cannot have any moving elements.

(c) Enforcement; penalty.

(1) The city shall have the power to administer and enforce the provisions of this section as may be required by governing law. Any person or entity violating any provision of this section is subject to suit for injunctive relief as well as prosecution for criminal violations. Any violation of this section is hereby declared to be a nuisance.

(2) Any person violating any provision of this section shall, upon conviction, be fined a sum not exceeding five hundred dollars (\$500.00). Each day that a provision of this section is violated shall constitute a separate offense. An offense under this section is a class C misdemeanor.

(Ordinance 09-00104, secs. 5-7, adopted 4/14/09)

##### Sec. 3.07.002 Off-premises signs and changeable electronic variable message signs

(a) Definitions.

Changeable electronic variable message sign (CEVMS). A sign which permits lights to be turned on or off intermittently or which is operated in a way whereby light is turned on or off intermittently, including any illuminated sign on which such illumination is not kept stationary or constant in intensity and color at all times when such sign is in use, including a light emitting diode (LED) or digital sign, and which varies in color or

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intensity. A CEVMS sign does not include a sign located within the right-of-way which functions as a traffic control device and which is described and identified in the Manual on Uniform Traffic Control Devices (MUTCD) approved by the Federal Highway Administrator as the national standard.

City. The Town of Ransom Canyon, an incorporated municipality located in Lubbock County, Texas.

City limits. The incorporated municipal boundary of the city.

ETJ. The extraterritorial jurisdiction of the city.

Off-premises sign. Any sign, commonly known as a billboard, that advertises a business, person, activity, goods, products, or services not located on the premises where the sign is installed and maintained, or that directs persons to a location other than the premises where the sign is installed or maintained.

On-premises sign. Any sign identifying or advertising the business, person, activity, goods, products or services sold, offered for sale, or provided on the premises where the sign is installed and maintained.

(b) Prohibitions.

(1) Off-premises signs. From and after the effective date of this section, no sign permit or construction permit shall be issued for the installation, erection, replacement, conversion, or modification of an off-premises sign to a CEVMS format within the city limits or the ETJ of the city.

(2) CEVMS. From and after the effective date of this section, no CEVMS shall be allowed within the city limits or the ETJ of the city.

(c) Enforcement; penalty.

(1) The city shall have the power to administer and enforce the provisions of this section as may be required by governing law. Any person or entity violating any provision of this section is subject to suit for injunctive relief as well as prosecution for criminal violations. Any violation of this section is hereby declared to be a nuisance.

(2) Any person violating any provision of this section shall, upon conviction, be fined a sum not exceeding five hundred dollars (\$500.00). Each day that a provision of this section is violated shall constitute a separate offense. An offense under this section is a class C misdemeanor.

(Ordinance 09-00103, secs. 5-7, 5/12/09)

## ARTICLE 3.08 FENCES

### Sec. 3.08.001 Requirements

It shall be unlawful for any person, firm, or corporation to construct or cause to have constructed any fence upon any property within the corporate limits of the city, except in accordance with the requirements and restrictions herein provided.

### Sec. 3.08.002 Definition

A fence is defined as any permanent partition, structure, or gate erected as a dividing marker, barrier, or enclosure, encircling either wholly or any portion of any area.

### Sec. 3.08.003 Maintenance

Fences must be maintained so as not to endanger life or property. Any fence which, through lack of repair, type of construction, or otherwise, imperils life or property, shall be deemed a nuisance.

### Sec. 3.08.004 Nonconforming fences

Fences existing prior to this article and not conforming to these requirements may be repaired by the property owner. If such a fence needs to be rebuilt or replaced, it must be in accordance with the standards and specifications set out in this article.

### Sec. 3.08.005 General requirements

(a) No fence that exceeds six feet in height shall be erected or placed on any lot. The height of the fence includes any berm, concrete mow strip, and fence cap. All these measured together shall not exceed six feet in

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height.

(b) A side fence that extends beyond the front of the house shall not exceed two feet. The height of the fence includes any berm, concrete mow strip, and fence cap. All these measured together shall not exceed two feet in height.

(c) A fence may be placed in the rear or side yard but no fence shall be placed between the front of the house and the street.

(d) A fence may be placed up to or within your property line. This applies to all portions of the fence, including posts and concrete. The exact location of the property line shall be determined before constructing the fence.

(e) No fence shall be erected or placed on an empty lot unless that fence ties into the fence of the adjoining lot on which a house is constructed. The two lots must be owned by the same persons.

(f) No fence shall be erected or placed over or across any easement dedicated to the public use.

(g) Any wire, except ~~chainlink~~ chain-link and electric, is prohibited. An electric fence that causes interference shall need to be turned off until it is repaired. All electric fences shall have a sign that designates them as such.

~~(h) Products manufactured for other uses, including but not limited to, plywood, corrugated steel, fiberglass, or siding are prohibited.~~

~~(hi) The appropriate utility companies must be contacted prior to digging to check the location of any buried utilities.~~

(Ordinance 12-001113 adopted 11/13/12).

## ARTICLE 3.09 BUILDING CODE<sup>2</sup>

### Division 2. Generally

#### Sec. 3.09.001 Adopted

(a) The 2018 ~~currently adopted~~ edition of the International Building Code published by the International Code Council, Inc., as hereinafter amended, including all appendices and reference standards not specifically excluded below, is hereby adopted as the building code of the city.

~~(c) A copy of said building code is attached hereto and incorporated herein as though set out herein in detail. References to the International Building Code in this article shall mean the 2018 ~~currently adopted~~ edition. One copy of the 2018 ~~currently adopted~~ International Building Code shall be filed with the city secretary and a copy shall be maintained in the office of the city building official. All such copies, with the amendments thereto, shall be open to public inspection during the usual business hours of the offices where they are maintained.~~

#### Sec. 3.09.002 Intent and purpose

The purpose of this code is to establish the minimum requirements to safeguard the public health, safety, and general welfare through structural strength, means of egress, facilities, stability, sanitation, adequate light and ventilation, energy conservation, and safety to life and property from fire and other hazards attributed to the built environment and to provide safety to firefighters and emergency responders during emergency operations.

#### Sec. 3.09.003 Administrative provisions

Provisions governing the administration of the 2018 ~~currently adopted~~ International Building Code shall be as set forth herein.

#### Sec. 3.09.005 General administrative provisions

Provisions governing the administration of the 2018 ~~currently adopted~~ International Building Code shall be as set forth herein.

#### Sec. 3.09.006 Supplemental administrative provisions

The following administrative provisions are in addition to the general administrative provisions of this chapter, and are specific to projects within the scope of this article (the 2018 ~~currently adopted~~ International Building Code).

#### Secs. 3.09.007-3.09.040 Reserved

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### Division 3. Construction Documents; Specific Submittal Requirements

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#### Sec. 3.09.041 Construction documents; specific submittal requirements

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Submittal requirements are as specified.

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- a.) **Two sets of plan drawings** that clearly define the project. Drawings shall be accurate, 1/4-inch scaled delineations, supplemented with necessary notations and dimensions.

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b.) **Site Drawings**

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- Current Lot perimeter survey with Surveyor's seal.
- Site plan showing building location on the site with dimensions and setbacks clearly indicated. A site plan shall include the position of the required yard light.
- Topographic survey performed by licensed Texas Surveyor showing existing grade and proposed grades with 21-foot elevation changes and site drainage, and finished floor elevation. Drainage contours or swale shall be shown.
- Retaining wall details, and engineered retaining wall plans if over 4-foot4 feet in height.

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c.) **Architectural Drawings**

- Floor plan of each floor level.
- Exterior building elevations that clearly show the design features of each exterior wall and roof surface.
- Roof slopes and heights
- A minimum of four elevations are required.
- Typical wall sections showing the wall construction components and construction materials are clearly noted. Stud size and spacing shall be noted.

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d.) **Structural Drawings**

- A geotechnical soil investigation shall be performed by a licensed Geotechnical Firm. A minimum of two (2) borings shall be taken. The soil test shall specify the soil type, bearing capacity, plasticity, and sieve index.
- Foundation details that indicate the sizes, depths, and steel reinforcing of concrete footings and grade beams.
- Roof framing plan and materials detail.

e.) **Electrical Drawings**

- Lighting, power, communication, and smoke detector locations shall be clearly marked.
- Electric box shall be clearly marked.

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- f.) RES-check and Storm Water Pollution Plan are required.

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#### Sec. 3.09.042 Means of egress

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The construction documents shall show in sufficient detail the location, construction, size, and character of all portions of the means of egress in compliance with the provisions of this code.

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#### Sec. 3.09.043 Site plan

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The construction documents submitted with the application for a permit shall be accompanied by a site plan showing to scale the size and location of new construction and existing structures on the site, distances from lot lines, clearly showing the required setbacks of thirty-five (35) feet from the curb in the front, no less than five (5) feet from the side and the sum of the side setbacks being no less than fifteen (15) feet, a rear setback of no less than five (5) feet, with the established street grades and the proposed finished grades and, as applicable, flood hazard areas, floodways, and design flood elevations; and it shall be drawn in accordance with an accurate boundary line survey. The building official is authorized to waive or modify the requirement for a site plan when the application for a permit is for alteration or repair or when otherwise warranted.

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#### Sec. 3.09.044 Survey and survey certificate

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At the time of application for a building permit for first-time construction of a building upon a lot previously undeveloped with buildings, and at other times as determined necessary by the building official, the applicant shall furnish a current certificate, prepared by a licensed surveyor, attesting to having performed a recent survey of the subject lot, and having placed boundary line corner stakes thereon. The property owner or building contractor shall be responsible for boundary line corner stakes being in place at the time of the first inspection by the building official. Said certificate shall also state whether or not the subject lot lies within a special flood hazard area as determined by the latest FEMA flood insurance rate map (FIRM) for the Town of Ransom Canyon, in which case the applicant must also follow procedures under this Code of Ordinances (development permit application). In all

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cases where it may appear to the building official that the proposed improvements will encroach upon any easement or public way, or come within established building lines, or affect setback requirements under any ordinance, the building official is required to refer the application for permit to the city engineer and/or the city planner, as applicable, and secure their approvals before issuing a building permit.

#### **Sec. 3.09.045 Soils Adopted from the 2018 International Residential Code**

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- A. A geotechnical soils investigation is required to be performed for new residential structures and shall be performed by a licensed Geotechnical Firm as per Section R401.4 Soil Tests of the 2018 International Residential Code as an amendment adopted by the City of Ransom Canyon and shall become part of the foundation plan specifying the soil type, bearing capacity, plasticity, and sieve index of the soils encountered. A minimum of two (2) borings shall be made. This information shall be provided as part of the official construction documents and shall provide the basis for the design of footings and reinforcing required and as shown on the drawings.
- B. A current topographic survey performed by a licensed Texas Surveyor shall be required for each set of building plans submitted for a building permit.
- C. Building plans shall include a grading plan indicating site drainage based on the current topographic survey showing the layout of the building with the finish floor elevation for each level of the structure in relationship to the curb heights, and existing contour lines, and proposed contour lines of the property.
- D. Drainage contours showing how water shall drain away from the property without affecting adjacent property owners and away from any proposed structures shall be shown, including any necessary retaining walls or drainage structures.
- E. Setback lines shall be shown on all sides of any proposed structure.
- F. Any steps or changes in elevation within the structure or from structure to structure if multiple structures are proposed, shall be required to be shown with proposed elevations.
- G. All building pads shall be compacted to no less than that recommended by the geotechnical firm or structural engineer. The density shall be at optimum moisture (Standard Proctor) and verified by a testing agency licensed to provide material tests in the State of Texas. The test results shall be presented to the City prior to requesting a foundation inspection.

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#### **Sec. 3.09.046 Concrete Foundation -**

##### **Table R403.1 2018 International Residential Code Addition**

- A. The table located in section R403.1 of the 2018 International Residential Code shows the minimum width and thickness for concrete footings and is based on the load-bearing value of the soil. The width and thickness for all concrete footings shall be based on the soil type and bearing capacity of the soils, as indicated in the geotechnical report. The minimum reinforcing shall be two No. 5 rebar installed at a maximum of eight inches (8") on center, each way. No. 3 hook bars (standard hook each end per section R403.1.3.3) shall be placed at 48" on center and tied to a single No. 5 rebar in the footing as well as the turned down slab as per R403.1.3.3.
- B. Grade beams shall be required to be no less than twelve inches (12") into undisturbed soil on any site that will have three feet (3') or less maximum fill at any point.
- C. On sites where there is more than three feet (3') of fill within any portion of any of the proposed structures, or with structures that have a stepped foundation, an engineered foundation plan from a Texas Licensed engineer shall be provided.
- D. All exterior grade beams shall be completed in one continuous pour, unless an engineer indicates partial pours. During a partial pour, the breaks shall be detailed on the plans showing how each break will be formed and any additional reinforcing or dowels required. The breaks shall be shown on the plans at the time of approval.
- E. On sites where stepped foundations are proposed, each step shall be clearly detailed with section drawings showing all reinforcing and doweling required. Each foundation step shall follow the requirements of Section R403.1.3.5 Reinforcement.

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##### **R403.1.3.4 2018 International Residential Code Addition**

Interior bearing walls shall have a minimum of twelve inches (12") deep footings (from top of slab) with two No. 5 rebar placed as per design.

## **Section R506 2018 International Residential Code Concrete Floors (On Ground)**

### **R506.1 General Code Addition**

All slabs on grade shall be reinforced with a minimum of No. 3 bars on eighteen-inch (18") centers each way, or six-inch (6") by six-inch (6") by ten (10) gauge wire mesh. If using rebar, they must be placed on chairs. Fiber mesh concrete is not an acceptable substitute for the reinforcing above.

### **R403.1.4. 2018 International Residential Code Minimum Depth**

Exterior footings shall be placed not less than twelve inches (12") below the undisturbed ground surface. Where applicable, the depth of footings shall also conform to Sections R403.1.4.1 through R403.1.4.2.

### **R403.1.5 2018 International Residential Code Slope**

The top surface shall be level. The bottom surface of footings shall not have a slope exceeding one (1) unit vertical in ten (10) units horizontal (10 percent slope). Footings shall be stepped where it is necessary to change the elevation of the top surface of the footings or where the slope of the bottom surface of the footings will exceed one (1) unit vertical in ten (10) units horizontal (10 percent slope).

### **R403.1.6 2018 International Residential Code Foundation Anchorage**

Foundation Anchors – anchor bolts for exterior walls shall not be less than ½" in diameter, and not less than seven inches (7") into the concrete. They must be not more than every six foot (6') on center. The sole plate shall be required to have at least two (2) anchor bolts for each plate.

### **R403.1.7 2018 International Residential Code Footings on or Adjacent to Slopes.**

The placement of buildings and structures on or adjacent to slopes steeper than one (1) unit vertical in three (3) units horizontal (33.3 percent slope) shall conform to Sections R403.1.7.1 through R403.1.7.4

### **R403.1.7.3 2018 International Residential Code Foundation Elevation**

On graded sites, the top of any exterior foundation shall extend above the elevation of the street gutter at the point of discharge of the inlet of an approved drainage device not less than twelve inches (12") plus two (2) percent. Deviations are allowed by the building official as long as proper drainage is achieved.

### **R403.1.8 2018 International Residential Code Foundations in Expansive Soils**

Foundation and floor slabs for buildings located on expansive soils shall be designed in accordance with section 1808.6 of the International Building Code.

## **Section R404 2018 International Residential Code Foundation and Retaining Walls**

### **R404.1 2018 International Residential Code Concrete and Masonry Foundation Walls.**

Concrete foundation walls shall be selected and constructed in accordance with the provisions of Section R404.1.3. Masonry foundation walls shall be selected and constructed in accordance with the provisions of Section R404.1.2

### **R404.1.3.3.4 2018 International Residential Code Proportioning and Slump of Concrete**

The slump of the concrete shall not exceed six inches (6") when placed in removable forms for concrete walls and shall be vibrated per ACI.

### **R404.1.3.3.7.8 2018 International Residential Code Construction Joint Reinforcement**



Construction joints in reinforced concrete walls shall be located in the middle third of the span between lateral supports, or located and constructed as required for joints in plain concrete walls.

**Secs 3.09.047-3.09.060 Reserved**

#### **Division 4. Specific Amendments**

**Sec. 3.09.061 Adopted**

Specific amendments to the International Building Code adopted in section 3.09.00 are as follows:

**Secs. 3.09.062–3.09.100 Reserved**

### **ARTICLE 3.10 PLUMBING CODE**

#### **Division 1. Generally**

**Sec. 3.10.001 Adopted**

The 2018currently adopted edition of the International Plumbing Code, as published by the International Code Council, Inc., is hereby adopted as the plumbing code of the Town of Ransom Canyon, Texas. ~~A copy of said plumbing code is attached hereto and incorporated herein as though set out herein in detail.~~ References to the plumbing code in this chapter shall mean the 2018currently adopted edition of the International Plumbing Code. One copy of the 2018currently adopted International Plumbing Code shall be filed with the city secretary and a copy shall be maintained in the office of the city building official. All such copies, with the amendments thereto, shall be open to public inspection during the usual hours of business of the offices where they are maintained.

**Sec. 3.10.002 Plumbing Contractor Registration**

- A. Plumbing contractors shall register with the city each year, but are not required to pay a fee under state law.
- B. Plumbing contractors shall provide a copy of their current state license.
- C. Plumbing contractors shall have on file current liability insurance policy on file with the city and the State Board of Plumbing Examiners. (1) provides for commercial general liability insurance for the above-named Responsible Master Plumber for claims for property damage or bodily injury, regardless of whether the claim arises from a negligence claim or on a contract claim; and (2) is in a coverage amount of not less than \$300,000 for all claims arising in any one-year period.
- D. Plumbing contractors shall have fingerprints on file with the State Board of Plumbing Examiners.

**Sec. 3.10.003 Supplemental administrative amendments**

(a) Fee schedule. Section 106.6.2 is hereby amended by inserting the following fee schedule:

<b>PLUMBING FEES*</b>	
New Construction;	\$0.06 per sq. ft. of gross floor area under the roof, \$75.00 minimum. (Where more than one inspection is required, an additional fee of \$75.00 shall be assessed for each additional inspection).
Additions to floor area	As for new construction.
Alterations & remodeling (no change in building area);	\$75.00 minimum (Where more than one inspection is required, an additional fee of

	\$75.00 shall be assessed for each additional inspection).
Total re-plumb:	As for new construction.
Miscellaneous permits for new installations, replacement and repair of: Water heaters, water lines, sewer lines, gas lines, water softeners, irrigation systems, fixed appliances, fixtures, etc. requiring inspection approval:	\$75.00 (Where more than one inspection is required, an additional fee of \$75.00 shall be assessed for each additional inspection) Service line tap fees, or adjustments in grade, where needed, may involve extra fees. Contact the appropriate utility department.
Permit fees, work commencing prior to permit approval:	As for building permit fees (see <a href="#">article 3.04</a> ), except that permit fee calculations shall be based on this section.
Renewal of expired or involuntarily terminated permits:	
Permit transfer fee:	
Re-inspection Fees:	

\*The fees in this schedule are all-inclusive for the collective plumbing work (water, DWV, & fuel gas) performed in a building; they are not intended to be charged in addition to the fees specified in this chapter.

Secs. 3.10.004–3.10.050 Technical amendments Reserved.

## Division 2. Protection of Water Supply.

### Sec. 3.10.051 Definitions

For the purposes of the Code of Ordinances of the Town of Ransom Canyon, and section 312.9 and section 608 of the 2018 International Plumbing Code, sections P2503.7 and P2902 of the ~~2018~~currently adopted International Residential Code, and the USC Manual of Cross-Connection Control, American Water Works Association M14 Manual, the following definitions shall apply. In the event of a conflict between the definitions set forth below and the definitions provided in the ~~2018~~currently adopted International Plumbing, ~~2018~~currently adopted International Residential Codes, the USC Manual of Cross-Connection Control, American Water Works Association M14 Manual, for the purposes of the Code of Ordinances of the city, the definitions set forth below shall control.

- (1) Air gap shall mean the unobstructed vertical distance through the free atmosphere between the lowest opening from any pipe or faucet conveying water to a tank, fixture, receptor, sink, or other assembly and the flood level rim of the receptacle. The vertical, physical separation must be at least twice the diameter of the water supply outlet, but never less than 1.0 inch. An air gap may also be a horizontal space between two pipes at no less than 6.0 inches.
- (2) Approved shall mean accepted by the authority responsible as meeting an applicable specification stated or cited in this part as suitable for the proposed use.
- (3) Auxiliary water supply shall mean any water supply on or available to the premises other than the purveyor's approved public water supply that presents a potential contamination hazard of the public water system. These auxiliary waters may include water from another purveyor's public water supply or any natural source(s) such as a well, spring, river or stream or used waters, or industrial fluids. These waters may be contaminated or polluted or they may be objectionable and constitute an unacceptable water source over which the water purveyor does not have sanitary control.
- (4) Backflow shall mean the undesirable reversal of flow in a public water distribution system as a result of a

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cross connection.

(5) Backflow prevention assembly shall mean an approved assembly to counteract backpressure or prevent back siphonage.

(6) Backflow prevention assembly test and maintenance report shall mean the report required for each backflow prevention assembly upon initial installation and periodically thereafter as required, giving evidence that the backflow prevention assembly has been properly selected based on the degree of hazard, and has been properly installed and tested in accordance with applicable standards, and showing the results of this test. The completed form will be forwarded to the water purveyor for documentation and annual record keeping.

(7) Backflow prevention assembly tester, backflow tester, or general tester shall mean a backflow assembly device tester who is qualified to test backflow prevention assemblies on any domestic, commercial, industrial or irrigation service (excepting firelines). This person must be licensed by TCEQ and registered with the city.

(8) Backpressure shall mean pressure created by any means in the water distribution system, which by being in excess of the pressure in the water supply mains causes a potential backflow condition.

(9) Back siphonage shall mean the backflow of potentially contaminated water into the potable water system as a result of the pressure in the potable water system falling below atmospheric pressure of the plumbing fixtures, pools, tanks or vats connected to the potable water distribution piping.

(10) Building official shall mean the officer charged with the enforcement of the building, plumbing, mechanical, electrical, fuel gas, and energy conservation codes of the city, or his duly authorized representative. For purposes of sections 3.10.051, 3.10.053 through 3.10.054, all state-licensed plumbing inspectors under the supervision of the building official are his duly authorized representatives.

(11) Bypass arrangements shall mean any jumper connections, removable section, unions, swivels or change-over devices and other temporary or permanent devices through which or because of which backflow can occur.

(12) Contamination shall mean an impairment of the quality of the potable water that creates an actual hazard to the public health through poisoning or through the spread of disease by sewage, industrial fluids or waste.

(13) Cross connection shall mean a physical connection or bypass arrangement between a public water system and either another supply of unknown or questionable quality, or another source that may contain contaminating or polluting substances, any source of water treated to a lesser degree in the treatment process, or any steam, gas or chemical system.

(14) Cross-connection control device shall mean any nationally approved or recognized device placed upon any connection, physical or otherwise, between a potable water supply system and any plumbing fixture or any tank, receptacle, equipment or device, which is designed to prevent nonpotable, used, unclean, polluted and contaminated water, or other substance, from entering into any part of such potable water system under any condition or set of conditions.

(15) Cross connections - controlled shall mean a connection between a public water system and a nonpublic water system with an approved backflow prevention assembly properly installed and maintained so that it will continuously afford the protection commensurate with the degree of hazard.

(16) Cross-connection control by containment shall mean the installation of an approved backflow prevention assembly at the water service connection to any customer's premises, where it is physically or economically unfeasible to find and permanently eliminate or control all cross connections or potential contamination hazards, within the customer's water system; or it shall mean the installation of an approved backflow prevention assembly on the service line leading to and supplying a portion of a customer's water system where there are cross connections or potential contamination hazards, that cannot be effectively eliminated or controlled at the point of the cross connection.

(17) Customer/property owner shall mean the owner, as determined by the real property records of Lubbock County, Texas, or the agent of the owner in responsible charge of the subject premises. For purposes of sections 3.10.051, 3.10.053 through 3.10.054, a licensed plumber and/or irrigator shall be deemed to be an agent of the owner when performing work under the scope of sections 28.10.051, 3.10.053 through 3.10.054 pursuant to a plumbing and/or irrigation permit.

(18) Customer service inspection shall mean an inspection designed to detect any actual or potential point of contamination of the potable water system and/or cross-connection hazards.

(19) Degree of hazard shall mean the non-health hazard or health hazard classification that shall be attached to all actual or potential cross connections.

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(A) Non-health hazard shall mean a cross connection or potential cross connection involving any substance that generally would not be a health hazard but would constitute a nuisance or be aesthetically objectionable, if introduced into a public water supply.

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(B) Health hazard shall mean the classification assigned to a cross connection or potential contamination hazard or other situation involving any substance that can cause illness, death, spread of disease or has a high probability of causing such effects if introduced into the potable drinking water supply.

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(20) Double check valve backflow assembly (DCVA), double check assembly, and double check (DC) shall mean an assembly consisting of two independently acting, approved check valves, including tightly closing resilient seated shutoff valves attached at each end of the assembly and fitted properly located resilient seated test cocks. This assembly shall only be used to protect against a non-health hazard.

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(21) Fireline tester shall mean a tester who is qualified to test backflow prevention assemblies on firelines. This person must be licensed by TCEQ and registered with the city.

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(22) Licensed professional shall mean any individual, or their representative, that must maintain a license obtained through a professional licensing board in order to conduct their business under state law.

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(23) Non-potable water shall mean water not safe for drinking, personal or culinary utilization.

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(24) Pollution shall mean an impairment of the quality of the potable water to a degree that does not create a hazard to the public health but that does adversely and unreasonably affect the aesthetic qualities of such potable water for domestic use.

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(25) Point of use isolation shall mean the appropriate backflow prevention within the consumer's water system at the point at which the actual or potential cross connection exists.

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(26) Potable water shall mean water free from impurities present in amounts sufficient to cause disease or harmful physiological effects and conforming to the bacteriological and chemical quality requirements of the Public Health Service Drinking Water Standards or the regulations of any public health authority having jurisdiction over such matters.

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(27) Potential contamination hazard shall mean a condition which, by its location, piping or configuration, has a reasonable probability of being used incorrectly, through carelessness, ignorance, or negligence, to create or cause to be created a backflow condition by which contamination can be introduced into the public water supply. Examples of potential contamination hazards are:

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(A) Bypass arrangements;

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(B) Jumper connections;

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(C) Removable sections or spools; and

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(D) Swivel or changeover assemblies.

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(28) Public Health Service Drinking Water Standards shall mean the standards set forth in 30 TAC 290 subchapter F, as may be amended from time to time.

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(29) Reduced pressure principle backflow prevention assembly (RPBA), reduced pressure principle assembly, RPZ or RP assembly shall mean a backflow prevention device consisting of two independently acting check valves, internally force-loaded to a normally closed position and separated by an intermediate chamber (or zone) in which there is an automatic relief means of venting to the atmosphere, internally loaded to a normally open position between two tightly closing shutoff valves and with a means for testing for tightness of the checks and opening of the relief means.

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(30) Repair of an irrigation system shall mean the reconstruction or renewal of any part of an existing irrigation system, including without limitation, installation of a backflow prevention device, adding additional irrigation zones, reparation of a main irrigation line and valve replacement. For the purpose hereof, the replacement of a control box or sprinkler head(s) shall not be deemed to be a repair.

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(31) Service connection shall mean the point of delivery where the water purveyor loses control over the water.

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(32) Used water shall mean any water supplied by a water purveyor from a public water system to a consumer's water system after it has passed through the point of delivery or service connection and is no longer under the sanitary control of the water purveyor.

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(33) Water purveyor shall mean the director in charge of the water department of the city, who is vested with the authority and responsibility for the implementation of an effective cross-connection control program and for

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the enforcement of the provisions of sections 3.10.051, [3.10.053](#) through [3.10.054](#).

#### **Sec. 3.10.052 Intent; conflicts**

Section 3.10.052, [section 3.10.053](#), and [section 3.10.054](#) of the Code of Ordinances of the city are intended to supplement the USC Manual of Cross-Connection Control, American Water Works Association M14 Manual, section 312.9, "Inspection and Testing of Backflow Prevention Assemblies," and section 608, "Protection of Potable Water Supply" of the 2018 International Plumbing Code, as well as sections P2503.7 and P2902 of the 2018 International Residential Code, both codes having been previously adopted as a part of the Code of Ordinances of the city. In the event of any conflict between the USC Manual of Cross-Connection Control, American Water Works Association M14 Manual, sections 312.9 or 608 of the 2018 International Plumbing Code or sections P2503.7 or P2902 of the 2015 International Residential Code and section 3.10.052, [section 3.10.053](#), and [section 3.10.054](#) of the Code of Ordinances of the city, the provisions of section 3.10.052, [section 3.10.053](#), and [section 3.10.054](#) of the Code of Ordinances of the city shall control. Section 3.10.052, [section 3.10.053](#), and [section 3.10.054](#) of the Code of Ordinances of the city shall be liberally construed to protect the public health and safety of the citizens of the city.

#### **Sec. 3.10.053 Responsibilities of water purveyor, user, customer/property owner and backflow prevention assembly tester**

##### **(a) Responsibilities of water purveyor**

(1) (A) No water service connection to any premises shall be installed or maintained by the water purveyor unless the water supply is protected as required by state law, including without limitation, 30 TAC 290.44(h), 30 TAC 290.46(j), 30 TAC 290.47(i), 30 TAC 344.73 and 30 TAC 344.75, as same may be amended from time to time. Service of water, subject to the provisions of [sections 3.10.052](#), 3.10.053, or [3.10.054](#) of the Code of Ordinances of the Town of Ransom Canyon, or sections 312.9 or 608 of the 2018 International Plumbing Code, or sections P2503.7 or P2902 of the 2018 International Residential Code, as applicable, to any premises shall be discontinued by the water purveyor if a backflow prevention assembly required by [sections 3.10.051](#), 3.10.053 through [3.10.054](#) is not installed properly, tested and maintained, or if it is found that a backflow prevention assembly has been removed, bypassed, or if an unprotected cross connection exists on the premises. Service will not be restored until such conditions or defects are corrected.

(B) For new facilities, permanent water service shall not be provided until all testable backflow prevention assemblies have been tested and are operational. Except in cases where the testing of backflow prevention assemblies must be delayed until the installation of internal production or auxiliary equipment, the city shall not approve any certificate of occupancy until all backflow prevention assemblies have been tested and are operational.

##### **(2) Customer service inspection**

(A) A customer service inspection for cross-connection control shall be completed by the city water purveyor prior to providing continuous water service in each of the following circumstances:

(i) Water service to a newly constructed facility, in which case the customer service inspection shall be performed in conjunction with or near the same time as the plumbing final inspection conducted by the building official.

(ii) Any correction, addition or improvement to the water service or water distribution plumbing of any facility or premises, except for minor repair and maintenance work exempted from permitting by section 106.2 of the 2018 International Plumbing Code, or in cases where an approved RPBA backflow prevention device has been installed at the point of water service connection such that premises' isolation is achieved, and said device has been verified as having been properly tested and maintained as provided herein. Where nonexempt plumbing work has been performed upon the water service or water distribution plumbing of any facility or premises, and approved premises isolation has been provided as described herein, the building official shall be solely responsible for ensuring compliance of any such work on the customer side of the backflow device.

(B) A permanent water service shall not be established with regard to a newly constructed facility until after the customer service inspection is completed.

(C) Temporary water service, for construction or other purposes, that is found to pose a potential cross-connection threat to the potable water due to the unknown use of the water therefor, or other reasons or causes, shall be protected by an approved backflow prevention assembly.

(3) If, in the judgment of the water purveyor or building official an approved backflow prevention assembly is

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required at the customer's/property owner's water service connection; or, within the customer's/property owner's private water system for the safety of the public water system, the water purveyor or the designated agent shall:

(A) Give notice in writing to the customer/property owner to install an approved backflow prevention assembly(s) at specific location(s) at his/her expense, and depending on the severity of the threat to the public water supply, within the time frame required by the city and in all instances within thirty (30) days.

(B) In the case of any premises where, in the opinion of the water purveyor and/or building official, an imminent health threat is posed due to cross connection or a potential contamination hazard, water service to the facility may immediately be discontinued without prior written notice to customer/property owner. Although the city will attempt to provide notice as is reasonably practical, no notice shall be required prior to discontinuance.

(4) Failure, refusal or inability on the part of the customer/property owner to install, have tested and maintain the backflow prevention assembly(s) shall be grounds for discontinuing water service to the premises until such requirements have been met as required by sections 3.10.051, 3.10.053 through 3.10.054.

(5) Any reduction in water pressure caused by the installation of backflow prevention assembly devices shall not be the responsibility of the city.

(b) Responsibilities of the customer/property owner. The customer's/property owner's system shall include those parts of the potable water conveyance facilities beyond the termination of the utility distribution system that are conveying potable water to the points of use of customer/property owner.

(1) Backflow prevention assemblies shall be installed within the customer's/property owner's system at the customer's/property owner's expense at any time required by sections 3.10.052, 3.10.053, or 3.10.054 of the Code of Ordinances of the city and/or sections 312.9 or 608 of the 2018 International Plumbing Code, or sections P2503.7 or P2902 of the 2018 International Residential Code, or the USC Manual of Cross-Connection Control, American Water Works Association M14 Manual, as applicable. All backflow prevention devices must be installed and tested as required by:

(A) Section 3.10.052, section 3.10.053, and section 3.10.054 of the Code of Ordinances of the city;

(B) Section 312.9 and section 608 of the 2018 International Plumbing Code; and

(C) 30 TAC 290.44(h), 30 TAC 290.46(j) and 30 TAC 290.47(i).

(2) It shall be the responsibility of the customer/property owner to verify that all applicable city plumbing and/or irrigation permits are obtained and that the customer/property owner, or licensed plumber or irrigator, as applicable, is in compliance with all of the provisions of those permits. In addition to the remedies provided herein, in the event the backflow prevention assembly is installed by a licensed professional, failure by such licensed professional to follow the provisions of such permit will result in written notice to the applicable state licensing agency, in addition to being a violation of sections 3.10.051, 3.10.053 through 3.10.054.

(3) It shall be the responsibility of the customer/property owner and backflow prevention assembly tester performing the subject test(s) to send to the city the backflow prevention assembly test and maintenance records. These materials shall be delivered to the water purveyor office of the city within ten (10) days of installation of the backflow prevention assembly.

(4) The customer's/property owner's system shall be open for inspection at all reasonable times to authorized representatives of the city to determine whether cross connections or potential contamination hazards, including violations of sections 3.10.052, 3.10.053, or 3.10.054 of the Code of Ordinances of the city and/or sections 312.9 or 608 of the 2018 International Plumbing Code, or sections P2503.7 or P2902 of the 2018 International Residential Code, as applicable, exist.

(5) If the customer or premises wherein potable water from the city is supplied or provided has access to an auxiliary water supply that is treated to a lesser degree than the public water supply or if the water quality is unknown, and which is either cross connected or poses a potential contamination hazard to the public water system, the public water system shall be protected against backflow or back siphonage by an approved backflow prevention device or a horizontal air gap (physical separation) as defined in section 3.10.051(1). The described threat shall be deemed a health hazard when determining the type of approved backflow required. If the auxiliary water supply is used for irrigation purposes, the backflow assembly shall be subject to the requirements of state laws, as same may be amended from time to time.

(A) In order for a customer to install an auxiliary water supply on property located within Town of Ransom Canyon's incorporated limits, the auxiliary water supply must be registered with the city. The registration shall be approved if the auxiliary water supply meets all federal, state, and local requirements.

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(B) If the customer does not install a backflow prevention device, the following requirements must be met:

(i) The customer shall permit the city to perform a customer service inspection to determine whether a horizontal air gap exists between the two systems and no other potential contamination hazards exist.

(ii) If a potential contamination hazard exists, the customer shall install an approved backflow prevention device to protect the public water system.

(iii) If a potential contamination hazard is not documented during the customer service inspection, no backflow prevention device shall be required. However, the city shall require the customer, at the customer's expense, to obtain a customer service inspection at a minimum of at least every three years to confirm that the two separate systems have not been cross-connected and other potential contamination hazards have not been created.

(C) Any customer who creates a cross-connection and does not comply with the backflow protection ordinances in subsection (5) shall be subject to receiving a citation and their city water service being discontinued until a backflow protection device has been installed at the premises.

(6) In the event industrial fluids, any material dangerous to health or any other objectionable substances are handled in such a fashion as to create potential contamination hazard to the public water system, such condition shall be deemed a health hazard. The public water system shall be protected against backflow from the premises by installing an air gap, a reduced pressure principle backflow assembly, or such other backflow assembly device as may be required by 30 TAC 290.47(i), as same may be amended from time to time.

(7) All new installations of or substantial alterations to fire suppression systems that utilize the city's public water supply shall have installed a U.L. approved backflow prevention device according to the degree of hazard that exists. For purposes of this section, a "substantial alteration" is deemed to be any alteration or expansion of the system that would trigger a requirement for review and approval by the authority having jurisdiction, normally being the city fire marshal. All fireline backflow prevention assemblies must be installed inside the building as determined by section 3.10.053 of the Code of Ordinances of the city. Upon the approved installation of the backflow prevention assembly, a cross-connection test report completed by a licensed fireline tester must be provided to the city as required by subsection (b)(3), above.

(8) Subject to the conditions of this subsection (b)(8), a reduced pressure assembly shall be the minimum protection for fire hydrant water meters which are being used for a temporary water supply during construction or other uses which may pose a potential contamination hazard to the public water supply. Only city fire hydrant water meters with approved backflow prevention assemblies are allowed to be used within the city limits. Failure to comply with this subsection (b)(8) will result in the fire hydrant meter being removed from the premises by the water purveyor.

(9) It shall be the duty of the customer/property owner at any premises where backflow prevention assemblies are installed to have certified inspections and operational tests made upon installation and at least once every three years in nonhealth hazard conditions. In those instances where the water purveyor and/or building official of the city deems the potential backflow to be a health hazard or a potential health hazard, certified inspections shall be required annually or at more frequent intervals as deemed necessary by the water purveyor. All inspections and tests of backflow prevention assemblies shall be at the expense of the customer/property owner and shall be performed by a backflow tester who is licensed with the Texas Commission on Environmental Quality and registered with the water purveyor and meeting all conditions and criteria of section 3.10.052, section 3.10.053, and section 3.10.054 of the Code of Ordinances of the city.

(10) It shall be the responsibility of the customer/property owner that all irrigation systems installed after the effective date hereof and for an existing system in the event of a repair, shall have installed an approved backflow prevention assembly other than an atmospheric vacuum breaker (AVB), in the event an existing irrigation system is repaired.

(11) It shall be the responsibility of the customer/property owner to have the backflow prevention assembly device tested as described in sections 3.10.051, 3.10.053 through 3.10.054. The backflow prevention assembly shall be repaired, overhauled, or replaced at the expense of the customer/property owner whenever said assemblies are found to be defective. Water service shall not be restored until repairs are complete.

(c) Responsibilities of the backflow prevention assembly tester. In addition to requirements of the backflow prevention assembly tester set forth in other parts of this division, the backflow prevention assembly tester shall also comply with the following:

(1) The backflow prevention assembly tester shall perform competent tests, issuing complete, accurate and legible reports of backflow prevention assemblies tested, and filing backflow prevention assembly test and

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maintenance reports as prescribed by division. Test reports shall be submitted to the water purveyor office of the city, within (10) ten days of the testing by the backflow prevention assembly tester of the installation, replacement, or repair of the backflow assembly.

(2) Prior to performing any testing of backflow prevention assemblies within the city, a licensed backflow prevention assembly tester must be registered annually with the city in accordance with this section.

(A) Eligibility for registration shall be conditioned upon applicant providing proof to the city that they are currently licensed as a backflow prevention assembly tester by the Texas Commission on Environmental Quality.

(B) Each applicant for registration shall furnish evidence to the city to show that he/she has available the necessary tools and equipment to properly test and certify such assemblies. Serial numbers of all test gauges shall be registered with the city annually and shall be listed on tests and maintenance reports prior to being submitted to the city. Each recorded test kit shall be tested annually for accuracy and calibrated to maintain a two-percent accuracy factor.

(3) In the event the city has reason to believe that testing or reporting deficiencies exist in a backflow prevention assembly tester's methods or report, the city shall notify the tester and customer/property owner, and shall take one or more of the following actions:

(A) Require the subject customer/property owner to have retested any backflow prevention assembly previously reported as operational;

(B) In the event the backflow prevention assembly tester has committed three (3) or more inadvertent testing or reporting inaccuracies within a twelve-month period commencing with the first inaccuracy, the backflow prevention assembly tester's registration with the city may be suspended for a period of six (6) months;

(C) In the event the backflow prevention assembly tester shall file with the city an intentional or knowing falsified test report, the backflow prevention assembly tester's registration with the city shall be revoked by the city.

#### **Sec. 3.10.054 Approved backflow prevention device assembly and installation**

(a) Any backflow prevention assembly required by [sections 3.10.052, 3.10.053](#), or 3.10.054 of the Code of Ordinances of the city, or section 312.9 or 608 of the 2018 International Plumbing Code, or sections P2503.7 or P2902 of the 2018 International Residential Code, or the USC Manual of Cross-Connection Control, American Water Works Association M14 Manual, as applicable, shall be of a model and size approved by the water purveyor/building official or as approved by 30 TAC 290.47(i), as same may be amended from time to time. Backflow prevention devices must be approved by the city prior to installation. A plumbing permit is required in accordance with [section 3.05.001](#) of this chapter. The city shall determine the type and location of the backflow prevention assembly to be installed within the area served by the public water system.

(b) The term "approved backflow prevention assembly" shall mean a backflow prevention assembly that has been manufactured and installed in full conformance with the standards specified within the 2018 International Plumbing Code and those established by the American Water Works Association (AWWA) and the USC Manual of Cross-Connection Control, American Water Works Association M14 Manual, titled:

AWWA C510 Standard for Double Check Valve Backflow-Prevention Assembly, and AWWA C511 Standard for Reduced-Pressure Backflow-Prevention Assembly, and have met completely the laboratory field performance specifications of the Foundation for Cross-Connection Control and Hydraulic Research (FCCHR) and the University of Southern California (USC), "Specification of Backflow-Prevention Assemblies" - Sec. 10 of the most current issue of the Manual of Cross-Connection Control.

(c) Backflow prevention assemblies shall be installed in a manner designed to facilitate ease of testing and inspection by the city or any certified general tester. All backflow prevention assemblies shall be tested upon installation, relocation, or repair of same.

(d) Backflow prevention assemblies, in addition to other requirements set forth in [sections 3.10.052, 3.10.053](#), or 3.10.054 of the Code of Ordinances of the city, or section 312.9 or 608 of the 2018 International Plumbing Code, sections P2503.7 or P2902 of the 2018 International Residential Code, or the USC Manual of Cross-Connection Control, American Water Works Association M14 Manual, shall be installed in accordance with subsections (1) through (9) below. The clearance standards set forth in subsections (1) through (9), below, shall apply to all assemblies installed in enclosures and meter boxes.

(1) Backflow prevention assemblies that are larger than four inches and installed more than five feet above floor level must have a suitable platform for use by testing or maintenance personnel.

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(2) All backflow prevention assemblies installed eight feet or higher above floor level must have installed a suitable permanent ladder for use by testing or maintenance personnel.

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(3) All backflow prevention assembly enclosures shall be designed for ready access and sized to allow for the minimum clearance as established in this article. Removable protective enclosures may be installed on smaller assemblies.

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(4) Reduced pressure zone assemblies two inches and smaller shall have at least a six-inch clearance on both ends and on top of the assembly. Additionally, there shall be twelve inches of clearance below the relief valve and twelve inches of clearance on the test cock side of the assembly. All assemblies larger than two inches shall have a minimum of twelve inches of clearance on the back side, twenty-four inches of clearance on the test cock side, and the relief valve opening shall be at least twelve inches plus nominal size of assembly above the floor or highest possible water level.

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(5) Double check valve assemblies larger than two inches may be installed above finished grade in a freeze-proof enclosure or below grade in a vault. If assembly is installed below grade, the test cocks must be plugged with corrosion resistant watertight plugs, and shall be no less than twelve inches below grade with a minimum of twelve inches clearance below the backflow assembly device. There shall be at least a six-inch clearance on both ends of the assembly with a minimum clearance of twelve inches on the back side and twenty-four inches on the test cock side. The top of the vault shall be two inches above ground level. Double check valve assemblies shall be installed so that the checks are horizontal.

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(6) Double check valve assemblies two inches and smaller may be installed above finished grade in a freeze-proof enclosure or below grade in a box. If assembly is installed below grade, the test cocks must be plugged with corrosion resistant watertight plugs, and shall be no less than twelve inches below grade with a minimum of twelve inches clearance below the backflow assembly device. There shall be at least a six-inch clearance on both ends of the assembly with a minimum clearance of twelve inches on the back side and twelve inches on the test cock side. The top of the box shall be two inches above ground level. Double check valve assemblies shall be installed so that the checks are horizontal.

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(7) Bypass arrangements are prohibited. Pipe fittings which could reasonably be calculated to constitute a means by which a backflow assembly could be bypassed and defeated shall not be installed.

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(8) All facilities that require continuous, uninterrupted water service and are required to have a backflow assembly must make provision for the parallel installation of assemblies of the same type so that testing, repair and maintenance can be performed.

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(9) All health hazard facilities shall have containment from the city's potable water system. For the purposes of this subsection, "containment" shall mean protection of the public water supply at the service connection.

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#### Sec. 3.10.055 Appeals

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The mechanism for appeal from the provisions of this division, or from a decision of an administrative official enforcing the same, shall be through the city in the same manner as set forth in Sec. 3.01.016 of this code.

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#### Sec. 3.10.056 Violations

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Violation of any provision of this division shall be deemed a misdemeanor punishable as provided in the Code of Ordinances of the city. Notwithstanding the above, in the event a violation results in an imminent risk to human health, safety or welfare, the city may immediately discontinue water service to the subject facility without notice. Notwithstanding the right to immediately discontinue water service without notice, as described herein, the city will attempt to provide notice as is reasonably practical under the circumstances presented. The city will provide customer with necessary information to properly reinstate service.

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### ARTICLE 3.11 MECHANICAL CODE

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#### Sec. 3.11.001 Adopted

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The 2018 currently adopted edition of the International Mechanical Code, as published by the International Code Council, Inc., as hereinafter amended, including appendix A, is hereby adopted as the mechanical code of the Town of Ransom Canyon, Texas. A copy of said code is attached hereto and incorporated herein as though set out herein in detail. References to the Mechanical Code in this chapter or to "this code" within this article shall mean and refer to the 2018 currently adopted edition of the International Mechanical Code as amended herein. One copy of the 2018 currently adopted International Mechanical Code shall be filed with the city secretary and a copy shall be maintained in the office of the city building official. All such copies, with the amendments thereto, shall be

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open to public inspection during the usual hours of business of the offices where they are maintained.

**Sec. 3.11.002 Coordination of administrative provisions Reserved**

**Sec. 3.11.003 Supplemental administrative amendments**

(a) **Fee schedule.** Section 3.04.002 is hereby amended by inserting the following fee schedule:

MECHANICAL FEE SCHEDULE	
New Construction:	\$0.06 per sq. ft. of gross floor area under roof, \$75.00 minimum.
Additions to floor area, or remodeling involving complete HVAC system replacement:	As for new construction.
Alterations & remodeling not involving total HVAC system replacement (no change in building area), including new installations, replacement and repair of: Air handlers, furnaces, air conditioning and ventilation equipment and duct systems, grease hoods, exhaust systems, boilers, chillers, etc. requiring inspection approval:	As for new construction, \$75.00 minimum (Where more than one inspection is required, an additional fee of \$75.00 shall be assessed for each additional inspection).
Miscellaneous "generic" permits for new installations, replacement and repair of: Air handlers, furnaces, air conditioning and ventilation equipment and duct systems, grease hoods, exhaust systems, boilers, chillers, etc. requiring inspection approval:	\$75.00 (Where more than one inspection is required, an additional fee of \$75.00 shall be assessed for each additional inspection).
Permit fees, work commencing prior to permit approval:	As for building permit fees, except that permit fee calculations shall be based on this section.
Renewal of expired permit:	
Renewal of involuntarily terminated permit:	
Permit transfer fee:	
Re-inspection Fees:	

**Sec. 3.11.004 Technical amendments Reserved**

**ARTICLE 3.12 ELECTRICAL CODE**

**Division 1. Generally**

**Sec. 3.12.001 In general**

This article shall be known and may be cited as "The Electrical Code of the Town of Ransom Canyon."

**Sec. 3.12.002 Definitions**

As used in this article and in [article 3.13](#), the following terms shall have the meanings ascribed to them as hereinafter set forth:

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**Board.** Any reference to “The Town of Ransom Canyon Board of Electrical Examiners” or the “board” shall mean and refer to the Town of Ransom Canyon Building Board of Appeals as established in [article 2.03, division 14](#) of this code.

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**Building official.** The duly appointed person who holds the position of building official of the Town of Ransom Canyon.

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**Code.** The electrical code of the Town of Ransom Canyon, Texas.

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**Direct supervision.** The review and inspection of all electrical work by a supervisor, who shall be either a licensed journeyman electrician, journeyman sign electrician, in-house journeyman electrician, master electrician, master sign electrician or in-house master electrician who shall be actually present at the job site at all times while electrical work is in progress.

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**Electrical maintenance work.** The keeping in safe repair and operating condition of any and all electrical installations, apparatus and equipment within or without any building or structure or located in or upon any lot or premises within the Town of Ransom Canyon.

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**Electrical work.**

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(1) All wiring, circuits, fixtures, appurtenances and appliances for the supply of electrical power, for all personal, domestic and commercial purposes in and about buildings or other structures where persons live, work or assemble; all wiring, circuits, fixtures, appurtenances and appliances outside such buildings or structures connecting the building with the source of electricity;

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(2) The installation, repair and maintenance of all wiring, circuits, fixtures, appurtenances and appliances in and about buildings or structures where persons live, work or assemble, for a supply of electricity; and

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(3) All other activities, including demolition of structures where energized circuits exist, installations or measures incidental to the distribution or electrical energy which are covered, regulated or in any fashion controlled by the specific sections of this code.

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**Engineer.** A person who is registered to practice engineering in the State of Texas and is actively engaged in electrical design or consulting services within the State of Texas.

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**Graduate engineer.** A person who holds a degree in electrical engineering from any accredited college or university.

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**In-house journeyman electrician.** A person with at least four (4) years' experience in the electrical trade, who is a full-time employee of a company or business within the Town of Ransom Canyon which employs over one hundred (100) persons and who is licensed by the board as hereinafter required.

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**In-house master electrician.** A person with at least four (4) years' experience as an in-house journeyman electrician, or a person who is an engineer or graduate engineer as herein defined who is a full-time employee of a company or business within the Town of Ransom Canyon which employs over one hundred (100) persons and who is licensed by the board as hereinafter required.

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**Inspector.** The building official or his designated representative, qualified in electrical code inspections who shall have the duty of inspecting any and all electrical work for code compliance.

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**Job site.** The specific premises or installation described in the electrical permit under which electrical work is being performed.

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**Journeyman electrician.** Any person licensed by the board as a journeyman electrician or any person who has been licensed by any other city operating under the “National Electrical Code,” currently adopted edition, or later edition of said code and presents to the building official a certified copy of his license together with a letter from the building official of the city in which the electrician has obtained his license stating that said city has adopted and is operating under the aforementioned National Electrical Code and meets the requirements of of this code.

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**Journeyman sign electrician.** Any person licensed by the board as a journeyman sign electrician or any other person who has been licensed by any other city operating under the “National Electrical Code,” currently adopted edition, or later edition of said code and presents to the building official a certified copy of his license together with a letter from the building official of the city in which the electrician has obtained his license stating that said city has adopted and is operating under the aforementioned National Electrical Code and meets the requirements of this code.

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**Maintenance electrician.** A person with at least four (4) years' experience in the electrical trade who is a full-time employee of a company or business and whose duty it is to maintain the existing electrical system, including all

fixtures and appurtenances contained in a building, structure, lot or premises owned or operated by his employer.

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**Master electrician.** Any person licensed by the board as a master electrician or any other person who has been so licensed by any other city operating under the "National Electrical Code," currently adopted edition, or later edition of said code and presents to the building official a certified copy of his license together with a letter from the building official of the city in which the electrician has obtained his license stating that said city has adopted and is operating under the aforementioned National Electrical Code and meets the requirements of this code.

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**Master sign electrician.** Any person licensed by the board as a master sign electrician or any other person who has been so licensed by any other city operating under the "National Electrical Code," currently adopted edition, or later edition of said code and presents to the building official a certified copy of his license together with a letter from the building official of the city in which the electrician has obtained his license stating that said city has adopted and is operating under the aforementioned National Electrical Code and meets the requirements of this code.

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**N.B.F.U.** The National Board of Fire Underwriters.

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**N.E.C.** The National Electrical Code as adopted by the Town of Ransom Canyon, compiled by the National Fire Protection Association.

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**Residential wireman electrician.** Any person licensed by the board as a residential wireman electrician or any person who has been licensed by any other city operating under the "National Electrical Code," currently adopted edition, or later edition of said code and presents to the building official a certified copy of his license together with a letter from the building official of the city in which the electrician has obtained his license stating that said city has adopted and is operating under the aforementioned National Electrical Code and meets the requirements of this code.

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**Signs.** Any physical device, panel or installation attached to or located on a building, premises or structure, used to display any message or communicate any thought or idea and which uses electrical current for its intended operation.

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**Window sign.** Any tubing containing neon gas located or installed on the inside of any window used to display any message or communicate any thought or idea and which uses electrical current for its intended operation.

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#### **Sec. 3.12.003 Construction against implicit repeal**

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This article being a general ordinance intended as a unified coverage of its subject matter, no part of it shall be deemed to be impliedly repealed by subsequent ordinances if such construction can reasonably be avoided.

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#### **Sec. 3.12.004 Conflict of interest**

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No person discharging the duties of an inspector under this code shall be an employer or employee of or have any pecuniary interest, direct or indirect, in any business, firm, company or association engaged in any phase of electrical work within the Town of Ransom Canyon.

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#### **Sec. 3.12.005 Scope**

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All electrical work installed within the city shall be installed in conformity with the provisions of this code and it is hereby declared to be unlawful for any person, firm or corporation to install any electrical work in violation of the provisions of this code and the National Electrical Code as adopted.

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#### **Sec. 3.12.006 National Electrical Code-Adopted by reference**

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The publication entitled "National Electrical Code", ~~2017~~currently adopted edition (NFPA 70), published by the National Fire Protection Association, a copy of which, authenticated by the signature of the building official, shall be filed with the city secretary as a public record, is hereby adopted as a part of this code as if fully copied herein in detail, except as modified by the provisions of this article. In the event of a conflict with any provision of the "National Electrical Code" and the Code of Ordinances, the Code of Ordinances shall govern. References in this code to the "National Electrical Code" or the "N.E.C." shall mean and refer to the ~~2017~~currently adopted edition.

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#### **Sec. 3.12.007 -3.12.009 Amendments Reserved**

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#### **Sec. 3.12.010 Interference with entry of inspector; concealment of wiring, etc.**

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(a) **Right of entry.** Whenever necessary to make an inspection to enforce any of the provisions of this code, or whenever the building official or inspector has reasonable cause to believe that there exists in any building or upon any premises any condition or code violation which makes such building or premises unsafe, dangerous or hazardous, the building official or inspector may enter such building or premises at all reasonable times to inspect the same or to perform any duty imposed upon the building official or inspector by this code, provided that if such

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building or premises be occupied, he shall first present proper credentials and request entry; and if such building or premises be unoccupied, he shall first make a reasonable effort to locate the owner or other persons having charge or control of the building or premises and request entry. If such entry is refused, the building official or inspector shall have recourse to every remedy provided by law to secure entry.

(b) **Compliance.** When the building official or inspector shall have first obtained a proper inspection warrant or other remedy provided by law to secure entry, no owner or occupant or any other persons having charge, care or control of any building or premises shall fail or neglect, after proper request is made as herein provided, to promptly permit entry therein by the building official or inspector for the purpose of inspection and examination pursuant to this code.

#### Sec. 3.12.011 Violation; notification

When the building official or inspector observes or if it comes to his attention that any electrical work is installed contrary to or in violation of the provisions of this code, it shall be his duty to immediately notify the responsible master electrician, master sign electrician, other permitted electricians, or the owner or occupant of the premises to immediately correct such installation or cease work on the entire installation until the violation is corrected.

#### Sec. 3.12.012 Premises involved in fire; reinstatement of service

(a) In every case where the chief of the fire department of the Town of Ransom Canyon or the State's Fire Marshal determines that a fire originated due to any of the following causes:

- (1) Faulty electrical wiring;
- (2) Overloading of electrical equipment;
- (3) Unauthorized electrical installation; or
- (4) If a fire originating from any cause results in damage to an electrical system;

(b) In every case where the building ~~inspector~~ official finds that a fire has caused damage to an electrical system or finds that a fire has originated for any of the reasons set forth in this section, no electrical service shall be reinstalled or reconnected to the property by any electrician or by the owner of such property or any other person until such time as such system has been repaired in compliance with this code. All inadequate, substandard or hazardous electrical conditions shall be repaired to meet present code requirements and be approved by the building official.

(c) Notwithstanding the provisions of subsections (a) and (b) of this section, the building ~~inspector~~ official may approve temporary electrical service necessary to complete repairs or reconstruction of the property in question.

#### Sec. 3.12.013 Improperly installed or defective equipment

(a) In the event any part of any electrical equipment or wiring in or about any building, facility, installation, premises or lot within the Town of Ransom Canyon is found to have been installed or connected in violation of the provisions of this code, it shall be the duty of the building official or inspector to notify in writing the owner of the premises, or the tenant of the premises, or the person in possession of the premises to immediately cease using electrical current in any such violation identified by the building official or inspector.

(b) In the event any part of any electrical equipment or wiring in or about any building, facility, installation, premises or lot within the city is found to have fallen into a state of disrepair which would render the use of such electrical equipment dangerous to life or property, it shall be the duty of the building official or inspector to notify in writing the owner of the premises, or the tenant of the premises, or the person in possession of the premises to immediately cease using electrical current in any such violation or condition identified by the building official or inspector.

(c) The written notice required in this section shall state the following:

- (1) The date that the inspection was made by the building ~~official or~~ inspector where violations of this code or conditions dangerous to life or property were found;
- (2) The section or sections of the code which the inspection reveals have been violated;
- (3) In the case of conditions dangerous to life or property, a brief description of said conditions;
- (4) A specified time, not to exceed ten (10) days from the date of the written notice, to correct all code violations identified or to correct all conditions identified as dangerous to life or property.

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(5) A statement advising the owner, tenant or person in control and possession of the building, facility, installation, premises or lot that, if there are any persons using the area in question who require electrical service for life support, that it is the duty of the person receiving this notice to immediately and without failure notify the building official of such fact.

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(d) In the event that the owner, tenant or person in possession of the premises identified in the above written notice fails to take action necessary to correct any and all code violations or conditions dangerous to life or property within the time specified in the written notice, the building official or inspector shall take the following action:

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(1) The building official or inspector shall serve upon the owner, tenant or person in possession of the property an order to cease use of the property, facility, installation, premises or lot until such time as proof is presented to the building official that all defects have been corrected and such work is verified by inspection; or

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(2) In every case where the violation of this code found to exist is of such a nature as to cause immediate danger to life or property, the building official shall issue an order to the public utility supplying such power to immediately terminate such electrical service until such time as all code violations are corrected.

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(3) In the event that the owner, tenant or person in possession of the building, facility, installation, premises or lot fails to comply with an order of the building official issued under subsection (1) above set forth within three (3) days of receipt of said order, then in such event the building official shall issue his order as provided in subsection (2) above set forth to the public utility providing the electrical services.

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(4) Notwithstanding any provision set forth in subsections (1) through (3) above, when the building official has been notified by the owner, tenant or person in possession of the building, facility, installation, premises or lot that there is a person residing within any of the foregoing structures or areas who requires electrical service for life support, the building official is authorized to take one or all of the following courses of action:

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(A) Notify the owner, tenant or person in possession of the structure or area described above to immediately make arrangement to provide an alternative location for the person involved.

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(B) Withhold taking action to terminate electrical service for a reasonable period of time not to exceed ten (10) days.

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(C) To terminate all electrical service not necessary for the life support of the person or persons involved.

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(D) To request the city attorney to seek a proper court order requiring the relocation of the person or persons involved.

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#### Sec. 3.12.014 Liability for defective work

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This code shall not be construed to relieve from or lessen the responsibility of any person owning, operating, controlling or installing any electrical wiring connections, fixtures, appliances, apparatus, machinery, equipment or work, inside or outside, overhead or underground in the city, for damages to any person injured by defects therein, nor shall the city be held as assuming any liability by reason of the inspection authorized by this code or certificate or permit issued as provided for and regulated.

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#### Secs. 3.12.015–3.12.060 Reserved

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### Division 2. License

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#### Sec. 3.12.061 Required

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(a) It shall be unlawful for any person to engage in or carry on directly or indirectly, or to advertise or to hold himself out as engaging in, or carrying on, electrical work or to perform any act as a master electrician, master sign electrician, or in-house master electrician or a journeyman electrician, journeyman sign electrician, or in-house journeyman electrician, or maintenance electrician, as defined within this code, without first obtaining a license as a master electrician, master sign electrician, or in-house master electrician, or journeyman electrician, journeyman sign electrician, or in-house journeyman electrician, or maintenance electrician as the case may be and as provided for in this code.

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(b) An electrical contractor shall not engage in any electrical contracting business within the city unless the business is under the supervision of a master electrician or master sign electrician who:

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(1) Is an owner or full-time employee of the business; and

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- (2) Actively supervises the daily operation of the business; and
- (3) Is not employed by any other business at the same time that the electrical contracting business for which he is "actively and daily supervising" is performing electrical work within the city; and
- (4) Is authorized to order employees of the business to correct defects, errors and deficiencies in electrical work installed or performed by the business.
- (c) A master electrician or master sign electrician shall not use his license to obtain electrical permits issued under this code for any other class of electrician who is not a full-time employee of the master electrician or master sign electrician and under his direct supervision and control. Note: Business records of the electrical contractor may be required by the board to substantiate the master's involvement with the business.

#### Sec. 28.12.062 Exceptions

- (a) The provisions of this code shall not apply to any of the following:
- (1) Any electrical work performed by any electrical public utility holding a certificate of service from the public utility commission of the State of Texas and operating within the Town of Ransom Canyon.
- (2) Any electrical work performed by a telephone, telegraph or district messenger company operating under a franchise issued by the Town of Ransom Canyon.
- (3) Any electrical work performed by any broadcast transmission business or entity.
- (a) The above exceptions from this code do not, however, authorize any of the classes of business above named to perform electrical work for the general public or to do any other type of electrical work except that which is necessary and customary to the class of business involved.
- (b) Notwithstanding the exception set forth in subsection (a) of this section, the provisions of this code shall apply to the wiring and installation for light, heat and power for all buildings containing equipment or housing employees of any class of business excepted by subsection (a) of this section.
- (c) Nothing in this code shall be construed to require a property owner to obtain a license or furnish a certificate of insurance before doing electrical work in or on a building occupied by himself as a single-family residence provided the following conditions exist:
- (1) He has applied for and obtained a permit from the building official to do the electrical work.
- (2) He has presented a set of plans showing the electrical work to be undertaken and said plans are found to conform to this code.
- (3) He agrees to call for all inspections required by this code.
- (4) He is able to demonstrate to the building official that he has a working knowledge of this code and the ability to do electrical work in conformance with the provisions of this code.
- (5) He agrees to correct any violations of this code found or discovered upon any inspection performed by the building official or inspector.

#### Sec. 3.12.063 Unlawful to do electrical work unless licensed

It shall be unlawful for any person to do, or undertake to do, any electrical work within the Town of Ransom Canyon unless licensed to perform such work in accordance with the provisions of this code, except where a person is performing electrical work for a class of business that is exempt from the provisions of this code as set forth in section 3.12.062 of this division or is a homeowner performing electrical work or wiring on his own residence and is exempt from the provisions of this code as set forth in the aforementioned section of this division.

**Case law annotation**—The failure of a subcontractor to secure a bond or license does not void his contract with a contractor, though no permit was issued for the installation. *Plains Steel Buildings v. Mathis*, 44 S.W. 2d (Ct. Civ. App. 1969).

#### Sec. 3.12.064 Removal of work performed by unlicensed persons; exceptions

- (a) Any electrical work installed by unlicensed persons shall be completely removed from any structure prior to a permit being issued to an electrician licensed to do work in the Town of Ransom Canyon.
- (1) A demolition electrical permit shall be issued to a licensed electrician to remove all work performed by any unlicensed person on any structure.
- (2) The fee for a demolition permit on unlicensed work shall be the same as for the electrical permit required for the work and the electrical permit required for the work, whether complete or incomplete, shall be double the

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normal fee because the work was started by an unlicensed person prior to acquiring a permit.

(b) Exceptions:

- (1) Existing electrical work installed by unlicensed persons may be used provided it is approved by the building official; and
- (2) A licensed master electrician will certify the work in writing and accept full responsibility for the work.

**Sec. 3.12.065 Present licenses and bond to continue in effect**

All licenses, bonds and permits lawfully held, filed or issued at the time that this code becomes effective shall continue in effect until the date of their expiration and they shall be deemed to have been issued, secured or filed in accordance with the provisions of this code and all electrical work prosecuted under such licenses, bond and permits shall meet the provisions of this code.

**Sec. 3.12.066 Reciprocity**

(a) A master electrician, master sign electrician, journeyman electrician, or journeyman sign electrician licensed to perform electrical work in other cities for at least three (3) years preceding application to the Town of Ransom Canyon may apply for and receive a license similar or equivalent to his current license without taking the required examination under the following conditions:

- (1) He shall submit evidence satisfactory to a majority of the board that his current license was issued by a city operating under the "National Electrical Code," currently adopted edition (see [section 3.12.007](#)), or later edition of said code.
- (2) He shall submit evidence satisfactory to a majority of the board that his current license was issued under conditions not less restrictive than required by this code for issuance of such a license.
- (3) He shall submit evidence satisfactory to a majority of the board that an electrician licensed by the board would be permitted to apply for and receive a similar or equivalent license under reciprocal conditions from the city issuing applicant's current licenses.
- (4) He shall furnish all necessary certificates of insurance, pay all license fees and comply with all other requirements of this code.

(5) A license issued under this section may be revoked or suspended for any of the reasons set forth in 2-456 [sic] of the Code of Ordinances of the Town of Ransom Canyon.

(b) The three-year requirement stated above may be waived by the board providing the reciprocating city has no three-year requirement for reciprocity.

**Sec. 3.12.067 Unlawful work; false claims**

- (a) It shall be unlawful for any licensed electrician to perform or hold himself out as being able to perform any type or class of electrical work not expressly included under coverage of his license.
- (b) It shall be unlawful for any person to advertise or to hold out or to state to the public or to any customer, either directly or indirectly, that any electrical work or installation complies with the city electrical code unless such work has in fact been inspected and approved by the building official or his designated representative.
- (c) It shall be unlawful for any person, or the owner, agent or occupant of premises to aid or abet an electrical contractor in the violation of this code or connive in its violation.

**Sec. 3.12.068 Uniformity of requirements**

All requirements in this code, relating to violations, suspension, revocation, penalties and similar sections that apply to a master or journeyman electrician shall apply to an industrial master electrician and industrial journeyman electrician.

**Sec. 3.12.069 Unlicensed electricians**

It shall be unlawful for any licensed electrician to allow any unlicensed electrician or unregistered apprentice to work at any job site or electrical installation project under his control or supervision. (1983 Code, sec. 6-155; Ordinance 8856, sec. 2, adopted 12/12/1985)

**Sec. 3.12.070 Classification of licenses**

There is hereby created the following classifications of electrical licenses within the Town of Ransom Canyon:

- (1) Master electrician's license qualifying the holder of such license to advertise, bid on electrical work, solicit

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electrical work, install, maintain and repair all types of electrical equipment and to undertake any and all types of electrical work and to make contracts to perform such work. A person holding this license shall directly supervise all jobs under his permit including personal supervision of journeymen and apprentice electricians working under his permit. A person holding this license shall not be qualified to undertake the work of a master sign electrician, except that a person holding this license may undertake repairs and power connections on a sign.

(2) Master sign electrician's license qualifying the holder thereof to manufacture, erect, maintain and repair gaseous discharged lighting signs, outline lighting and other types of signs using electrical lighting or current. A person holding this license is further authorized to undertake any electrical work required to manufacture, erect, maintain and repair signs using electrical lighting or current and to contract to perform such work.

(3) Journeyman electrician's license qualifying the holder to undertake electrical work as defined in section 3.12.002 of this code as an employee of and directly under the supervision of a licensed master electrician doing electrical work for the general public who will supervise his work on a daily basis. A journeyman electrician working under the supervision of a licensed master electrician may supervise other journeymen electricians or apprentice workers.

(4) Journeyman sign electrician's license qualifying the holder thereof to manufacture, erect, maintain and repair gaseous discharged lighting signs, outline lighting and all other types of signs using electrical lighting or current. A person holding this license is further authorized to undertake any and all electrical work required to manufacture, erect, maintain and repair any sign using electrical lighting or current. A person holding this license shall, however, be an employee of and under the supervision of a licensed master sign electrician while performing any of the work authorized herein.

(5) Maintenance electrician's license qualifying the holder to undertake all work necessary to keep existing electrical installations, fixtures and equipment in a proper and safe state of repair and in compliance with this code. A person holding this license shall be an employee of the owner or operator of a building or group of buildings used by the owner or operator to conduct his business and shall undertake electrician maintenance work only on the building or group of buildings owned or operated by his employer; however, such license shall not entitle the holder thereof to do any work requiring an electrical permit.

(6) Residential wireman electrician qualifying the holder to undertake electrical work on new construction of one- and two-family residences only, as an employee of and directly under the supervision of a licensed master electrician doing electrical work for the general public who will supervise his work on a daily basis. A residential wireman electrician working under the supervision of a licensed master electrician may supervise other residential wireman electricians or apprentice workers.

#### Sec. 3.12.071 Possession of identification

The holder of any electrical license authorized to be issued under the provisions of this code shall, when on the job site of any electrical installation, have in his immediate possession the wallet size license identification as furnished by the building official at the time of the issuance of his license, and such license holder shall upon request present same for identification to the building official or any of his deputies. In addition to the identification requirement in this section, each master electrician and master sign electrician shall cause to be posted in a prominent place at their respective place of business the certificate of qualification which is issued by the building official at the time his license is issued.

#### Sec. 3.12.072 Business address

(a) Every master electrician and master sign electrician licensed under this code shall file with the building official a written statement setting forth the current business address and phone number of said electrician. It shall be the responsibility of the electrician to advise the building official of any changes to the information herein required.

(b) The building official shall not issue any permit required by this code to any master electrician or master sign electrician who has not complied with the requirements of this section.

#### Sec. 3.12.073 Transfer

Any electrical license issued in accordance with this code shall be nontransferable.

#### Sec. 3.12.074 Employment of journeyman or apprentice

(a) Every master electrician or master sign electrician shall be responsible for and exercise supervision and control over every journeyman electrician or apprentice electrician performing work upon any job site for which the master electrician or master sign electrician has secured a permit in accordance with the provisions of this

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code. Consistent with the responsibility of the master electrician or master sign electrician to exercise supervision and control over journeyman electricians and apprentices, no master electrician or master sign electrician shall use the services of a journeyman electrician or apprentice on any job who is not a full-time employee of the master electrician or master sign electrician.

~~(b) The building official may require the master electrician or master sign electrician to produce payroll records, quarterly federal withholding reports, or other information to verify the employee relationship.~~

~~(be) As used in this section journeyman electrician and apprentice electrician shall include journeyman sign electrician and apprentice sign electrician.~~

#### **Sec. 3.12.075 Employment of journeyman electrician or journeyman sign electrician**

It shall be a violation of this code and an additional reason for revocation or suspension of a journeyman's license if a journeyman electrician or journeyman sign electrician is found to be undertaking or engaged in performing electrical work in all cases where a permit for such work has not been issued to the master electrician or master sign electrician who employs, on a full-time basis, the journeyman electrician or journeyman sign electrician.

#### **Sec. 3.12.076 Notification of employment**

(a) The holder of a journeyman electrician license or a journeyman sign electrician license shall notify the ~~building official~~ city in writing in the event the holder of such a license changes places of employment. The notice shall contain the name, address and phone number of the new employer together with the date of new employment.

(b) The holder of a maintenance electrician license shall follow the same procedure as set forth in subsection (a) of this section in the event he changes places of employment.

(c) The holder of an in-house master electrician or in-house journeyman electrician license shall follow the same procedure as set forth in subsection (a) of this section in the event he changes places of employment.

(d) The notification required by this section shall be made to the ~~building official~~ city no later than ten (10) days after the commencement of new employment.

#### **Sec. 3.12.077 Same-Registration; work permit**

(a) Every person desiring to do work as an apprentice electrician within the city shall register with the ~~building official~~ of the city. The person desiring to so register shall furnish to the ~~building official~~ city the following information:

- (1) Name and address;
- (2) Current phone number;
- (3) Employer's name, address and phone number; and
- (4) Date of employment.

Upon receipt of the foregoing information the ~~building official~~ city shall register the person applying in a book kept in his office for such purposes and issue an apprentice work permit to the person so registered.

(b) In the event that an apprentice electrician changes places of employment, said apprentice shall notify the ~~building official~~ city and provide the information required in subsection (a) of this section.

(c) An apprentice work permit shall expire on the thirty-first day of December of each calendar year and may be renewed thereafter in accordance with the procedure set forth in this section.

(d) A fee shall be charged for each apprentice work permit issued in accordance with the schedule of fees hereinafter set forth in this code.

(e) Every person holding an apprentice electrician's work permit shall keep same in his possession and on his person at all times when engaged in any electrical work.

(f) An apprentice electrician's work permit shall qualify the holder thereof to undertake electrical work when such work is done or performed under the direct supervision of one of the following:

- (1) Master electrician;
- (2) Master sign electrician;
- (3) Journeyman electrician;
- (4) Journeyman sign electrician;

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- (5) In-house master electrician; or
- (6) In-house journeyman electrician.
- (7) Residential wireman electrician.

**Sec. 3.12.078 Limit on number of apprentice electricians under supervision**

No class of electrician licensed under this code shall have more than three (3) apprentice electricians working under his direct supervision and control.

**Sec. 3.12.079 Vehicle and other identification**

- (a) Each vehicle used for work as provided under this code shall have signs placed upon each side clearly identifying the master number, person, corporation or "company" using said vehicle. Lettering of said signs shall have a minimum height of two (2) inches and be of a contrasting color to the sign's background.
- (b) Each master electrician or master sign electrician shall include his license number upon every bill, statement, or business letter issued or sent by him.
- (c) Every master electrician or master sign electrician shall include his license number on all printed or written advertising used by said electrician.

**Secs. 3.12.080–3.12.140 Reserved**

**Division 3. Permit**

**Sec. 3.12.141 Required**

- (a) It shall be unlawful for any person to undertake any electrical work within the city without having obtained a permit authorizing the person to undertake said work.
- (b) There shall only be one electrical permit issued or outstanding at the same time for any electrical work undertaken at any job site within the Town of Ransom Canyon, ~~except the building official shall be authorized to issue two (2) or more permits for a job site in cases where the electrical work to be undertaken at a job site is to be done in separate phases and the electrician applying for the permit is to be responsible for one or more phases of the electrical work, but not the total work required for completion of the job.~~
- (c) In all cases where a master electrician or master sign electrician has obtained a permit to undertake electrical work and the electrician is seeking to undertake less than the total electrical work at a job site, the following requirements apply:
  - (1) The master electrician or master sign electrician shall, prior to the issuance of such permit, supply to the ~~building official~~ drawings, diagrams or plans which show the exact scope of the work to be undertaken.
  - (2) The master electrician or master sign electrician shall be solely responsible for all electrical work to be undertaken by said electrician at the job site.
  - (3) The master electrician or master sign electrician who has obtained a permit to do electrical work at a job site when such work is a phase or part of the total work but less than the total work required at the job site shall do only such work at the job site authorized by his permit.
  - (4) In every case where there is more than one electrical permit issued for a job site within the city, where two (2) or more master electricians or master sign electricians are working on different parts or phases of the electrical work at such site, it shall be the joint responsibility of all such electricians so permitted to see that the individual work undertaken is compatible with all other electrical work undertaken at the job site and in conformity with the approved plans for the job and this code.
  - (5) In every case where two (2) or more master electricians or master sign electricians have performed phases of work at a job site the ~~building official~~ inspector shall make one final electrical inspection at the job site which shall cover all electrical work undertaken or done at the job site and shall not pass the work unless all electrical work undertaken at the job site is found to comply with the provisions of this code.
  - (d) The ~~building official~~ shall issue only one electrical permit per job site for the same or identical work with the following exceptions:
    - (1) Where the master electrician or master sign electrician has failed to complete the work and such fact is

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communicated by the general contractor; or

(2) Where the building official is notified in writing by the master electrician or master sign electrician that his contract for the electrical work is no longer in effect; or

(3) Where the building official has been notified in writing by the general contractor permitted at the job site that the master electrician or master sign electrician originally permitted to do the work at the job site has been replaced with a new electrician.

(e) In every case where the building official determines that a new permit will be issued the person requiring such permit shall pay the full fee therefor and no refund shall ever be made on the original permit issued.

(f) The building official is authorized to require any other type of evidence from the general contractor or the master sign electrician or master electrician which he deems necessary prior to the issuance of a new electrical permit.

(g) The issuance of a new permit under this section shall release the first permitted electrician of any responsibility for compliance with this code for work completed by said electrician and the new permitted electrician shall assume and become responsible for compliance with this code for the entire job site.

(h) The building official shall require the owner, general contractor or subcontractor or other interested person to execute an indemnity agreement agreeing to save harmless and defend the city and building official from any and all liability which may be alleged as a result of the issuance of a new electrical permit under this section and to require said agreement to be secured by bonds and insurance deemed appropriate unless a release is signed by all parties.

(i) The following types of permits for electrical work may be issued by the building official:

(1) General electrical permit. A general electrical permit shall only be issued to a master electrician and shall authorize said electrician to perform any type of electrical work at a specific job site for which his license qualifies.

(2) General electrical sign permit. A general electrical sign permit shall only be issued to a master sign electrician to perform any type of electrical work at a specific job site for which his license qualifies.

(3) Homeowner's permit. A homeowner's electrical permit shall only be issued to a person who owns and resides in a single-family home and may be used by said homeowner to do electrical work on the premises used by the homeowner as his homestead residence. The permit issued under this subsection, homeowner's permit, shall be obtained no more than one (1) time every five (5) years.

(4) In-house electrical permit. An in-house electrical permit shall only be issued to a person licensed by the board as an in-house master electrician and shall authorize said electrician to perform any type of electrical work for his employer for which his license qualifies. No permit issued to an in-house master electrician shall ever authorize said electrician to perform any work for any person other than the employer of said electrician, which work shall be limited to the buildings, grounds and equipment owned or leased by his employer.

#### **Sec. 3.12.142 When permit not required**

(a) No permit shall be required for a licensed electrician or homeowner to undertake minor electrical work, which, by way of illustration and not limitation, is as follows:

(1) Repair flush and snap switches.

(2) Replacing fuses.

(3) Changing lamp sockets and receptacles.

(4) Replacing neon tubing in or on an existing sign erected in compliance with this code.

(5) Changing lamp or ballast.

(b) No permit or license shall be required to attach or repair electrical wiring or install service to electrical apparatus or equipment which is a part of a refrigeration, heating or air conditioning system or unit or any motor unit driving other equipment. Nothing in this subsection shall be construed as allowing any person to install new electrical wiring to or in a building or premises in order to install any of the equipment listed herein and this section shall be construed to allow a person to connect to existing wiring only.

(c) No permit shall be required, after original installation and inspection, to change an electrical fixture, repair or replace same unless the work will require a change in the size of the wiring supplying current to such fixture.

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#### Sec. 3.12.143 Application

Application forms for any type of electrical permit authorized by [section 3.12.141\(i\)](#) shall be obtained from the building official and shall be fully completed by the individual seeking the permit and returned to the building official. The building official shall not issue the permit request if he finds any of the following:

- (1) That the proposed electrical work does not comply with the provisions of this code.
- (2) Plans and specifications for the work to be done under the requested permit are insufficient to allow the building official to determine if the work proposed to be done under the requested permit complies with this code.
- (3) The individual is seeking a permit to perform electrical work which he is not qualified to perform under the license issued to such person by the board.
- (4) In the case of a homeowner's permit, the individual applying therefor is not the owner and resident of the premises for which the permit is sought.
- (5) In the case of a homeowner's permit, the individual seeking the permit has failed to demonstrate a working knowledge of this code.
- (6) The individual seeking the permit has failed to furnish the certificate of insurance required by this code, or if such insurance has been cancelled or reduced in coverage.

#### Sec. 3.12.144 Plans and specifications required

- (a) Two (2) sets of electrical plans and specifications shall be submitted to the building official prior to the issuance of a permit for electrical work in the following cases:
  - (1) All new construction for which a building permit is required in accordance with this chapter.
  - (2) All alterations to existing buildings or structures for which a building permit is required in accordance with this chapter.
- (b) In addition to the foregoing the building official may require two (2) sets of electrical plans and specifications in all cases where, in the opinion of the building official, such plans and specifications are necessary for the building official to determine if the proposed electrical work to be undertaken, if a permit is issued, will comply with the provisions of this code.
- (c) In every case where plans and specifications are required by this section, they shall contain the following information:
  - (1) The size of the feeders and subfeeders and their length when there are more than four (4) branch circuits.
  - (2) All current connected device locations.
  - (3) All circuitry to panels.
  - (4) All panels and the service entrance must be sized on the plans.
- (d) In addition to the requirements set forth in subsection (c) of this section, the building official may require the calculations for the plans prior to the issuance of a permit.
- (e) The plans required by this section shall be sealed or certified as follows:
  - (2) All other plans shall be approved and bear the seal or certification of any one of the following persons:
    - (A) An engineer licensed by the State of Texas;
    - (B) A master electrician licensed by the board;
    - (C) A master electrician authorized to secure permits for electrical work;
    - (D) A master sign electrician licensed by the board;
    - (E) A master sign electrician authorized to secure permits for electrical work;
    - (F) A homeowner who is performing electrical work on his own residence.

#### Sec. 3.12.146 Issuance

- (a) When the permit fee, as hereinafter established in this code, is paid and all other applicable provisions of this code are complied with, the building official shall issue the permit requested.
- (b) The permit shall specify the following:
  - (1) The type of permit issued;

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- (2) The proposed work to be done;
- (3) The location of the job site;
- (4) The name and address of the licensed electrician receiving the permit or, in the case of a homeowner, his name and address;
- (5) The name and address of any company, firm, business, partnership or corporation with whom the licensed electrician is an officer, employee or partner;
- (6) The date of issuance and the signature of the building official;
- (7) The signature of the electrician or homeowner receiving the permit and responsible for code compliance.

**Secs. 3.12.147–28.12.200 Reserved**

#### **Division 4. Inspections**

##### **Sec. 3.12.201 Required**

All electrical work for which a permit has been issued in accordance with the terms of this code shall be inspected by the building official for compliance with this code. The building official in discharging this duty shall make the following inspections:

- (1) **Rough-in inspection.** The licensed electrician or homeowner who has secured the permit for electrical work shall be responsible for notification to the building official that the electrical work is ready for a rough-in inspection at such time that all raceways, panelboard cabinets, service equipment, outlet boxes, junction boxes, conduit, conductors and conductor splices are installed and ready for visible inspection. The building **officialinspector** shall refuse to make any rough-in inspections in every case where the electrical work has been covered from view.
- (2) **Final inspection.** The licensed electrician or homeowner who has secured the permit for electrical work shall be responsible for notification to the building official that the electrical work is ready for a final inspection. Electrical work shall be considered ready for final inspection when such work has passed all prior inspections made by the building **officialinspector** or when such work has been corrected to comply with this code where a violation has been found to exist upon prior inspection and where the electrical work has been completed in accordance to plans and specifications by the licensed electrician or homeowner who has secured the permit. The building **officialinspector** or his designated representative shall have the option of requiring the presence of the permitted electrician or journeyman in charge of the work at any final inspection.
- (3) **Additional inspection.** In addition to the inspections required to be made by the building **officialinspector** under subsections (1) and (2) of this section, said **buildinginspectorofficial** is further required to make any and all additional inspections he shall deem necessary to insure that all electrical work undertaken or existing in the Town of Ransom Canyon is in compliance with this code.

##### **Sec. 3.12.202 Requests**

- (a) Every licensed electrician or homeowner securing a permit under this code to undertake electrical work shall be responsible to notify the building official of any requested inspection. The building**inspectorofficial** shall complete such inspection within twenty-four (24) working hours after receipt of notice requesting such inspection.
- (b) Request for inspection may be made in writing or by telephone and shall contain or specify the following information:
  - (1) The address where the work is located;
  - (2) The permit number if requested by the building official;
  - (3) The electrical contractor's name and address or name of homeowner;
  - (4) The type of inspection requested.

##### **Sec. 3.12.203 Clearance to electric utility company**

No electric utility company furnishing electric service within the Town of Ransom Canyon shall furnish electric service in any of the following cases until written authorization has been secured from the building official:

- (1) No new service shall be furnished to any new building, structure, tent, installation until authorization has been secured from the **buildingofficialcity**.

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(2) Where electrical service has been terminated due to the alteration or repair of any building, structure, installation, sign, premises or outdoor lighting until authorization has been secured from the ~~building official~~city.

(3) Where electrical service has been terminated due to fire, windstorm, earthquake, explosion or any other similar disaster to any building, structure, installation, sign, premises or outdoor lighting until authorization has been secured from ~~the building official~~the building inspector.

(4) Where electrical service has been terminated due to unsafe electrical conditions existing at or in any building, structure, installation, sign, premises or outdoor lighting and the utility has been made aware of such fact by the ~~building official~~city, the utility will not provide electrical service in such cases until authorized in writing by the ~~building official~~city.

**Secs. 3.12.204–28.12.250 Reserved**

#### **Division 5. Fees**

#### **Sec. 3.12.251 Permit and inspection fees**

The following permit fees shall be charged to every person securing any class of electrical permits authorized by this code:

(1) In every instance where an electrician licensed by the board is securing a permit issued pursuant to this code seeks to undertake electrical work in, on or about any new construction within the city, the permit fee to be charged shall be at the rate of six cents (\$0.06) per square foot of said new construction as calculated from the plans by the building official. However, in every case a minimum fee of seventy-five dollars (\$75.00) shall be charged for the permit. New construction for the purposes of this section shall mean the erection of a new building or structure or the erection of an addition to an existing building or structure which proposed building, structure or addition has not had electrical current available to said proposed building, structure or addition.

(2) In every case where an electrician licensed by the board or authorized to secure electrical permits pursuant to the terms of this code seeks to undertake electrical work in, or about a building or structure being renovated within the city, the permit fee to be charged shall be at the rate of six cents (\$0.06) per square foot of the building or structure as calculated from the plans for such building or structure by the building official. However, in every case a minimum fee of seventy-five dollars (\$75.00) shall be charged for the permit. Building renovation for the purposes of this section shall mean any existing building or structure where the proposed electrical work to be undertaken therein amounts to a total rewiring of the existing building or structure.

(3) In every case where an electrician licensed by the board is authorized to secure electrical permits pursuant to the terms of this code seeks to undertake electrical work in, on or about a building or a structure which is being remodeled within the city the permit fee to be charged shall be as follows:

(A) A minimum permit fee of seventy-five dollars (\$75.00) shall be charged in all cases.

(4) In every case where a permit has been issued to undertake any type of electrical work and said work was inspected by the building ~~official~~inspector and said ~~official~~inspector determined upon inspection that the electrical work failed to comply with the provisions of this code and issued a red tag for such work pursuant to this code, there shall be charged a fee of seventy-five dollars (\$75.00) for each reinspection of the work.

(5) No governmental entity shall be exempt from payment of electrical permit fees unless such entity is specifically exempted by state or federal law. Except that no fee shall be required from a governmental entity when the work is being performed by licensed maintenance personnel employed full time by the governmental entity to maintain buildings owned and occupied by the governmental entity. However, permits and inspections shall be required in all instances.

(8) When any electrical work is commenced within the city and no permit, if required, has been obtained prior to the commencement of the work, the fee for issuance of the required permit shall be doubled.

**Secs. 3.12.252–28.12.300 Reserved**

#### **ARTICLE 3.13 INTERNATIONAL RESIDENTIAL CODE**

#### **Sec. 3.13.001 Adopted**

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The ~~2018~~currently adopted edition of the International Residential Code (third or later printing), as published by the International Code Council, Inc., is hereby adopted as the residential code of the Town of Ransom Canyon, Texas. ~~A copy of said code is attached hereto and incorporated herein as though set out herein in detail.~~ References to the residential code in this chapter shall mean the ~~2018~~currently adopted edition of the International Residential Code. One copy of the ~~2018~~currently adopted International Residential Code shall be filed with the city secretary and a copy shall be maintained in the office of the city building official. All such copies, with the amendments thereto, shall be open to public inspection during the usual hours of business of the offices where they are maintained.

- Sec. 3.13.002 Coordination of administrative provisions Reserved  
Sec. 3.13.003 Supplemental administrative amendments Reserved  
Sec. 3.13.004 Technical amendments Reserved

#### ARTICLE 3.14 INTERNATIONAL FUEL GAS CODE

##### Sec. 3.14.001 Adopted

The ~~2018~~currently adopted edition of the International Fuel Gas Code, as published by the International Code Council, Inc., is hereby adopted as the fuel gas code of the Town of Ransom Canyon, Texas. ~~A copy of said code is attached hereto and incorporated herein as though set out herein in detail.~~ References to the fuel gas code in this chapter shall mean the ~~2018~~currently adopted edition of the International Fuel Gas Code. One copy of the ~~2018~~currently adopted International Fuel Gas Code shall be filed with the city secretary and a copy shall be maintained in the office of the city building official. All such copies, with the amendments thereto, shall be open to public inspection during the usual hours of business of the offices where they are maintained.

- Sec. 3.14.002 Coordination of administrative provisions Reserved  
Sec. 3.14.003 Supplemental administrative amendments Reserved  
Sec. 3.14.004 Technical amendments Reserved

#### ARTICLE 3.15 INTERNATIONAL ENERGY CONSERVATION CODE

##### Sec. 3.15.001 Adopted

The ~~2018~~currently adopted edition of the International Energy Conservation Code, as published by the International Code Council, Inc., as hereinafter amended, is hereby adopted as the energy conservation code of the Town of Ransom Canyon, Texas. ~~A copy of said code is attached hereto and incorporated herein as though set out herein in detail.~~ References to the energy conservation code or the energy code in this chapter or to "this code" within this article shall mean and refer to the ~~2018~~currently adopted edition of the International Energy Conservation Code as amended herein. One copy of the ~~2018~~currently adopted International Energy Conservation Code shall be filed with the city secretary and a copy shall be maintained in the office of the city building official. All such copies, with the amendments thereto, shall be open to public inspection during the usual hours of business of the offices where they are maintained.

- Sec. 3.15.002 Coordination of administrative provisions Reserved  
Sec. 3.15.003 Supplemental administrative amendments Reserved  
Sec. 3.15.005 Technical amendments – Residential Reserved

#### ARTICLE 3.16 STREETS; PUBLIC RIGHT-OF-WAY MANAGEMENT

##### Division 1. Generally

##### Sec. 3.16.001 Authority; scope; governing law; venue

- (a) This article applies to all users that place facilities in, on or over public rights-of-way, provided, however, that it does not apply to construction by the city.
- (b) This article shall be construed under and in accordance with the laws of the state and Code of Ordinances to the extent that such code is not in conflict with or in violation of the Constitution and laws of the United States or the state. All obligations of the parties hereunder are performable in the county.

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## Sec. 3.16.002 Definitions

In this article the following words and phrases shall have the following meanings unless the context indicates otherwise.

**AASHTO.** American Association of State Highway and Transportation Officials.

**Abandon and its derivatives.** The facilities installed in the right-of-way (including by way of example but not limited to: poles, wires, conduit, manholes, handholes, cuts, network nodes and node support poles, or portion thereof) that have been left by user in an unused or nonfunctioning condition for more than one hundred twenty (120) consecutive calendar days unless, after notice to provider, provider has established to the reasonable satisfaction of the city that the applicable facilities, or portion thereof, is still in active use.

**ADA.** Americans with Disabilities Act, as amended.

**Alley.** Shall have the same meaning as street or right-of-way, depending upon context.

**Ancillary.** Secondary, supporting, or subordinate.

**Antenna.** Communications equipment that transmits or receives electromagnetic radio frequency signals used in the provision of wireless services.

**Applicable codes.**

(1) Uniform building, fire, electrical, plumbing, or mechanical codes adopted by a recognized national code organization; and

(2) Local amendments to those codes to the extent not inconsistent with this article.

**Applicant.** A person submitting an application, proposal or notice to the city for a license, franchise, permit or notice to install facilities or equipment or work in the rights-of-way.

**Application or proposal are synonymous for the purposes of this article.** An "application" or "proposal" means the process by which the applicant submits a request and indicates a desire to be granted a license, permit or franchise for all, or a part of the city. An "application" or "proposal" includes all written documentation, and official statements and representations in whatever form, made by an applicant to the city. A casual inquiry by a company concerning right-of-way use will not be considered an application or proposal and submissions will not be considered an application or proposal unless they meet the requirements of this article.

**Assignment of an authorization or transfer of an authorization.** Any transaction or action which effectively or actually transfers the authorization or franchise or changes operational or managerial control from one (1) person or entity to another.

**Authorization or agreement to use the right-of-way.** A grant of authority allowing a person to occupy any portion of a street, right-of-way, or easement owned or controlled by the city, and may be for a limited period of time or for a specific purpose.

**Certificated telecommunications provider.** A person who has been issued a certificate of convenience and necessity, certificate of operating authority, or service provider certificate of operating authority by the commission to offer local exchange telephone service or a person who provides voice service.

**City.** The City of Ransom Canyon Texas. As used throughout, the term "city" also includes the designated agent of the city.

**City administrator.** The city administrator for the City of Ransom Canyon, Texas.

**City council/City Council or council/franchising authority.** The ~~city council~~City Council for the City of Ransom Canyon, Texas or its lawful successor.

**Collocate and collocation.** The installation, mounting, maintenance, modification, operation, or replacement of network nodes in a public right-of-way on or adjacent to an existing pole, structure, device or appurtenance, as allowed by state or federal law, municipal authorization or other legal authorization.

**Commission.** The Public Utility Commission of Texas.

**Communications network.** A component or facility that is wholly or partly, physically located within a public right-of-way and that is used to provide video programming, cable, voice, or data services.

**Consumer price index.** The annual revised consumer price index for all urban consumers for the state, as published by the Federal Bureau of Labor Statistics.

**Concealment or camouflaged.** Any wireless facility or pole that is covered, painted, disguised, or blended in to its

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environment or otherwise hidden or kept from sight such that the wireless facility blends into the surrounding environment and is visually unobtrusive. A concealed or camouflaged wireless facility or pole also includes any wireless facility or pole conforming to the surrounding area in which the wireless facility or pole is located and may include, but is not limited to, hidden beneath a facade, blended with surrounding area, designed or painted to match the supporting area, or disguised with artificial tree branches.

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**DAS or distributed antenna system.** Shall be included as a type of network node and have the same meaning as “network node.”

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**Decorative pole or decorative streetlight.** A streetlight pole specially designed and placed for aesthetic purposes and on which no appurtenances or attachments, other than specially designed informational or directional signage or temporary holiday or special event attachments, have been placed or are permitted to be placed according to nondiscriminatory municipal codes.

**Decorative traffic signal pole.** A traffic signal pole other than standard galvanized supports, that is painted or powder coated with specially designed colors for aesthetic purposes and on which no appurtenance or attachments are allowed other than those necessary for traffic control and operations.

**Direction of the city.** All ordinances, laws, rules, resolutions, and regulations of the city that are not inconsistent with this article and that are now in force or may hereafter be passed and adopted.

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**Disaster emergency or disaster or emergency.** An imminent, impending, or actual natural or humanly induced situation wherein the health, safety, or welfare of the residents of the city is threatened, and includes, but is not limited to any declaration of emergency by city, state or federal governmental authorities.

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**Easement.** May include any public easement or private easement or other compatible use, depending upon usage, whether created by dedication or by other means, for uses which include electric, gas, telecommunications, cable or public utility purposes.

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**Facilities.** Any and all of the wires, cables, fibers, duct spaces, manholes, poles, conduits, underground, and overhead passageways and other equipment, structures, plants, and appurtenances and all associated physical equipment placed in, on, or under the public rights-of-way.

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**FCC or Federal Communications Commission.** The federal administrative agency, or lawful successor, authorized to regulate interstate communications by radio, television, wire, satellite, and cable on a national level.

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**Fiber optic or fiber optic cable.** A communication transmission medium that uses light to send data, high quality video and sound.

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**Franchise or franchise agreement.** The initial authorization, or subsequent renewal granted by the city in order for a person to construct, operate, and maintain a system in all, or part, of the city right-of-way.

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**Franchise expiration.** The date of expiration, or the end of the term, of a franchised user, as provided under a franchise, permit or license agreement.

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**Franchise fee.** The user fee or charge that the city requires as payment for using the streets, rights-of-way, public ways, and easements of the city.

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**Gross receipts.** Any and all compensation which is derived by the user from the operation of the system, and which is attributable to the systems operations within the city as allowed by law.

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**Highway right-of-way.** Right-of-way adjacent to a state or federal highway.

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**Historic district.** An area that is zoned or otherwise designated as a historic district under municipal, state, or federal law.

**Law.** Common law or a federal, state, or local law, statute, code, rule, regulation, order, or ordinance.

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**Local.** Within the geographical boundaries of the City of Ransom Canyon, Texas.

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**Local exchange telephone service.** Has the meaning assigned by section 51.002, Texas Utilities Code.

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**Macro tower.** A guyed or self-supported pole or monopole greater than the height parameters prescribed by Texas Local Government Code section 284.101 and that supports or is capable of supporting antennas.

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**Micro network node.** A network node that is not larger in dimension than twenty-four (24) inches in length, fifteen (15) inches in width, and twelve (12) inches in height, and that has an exterior antenna, if any, not longer than eleven (11) inches.

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**Municipal park.** An area that is zoned or otherwise designated by the ~~city council~~ City Council as a public park for



the purpose of recreational activity.

**Municipally owned utility pole.** A utility pole owned or operated by a municipally owned utility, as defined by section 11.003, Utilities Code, and located in a public right-of-way.

**MUTCD.** Manual of Uniform Traffic-Control Devices.

**Network node.** Equipment at a fixed location that enables wireless communications between user equipment and a communications network. The term:

(1) Includes:

(A) Equipment associated with wireless communications;

(B) A radio transceiver, an antenna, a battery-only backup power supply, and comparable equipment, regardless of technological configuration; and

(C) Coaxial or fiber-optic cable that is immediately adjacent to and directly associated with a particular collocation; and

(2) Does not include:

(A) An electric generator;

(B) A pole; or

(C) A macro tower.

**Network provider.**

(1) A wireless service provider; or

(2) A person that does not provide wireless services and that is not an electric utility but builds or installs on behalf of a wireless service provider.

(A) Network nodes; or

(B) Node support poles or any other structure that supports or is capable of supporting a network node.

**Node support pole.** A pole as defined by chapter 284 of the Texas Local Government Code.

**Park.** Has the same meaning as “municipal park.”

**Permit.** A document issued by the city authorizing installation, removal, modification and other work for user’s equipment or facilities in accordance with the approved plans and specifications.

**Pole.** A service pole, municipally owned pole, node support pole, or other utility pole, and shall include network node support pole.

**PROWAG.** The public rights-of-way accessibility guidelines.

**Person.** A natural person (an individual), corporation, company, association, partnership, firm, limited liability company, joint venture, joint stock company or association, and other such entity who owns or controls facilities. From context within sections of this article, it refers to persons using, applying or seeking to use the right-of-way.

**Provider.** Has the same meaning as “network provider.”

**Public rights-of-way.** The area on, below, or above a public roadway, highway, street, public sidewalk, alley, waterway, or utility easement in which the municipality has an interest. The term does not include the airwaves above a public right-of-way with regard to wireless telecommunications.

**Public right-of-way management ordinance.** This article 3.09, of the City of Ransom Canyon Code of Ordinances and includes all other ordinances that comply with chapters 283 and 284 of the Texas Local Government Code or other state laws referencing right-of-way management ordinances or regulations.

**Service pole.** A pole, other than a municipally owned utility pole, owned or operated by a municipality and located in a public right-of-way, including:

(1) A pole that supports traffic-control functions;

(2) A structure for signage;

(3) A pole that supports lighting, other than a decorative pole; and

(4) A pole or similar structure owned or operated by a municipality and supporting only network nodes.

**Small cell.** Shall be included as a type of network node and have the same meaning as “network node.”

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State. The State of Texas.

Street. Only the portion of the right-of-way with a specially prepared surface used for vehicular travel, which surface may be concrete, asphalt or other material commonly used to prepare a surface for vehicular travel, and is limited to the area between the inside of the curb (when there is a curb) to the inside of the opposite curb, and does not include the curb area or the area between the two parallel edges of the surface used for vehicular travel where there is no curb. A street is generally part of, but less than, or smaller in width than the size or width of the right-of-way. A street does not include the curb, sidewalk, or ditch, if any is present either at time of permitting or if added later. Streets shall be understood to be synonymous with alleys and the definition includes alleys.

SWPPP. Stormwater pollution prevention plan.

TAS. Texas Accessibility Standards.

Thoroughfare. Shall have the same meaning as "street."

TMUTCD. Texas Manual of Uniform Traffic-Control Devices.

Traffic signal. Any device, whether manually, electrically, or mechanically operated by which traffic is alternately directed to stop and to proceed.

Transport facility. Each transmission path physically within right-of-way, extending with a physical line from a network node directly to the network, for the purpose of providing backhaul for network nodes.

U.S.C. United States Code.

User. A person or organization that owns, places or uses facilities occupying the whole or a part of a public street or right-of-way, depending on the context. User does not refer to city unless specified.

Utility pole. A pole that provides:

- (1) Electric distribution with a voltage rating of not more than 34.5 kilovolts; or
- (2) Services of a telecommunications provider, as defined by section 51.002 of the Texas Utilities Code.

Visibility triangle or sight distance triangle. The triangular area adjacent to the intersection of any two or more public streets, public alleys or driveways within which no obstruction may be placed which would block the sight lines for vehicular, pedestrian or bicyclist traffic, as defined in the current edition of the AASHTO policy on geometric design of highways and Streets. The visibility triangle shall not contain any visual or physical impediments or obstructions to the vertical view up to seven feet in height above the adjacent roadway.

Voice service. Voice communications services provided through wireline facilities located at least in part in the public right-of-way, without regard to the delivery technology, including internet protocol technology. The term does not include voice service provided by a commercial mobile service provider as defined in 47 U.S.C. section 332(d).

Wireless service. Any service, using licensed or unlicensed wireless spectrum, including the use of wi-fi, whether at a fixed location or mobile, provided to the public using a network node.

Wireless service provider. A person that provides wireless service to the public.

Wireless facilities. "Micro network nodes," "network nodes," and "node support poles" as defined in Texas Local Government Code chapter 284.

#### **Sec. 3.16.003 Municipal parks**

Municipal parks designated for recreation and covered by this article include all parks designated by the ~~city~~ **City Council** in the Code of Ordinances.

#### **Sec. 3.16.004 Review of applications**

(a) Review of applications. The city shall review applications for network nodes, node support poles and transport facilities in light of their conformity with applicable law and city code and shall issue such permits on nondiscriminatory terms and conditions subject to the following requirements:

- (1) Within 30 days of receiving an application for a network node or node support pole, or 10 days for a transport facility, the city shall determine and notify the applicant whether the application is complete; or if incomplete, the city must specifically identify the missing information in such notification. There shall be no fee charged for completion and resubmittal of an application.
- (2) The city shall make its final decision to approve or deny a complete application no later than:

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- (A) 21 days after receipt of a complete application for a transport facility;
- (B) 60 days after receipt of a complete application for a network node; and
- (C) 150 days after receipt of a completed application for a new node support pole.
- (3) The city shall advise the applicant in writing of its final decision, and, if denied, the basis for that denial, including specific provisions of city code or applicable law on which the denial was based, and send the documentation to the applicant on or before the day the city denies the application. The applicant may cure the deficiencies identified by the city and resubmit the application within 30 days of the denial without paying an additional application fee. The city shall approve or deny the revised application within 90 days of receipt of the amended application. The subsequent review by the city shall be limited to the deficiencies cited in the original denial.
- (4) An applicant seeking to collocate network nodes may, at the applicant's discretion, file a consolidated application and receive permits for up to 30 network nodes. Provided however, the city's denial of any node within a single application shall not affect other nodes submitted in the same application. The city shall grant permits for any and all nodes in a single application that it does not deny, subject to the requirements of this section.
- (b) Review of eligible facilities requests. Notwithstanding any other provision of this article, the city shall approve and may not deny applications for eligible facilities requests within sixty (60) days according to the procedures established under 47 CFR 1.40001(c).

**Secs. 3.09.005–3.09.009 Reserved.**

## **Division 2. Right-of-Way Requirements**

### **Sec. 3.16.010 Municipal authorization required; registration; compensation and fees**

- (a) This article does not constitute or create authority to place, reconstruct, or alter facilities in, on, or over the public rights-of-way, and said authority must be obtained by separate instrument in accordance with this section or by operation of other laws.
- (b) Authorization required. Municipal authorization or agreement shall be required, except when clearly preempted by state law. Any person with a current, unexpired consent, franchise, agreement or other authorization from the city (grant) to use the public rights-of-way that is in effect at the time this article takes effect shall continue to operate under and comply with that grant until the grant expires or until it is terminated by mutual agreement of the city and the person, or is terminated as otherwise provided for in law.
- (c) Registration required.
- (1) In order for the city to know which persons own facilities in the public rights-of-way within the city, each such person who owns facilities shall register with the city and provide the following information at a minimum:
- (A) Person's name;
- (B) The current name, address, and telephone number(s) of a contact employed by and with decision-making authority for the person and who is available twenty-four (24) hours per day;
- (C) Furnish the city with a street map marked in such a manner as to evidence which streets the person has placed facilities. The information may be required to be furnished digitally;
- (D) Insurance information as required by [section 3.09.014](#) "insurance requirements"; and
- (E) Any required bonds.
- (2) Registration shall be updated annually in accordance with this section "municipal authorization required; registration; compensation and fees."
- (3) Registration shall be a prerequisite to issuance of a construction permit. Each person shall update and keep current his/her registration with the city at all times.
- (4) Any person who does not maintain registration requirements with the city may not receive notices or updates, including any notices regarding abandonment of right-of-way.
- (5) Failure to maintain registration requirements. In addition to all other legal penalties, including criminal penalties, failure to register or to maintain and update registration information may result in removal of facilities.

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(6) Registration requirements may be met by fulfilling franchise requirements addressing the topics of this section.

(d) Compensation and fees.

(1) Municipal right-of-way use shall be compensated as required by the state constitution, state law, municipal authorization, franchise, license or other agreement.

(2) The city may structure due dates on payments in such a manner so as to be administratively efficient.

(3) Application fees, as allowed by state law, for work or installations in the right-of-way shall be the fees set by the ~~city council~~City Council. Such fees may be set by ordinance, resolution, in the budget or by any other lawful means.

(4) Failure to pay application fees, or failure of any payment to properly process shall result in the denial or withdrawal of a permit.

**Sec. 3.16.011 Administration and enforcement**

(a) The ~~Building Official and the Ceity A~~Administrator shall administer and enforce compliance with this article.

(b) A person shall report information related to the use of the public rights-of-way that the ~~city administrator~~Building Official requires in the form and manner reasonably prescribed by the ~~city council~~City Council.

**Sec. 3.16.012 Construction obligations; permit required**

(a) Any person seeking to place facilities on, in or over the public rights-of-way shall first file an application for a building permit with the city and shall abide by the terms and provisions of this article pertaining to use of the public rights-of-way.

(b) A person is subject to reasonable police power regulation of the city to manage its public rights-of-way in connection with the construction, expansion, reconstruction, maintenance, repair of facilities or other work in the public rights-of-way, pursuant to the city's rights as a custodian of public property, based upon the city's historic rights under state and federal laws. Such regulations include, but are not limited to the following:

(1) At the city's request, a person shall furnish the city accurate and complete information relating to the construction, reconstruction, removal, maintenance, and repair of facilities performed by the person in the public rights-of-way.

(2) A person shall be required to place certain facilities within the public rights-of-way underground absent a compelling demonstration by the person that, in any specific instance, this requirement is not reasonable, feasible, or equally applicable to other similar users of the public rights-of-way.

(3) A person shall perform excavations and other construction in the public rights-of-way in accordance with all applicable city requirements, including the engineering division detailed standards for public right-of-way construction (detailed standards), as may be revised from time to time in accordance with the city's police powers, and the obligation to use trenchless technology whenever commercially economical and practical and consistent with obligations on other similar users of the public right-of-way. The city may waive the requirement of trenchless technology if it determines that the field conditions warrant the waiver, based upon information provided to the city by the person. All excavations and other construction in the public rights-of-way shall be conducted so as to minimize interference with the use of public and private property and all facilities placed underground shall be locatable with above ground instruments. A person shall follow all reasonable construction directions given by the city in order to minimize any such interference.

(4) A person lawfully authorized to place facilities in the public rights-of-way must obtain a permit, as reasonably required by applicable city ordinances, prior to any excavation, construction, installation, expansion, repair, removal, relocation, or maintenance of the person's facilities. A construction permit is not required for routine maintenance so long as the work does not require excavation of the public rights-of-way or does not block traffic lanes or sidewalks; however, any construction standards in the detailed standards shall remain applicable regardless of whether or not a permit is required. A permit is not required when so provided by state law, but in such cases the provisions regarding required notice apply. An approved lane, sidewalk or trail closure plan is required if a traffic lane, sidewalk or trail will be closed due to right-of-way work, regardless of whether or not a permit is required. Once a permit is issued, person shall give to the city a minimum of 48 hours' notice (which could be at the time of the issuance of the permit) prior to undertaking any of the above listed activities on its facilities in, on, or under the public rights-of-way. The failure of the person to request and obtain a permit from the

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city prior to performing any of the above listed activities in, on, or over any public right-of-way, except in an emergency as provided for in subsection (11) below, will subject the person to a stop-work order from the city and enforcement action pursuant to this code. If the person fails to act upon any permit within thirty (30) calendar days of issuance, the permit shall become invalid, and the person will be required to obtain another permit, unless extended for good cause by the city.

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(5) When a person completes construction, expansion, reconstruction, removal, excavation or other work, the person shall promptly restore the public rights-of-way in accordance with applicable city requirements. A person shall replace and properly relay and repair the surface, base, irrigation system, and landscape treatment of any public rights-of-way that may be excavated or damaged by reason of the erection, construction, maintenance, or repair of the person's facilities within ten (10) calendar days after completion of the work in accordance with existing standards of the city in effect at the time of the work, unless extended by the city for good cause.

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(6) Upon failure of a person to perform any such repair or replacement work, and five days after written notice has been given by the city to the person, and in the event repairs have not been initiated during such five-day period, the city may repair such portion of the public rights-of-way as may have been disturbed by the person, its contractors, or agents. Upon receipt of an invoice from the city, the person will reimburse the city in accordance with the detailed standards within thirty (30) calendar days from the date of the city invoice.

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(7) Should the city reasonably determine, within two (2) years from the date of the completion of the repair work, that the surface, base, irrigation system, or landscape treatment requires additional restoration work to meet standards at the time of the excavation of the city, a person shall perform such additional restoration work to the satisfaction of the city, subject to all city remedies as provided herein.

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(8) Notwithstanding the foregoing in subsection (7) above, if the city determines that the failure of a person to properly repair or restore the public rights-of-way constitutes a safety hazard to the public, the city may undertake emergency repairs and restoration efforts, after emergency notice has been provided, to the extent reasonable under the circumstances and the person failed to respond within the reasonable time specified by the city. A person shall promptly reimburse the city for all costs incurred by the city within thirty (30) calendar days from the date of the city invoice.

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(9) A person shall furnish the city with the application for the construction permits, construction plans and maps showing the location and proposed routing of new construction or reconstruction at least ten business days unless otherwise extended by the city before beginning construction or reconstruction that involves an alteration to the surface or subsurface of the public rights-of-way by the city. A person may not begin construction until the location of new facilities and proposed routing of the new construction or reconstruction and all required plans and drawings have been approved in writing by the city, which approval will not be unreasonably withheld or delayed, taking due consideration of the surrounding area and alternative locations for the facilities and routing.

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(10) If the mayor declares an emergency with regard to the health and safety of the citizens and requests by written notice the removal or abatement of facilities, a person shall remove or abate the person's facilities by the deadline provided in the city administrator's Building Official's request. The person and the city shall cooperate to the extent possible to assure continuity of service. If the person, after notice, fails or refuses to act, the city may remove or abate the facility, at the sole cost and expense of the person, without paying compensation to the person and without the city incurring liability for damages.

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(11) Except in the case of customer service interruptions and imminent harm to property or person (emergency conditions), a person may not excavate the pavement of a street or public rights-of-way without first complying with city requirements. The city administrator Building Official shall be notified as promptly as possible regarding work performed under such emergency conditions, and the person shall comply with the requirements of city standards for the restoration of the public rights-of-way.

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(12) On an annual basis, no later than January 31st of each year, the user shall provide updates to the department or personnel designated by the city administrator Building Official showing any new facilities from the previous year in the format required by the city.

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(13) The city may require reasonable bonding requirements of a person, as are required of other entities that place facilities in the public rights-of-way. The city administrator may waive or reduce the bonding requirements in a nondiscriminatory, competitively neutral manner, taking into consideration both that the person has furnished the city with reasonable documentation to evidence adequate financial resources substantially greater than the bonding requirements, and has demonstrated in prior right-of-way construction activity, prompt resolution of any claims and substantial compliance with all required applicable building codes and ordinances.

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(14) In determining whether any requirement under this section is unreasonable or unfeasible, the city

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~~administrator Building Official~~ shall consider, among other things, whether the requirement would subject the person or persons to an unreasonable increase in risk or service interruption, or to an unreasonable increase in liability for accidents, or to an unreasonable delay in construction or in availability of its services, or to any other unreasonable technical or economic burden or result in discriminatory treatment by a person.

(15) For installation of any proposed pole applicant shall provide engineered drawings, geotechnical drawings, geotechnical study or studies, and evidence of Americans with Disabilities Act (ADA) and Public Right-of-Way Accessibility Guidelines (PROWAG) compliance, sectional detail showing depth of anchor, scaled dimensional drawings of the proposed pole, as well as any other proposed equipment associated with the proposed installation, and shall indicate spacing from existing curb, driveways, sidewalk, light poles, and any other poles or appurtenances.

(16) If requested by city, all applications shall include a current before and a proposed after street view image. The after-image needs to include any proposed poles and all proposed attachments, and any associated or ancillary equipment, whether attached or standalone. Once work is done or the installation is complete, photographs accurately depicting the location of the installation or the work shall be submitted to the city. This requirement may be waived for underground installation.

(17) If the project is within the state right-of-way or railroad right-of-way, the applicant must provide evidence of a permit or permission from the state or railroad.

(18) If a city pole or poles or light structure or structures will be used or will be in the area of the proposed construction, the pole or poles or light structure or structures will be identified. No electric meter shall be mounted on a city pole or light structure unless the city grants written permission.

(19) Provider/applicant shall use a maximum two hundred forty (240) voltage when connecting to any city infrastructure and provide key to meter upon installation.

(20) All plans shall reflect that no facilities to be installed will obstruct an existing or planned sidewalk, trail, walkway, bicycle lane or lane of vehicular traffic.

(21) If requested by city, engineering plans shall be provided with a maximum scale of one (1) inch equals forty (40) feet.

(22) If requested by city, all plans shall include detail of the location of all right-of-way and utility easements which applicant plans to use.

(23) If requested by city, all plans shall include detail of all existing city utilities in relationship to applicant's proposed route.

(24) All plans shall include detail of what applicant proposes to install, such as network nodes, poles, pipes, size, number of inner-ducts, valves, or other facilities.

(25) All plans shall include detail of plans to remove and replace asphalt or concrete in streets.

(26) All plans shall include drawings of any bores, trenches, handholes, manholes, switch gear, transformers, pedestals, network nodes, micro-network nodes, or other facilities, including depth located in public right-of-way.

(27) All plans shall include details of handhole and/or manhole applicant plans to use or access.

(28) All plans shall include complete legend of drawings submitted by applicant.

(29) If paper copies are required, five (5) sets of engineering plans shall be submitted with permit application.

(30) The application shall include the name, address and phone numbers of the contractor or subcontractor who will perform the actual construction, including the name and telephone number of an individual with the contractor who will be available at all times during construction. Such information shall be required prior to the commencement of any work.

(31) The application shall include the construction and installation methods to be employed for the protection of existing structures, fixtures, and facilities within or adjacent to the right-of-way, and the dates and times work will occur, all of which (methods, dates, times, and other applicable information) are subject to approval of the city administrator.

(32) The application shall include a statement that the requirements of section 3.09.010 "municipal authorization required; registration; compensation and fees" and section 3.09.014 "insurance requirements" are met.

(33) The applications shall include a traffic-control plan designed to the latest edition of the Texas Manual on

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Uniform Traffic Control Devices (TMUTCD), which shall specify the traffic-control measures to be provided, and shall be required any time work will require traffic lane closures, bicycle lane closures, trail closures, or sidewalk closures, regardless of whether a permit is required. Said traffic-control plan must be approved by the city administrator. If the traffic-control plan is not approved, no lane closure is allowed.

(34) The application may require a Storm Water Pollution Prevention Plan (SWPPP), and a trench safety plan based on the proposed scope of work regardless of whether or not a permit is required.

(35) The application shall show that no projecting attachments are less than eight (8) feet above the ground, if not projecting toward the street. If an attachment is projecting toward the street, the attachment shall be installed no less than sixteen (16) feet above the ground.

(36) Any proposed work that involves the installation of facilities that will utilize radio frequencies shall not cause harmful interference with city public safety radio system, traffic signal light system, city traffic observation video cameras, or other city communications systems or components. The right-of-way user shall provide evidence that the proposed installation will be compatible with said city systems and will not cause any harmful interference with the city public safety radio system, traffic signal light system or other city communications systems or components. No installation shall be allowed to be installed or to remain in the right-of-way that causes any such interference.

(37) The plans shall demonstrate that all federal and state laws and city ordinances will be obeyed, and that all sections of this article, including division 3 "design manual" will be complied with as applicable.

(38) Information signs which shall be a minimum size of eighteen inches (18") by twenty-four inches (24") stating the identity of the person doing the work, telephone number and permittee's identity and telephone number shall be placed at the location where construction is to occur forty-eight (48) hours prior to the beginning of work in the right-of-way and shall continue to be posted at the location during the entire time the work is occurring. An informational sign will be posted on public right-of-way five hundred (500) feet before the construction location commences and each five hundred (500) feet thereafter, unless other posting arrangements are approved or required by the city administrator. Additionally, if the work to be permitted will require restricting access to private residences, or will affect adjacent and nearby residences (single-family or multifamily) because of noise, odors, dust or other activity which may affect the peaceful enjoyment of residential properties, then user shall, not later than seventy-two (72) hours prior to the commencement of construction activity, notify all affected residents by letter or door hanger. Such notice shall be in a format approved by the city administrator/Building Official.

(39) Erosion control measures (e.g. silt fence) and advance warning signs, markers, cones and barricades and existing utility locate markers must be in place before work begins.

(40) Permittee shall be responsible for stormwater management erosion control that complies with city, state and federal guidelines. Requirements shall include, but not be limited to, silt fencing around any excavation that will be left overnight, silt fencing in erosion areas until reasonable vegetation is established, barricade fencing around open holes, and high erosion areas will require wire backed silt fencing. Upon request, permittee may be required to furnish documentation submitted or received from federal or state government.

(41) Permittee or contractor or subcontractor will notify the city administrator/Deputy City Secretary/Building Review Committee Liaison immediately of any damage to other utilities, either city or privately owned.

(42) Permittees are responsible for the workmanship and any damages by contractors or subcontractors. A responsible representative of the permittee will be available to city staff at all times during construction.

(43) Installation of facilities must not interfere with city utilities, in particular gravity dependent facilities.

(44) New facilities must be installed to a depth approved by the city administrator/Building Official.

(45) All directional boring shall have locator place bore marks and depths while bore is in progress. The boring method and bore pit locations shall be identified prior to the commencement of boring operations. Locator shall place mark at each stem with paint dot and depth at least every other stem.

(46) Permittee will be responsible for verifying the location, both horizontal and vertical, of all facilities. When required by the city administrator, permittee shall verify locations by pot holing, hand digging or other method approved by the city administrator/Building Official prior to any excavation or boring.

(47) Placement of all manholes and/or handholes must be approved in advance by city administrator/Building Official. Handholes or manholes will not be located in sidewalks, unless approved by the city administrator/Building Official.

(48) Locate flags shall not be removed from a location while facilities are being constructed.

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- (49) Construction which requires pumping of water or mud shall be contained in accordance with city ordinances and federal and state law and the directives of the ~~city administrator~~ Building Official.
- (50) All facilities installed in the right-of-way shall be in colors that blend with the surroundings, or if on a service pole or municipally owned pole, shall match the color and finish of the pole, and must be approved by the city.
- (51) All facilities installed in the right-of-way shall be capable of being identified through a GIS shape file or other means as acceptable to the ~~city administrator~~ City Building Official. Said identification shall be provided at the time of application and shall be visible on the facilities when installed and must follow all applicable city ordinances.
- (52) Above ground wires shall be located on only one side of the right-of-way unless approved by the ~~city administrator~~ Building Official.
- (53) The right-of-way user or contractor must obtain any needed permits for electrical work and provide engineered drawings for conduit size, circuit size, calculations for amperage, or any other required information. Provider shall be responsible for obtaining any required electrical power service to any installation. Any such electrical supply must be separately metered and must match city infrastructure voltage.
- (54) Right-of-way users shall complete construction as expeditiously as possible and lane closures or work that inconveniences the traveling public shall be minimized. Lane closures shall not be outside the hours of 9:00 a.m. to 3:30 p.m. on weekdays or last longer than four (4) hours, unless a different period of time is shown on the permit and approved by the city.
- (55) Right-of-way work shall be completed in the amount of time shown on the permit; but if no completion time is shown on the permit the work shall be complete in not more than thirty (30) calendar days.
- (56) All right-of-way work and facilities installed shall be done in a good workman like manner, shall meet all applicable codes, shall be maintained and kept in good repair and shall be aesthetically pleasing.
- (57) All efforts shall be made to avoid or minimize negative visual impact to the surrounding area and to enhance the safety requirement for vehicles and pedestrians, particularly in areas where children or other vulnerable members of the population may be located.
- (58) Installations which require ancillary ground equipment with a footprint of twenty-five (25) square feet or more shall be spaced at least three hundred (300) feet apart.
- (59) All location/route markers setting out location of utilities shall be flush with the ground. Above ground location/route markers shall not be allowed.
- (60) The plans shall demonstrate that all federal and state laws and city ordinances will be obeyed, and that all sections of this article, including division 3 "design manual" will be complied with as applicable. Construction in right-of-way adjacent to a school shall be required to follow all state law requirements, including the requirements in the Educational Code regarding work on school grounds, including but not limited to chapters 21 and 22, as applicable.
- (61) All requirements for installation continue, as applicable, for as long as facilities remain in the right-of-way.
- (c) All construction and installation in the right-of-way shall be in accordance with the permit for the facilities. The ~~city administrator~~ Deputy City Secretary or Building Review Committee Liaison shall be provided access to the work and to such further information as he or she may reasonably require to ensure compliance with the permit.
- (d) A copy of the construction permit and approved engineering plans shall be maintained at the construction site and made available for inspection by the ~~city administrator~~ Deputy City Secretary/Building Review Committee Liaison or ~~city administrator~~ Building Official at all times when construction or installation work is occurring.
- (e) All construction or installation work authorized by permit must be completed in the time specified in the construction permit. If the work cannot be completed in the specified time periods, the permittee may request an extension from the city administrator. The ~~city administrator~~ Deputy City Secretary/Building Review Committee Liaison will use best efforts to approve or disapprove a request for permit time extension as soon as possible.
- (f) A copy of any permit or approval issued by federal or state authorities for work in federal or state or railroad right-of-way located in the city shall be required, if requested by the ~~city administrator~~ Deputy City Secretary/Building Review Committee Liaison.

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(g) A request for a permit must be submitted at least ten (10) working days before the proposed commencement of work in the request, unless waived by the ~~city administrator~~ Deputy City Secretary/Building Review Committee Liaison.

(h) Requests for permits will be approved or disapproved by the ~~city administrator~~ Deputy City Secretary/Building Review Committee Liaison within a reasonable time upon receiving all the necessary information. The city administrator will use best efforts to approve or disapprove a request for permit as soon as possible.

(i) The ~~eCity~~ Administrator or the applicant can request a pre-construction meeting with the permittee and their construction contractor.

(j) Permit applications are required for construction on new, replacement or upgrading of the company's facilities in the right-of-way either aerial or underground.

(k) The failure of a person to request and obtain a permit from the city prior to performing any of the above listed activities in, or over any right-of-way, except in an emergency, will subject the person to a stop-work order from the city and enforcement action pursuant to the city's Code of Ordinances including but not limited to [section 3.04.018](#).

(l) If the person receiving the permit fails to act upon the permit within thirty (30) days of issuance, the permit shall become invalid, and the person will be required to obtain another permit.

(m) If the applicant or user proposes any installation, maintenance, repair, replacement or any other work in the right-of-way that would result in a change as to the ADA or PROWAG requirements, the applicant or user proposing such change is responsible for all costs, labor and other actions needed to maintain ADA and PROWAG compliance. If any right-of-way work will affect ADA or PROWAG requirements, a permit shall be required, even if not otherwise required. Applicant must certify that the right-of-way will be ADA compliant when the installation, maintenance, repair, replacement or other work is complete. If any action by applicant will affect ADA or PROWAG requirements, applicant or user must show how such work will be ADA or PROWAG compliant.

(n) If state or federal law provides that a permit is not required for certain work to be done, then a person proposing to do such work shall be required to provide notice two (2) working days prior to performing such work.

### Sec. 3.16.013 Conditions of public rights-of-way occupancy.

(a) In the exercise of governmental functions, the city has first priority over all other uses of the public rights-of-way. The city reserves the right to lay sewer, gas, water, and other pipelines or cables and conduits, and to do underground and overhead work, and attachments, restructuring, or changes in aerial facilities in, across, along, over, or under a public street, alley, or public rights-of-way occupied by a person, and to change the curb, sidewalks, or the grade of streets or rights-of-way.

(b) The city shall assign the location in or over the public rights-of-way among competing users of the public rights-of-way with due consideration to the public health and safety considerations of each user type, and to the extent the city can demonstrate that there is limited space available for additional users, may limit new users, as allowed under state or federal law.

(c) If the city authorizes abutting landowners to occupy space under the surface of any public street, alley, or public rights-of-way, the grant to an abutting landowner shall be subject to the rights of the previously authorized user of the public rights-of-way. If the city closes or abandons a public right-of-way that contains a portion of a user's facilities, the city shall close or abandon such public right-of-way subject to the rights of the user, provided the user has a current registration.

(d) If the city gives written notice, a right-of-way user shall, at its own expense, temporarily or permanently, remove, relocate, change, or alter the position of user's facilities that are in the public rights-of-way within one hundred twenty (120) days, unless a different schedule is approved by the city administrator. For projects expected by the city to take longer than 120 days to remove, change or relocate, the city will confer with the user before determining the alterations to be required and the timing thereof. The city shall give notice whenever the city has determined that removal, relocation, change, or alteration is reasonably necessary for the construction, operation, repair, maintenance, or installation of a city governmental public improvement in the public rights-of-way. This section shall not be construed to prevent a right-of-way user's recovery of the cost of relocation or removal from private third parties who initiate the request for relocation or removal, nor shall it be required if improvements are solely for beautification purposes without prior joint deliberation and agreement with the person.

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(e) If the user fails to relocate facilities in the time allowed by the city in this section, the user may be subject to liability to the city for such delay and as set forth in this code, now or hereafter enacted. Additionally, the user may be denied any new permits until the relocation is complete.

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(f) Notwithstanding anything in subsection (d) above, the city administrator and a person may agree in writing to different time frames than those provided above if circumstances reasonably warrant such a change.

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(g) Any right-of-way user trimming trees shall be required to remove trimmings within 24 hours; provided, however, if any trimmings affect right-of-way use, said trimmings must be removed immediately. If said trimmings are not removed, the city may remove the trimmings or have them removed, and upon receipt of a bill from the city, the person shall promptly reimburse the city for all costs incurred within thirty (30) calendar days. Users shall not be responsible for tree trimming or removal, except as to the work required to construct, maintain, or restore utility service.

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(h) Users shall temporarily remove, raise, or lower its aerial facilities to permit the moving of houses or other bulky structures, if the city gives written notice of not less than 48 hours. The expense of these temporary rearrangements shall be paid by the party or parties requesting and benefiting from the temporary rearrangements. The person may require prepayment or prior posting of a bond from the party requesting the temporary move.

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(i) To the extent applicable, directions of the city shall be followed, including but not limited to "standard details" and "standards for right-of-way easement construction" as those requirements currently exist or as may be amended, updated or supplemented from time to time.

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(j) To the extent applicable, all of the requirements or conditions for construction and occupancy of the right-of-way shall continue during the entire time that the installed facilities remain in the right-of-way.

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### Sec. 3.16.014 Insurance requirements

#### (a) Insurance required.

(1) A person shall obtain and maintain insurance in the amounts reasonably prescribed by the city with an insurance company licensed to do business in the state reasonably acceptable to the city. As a condition of registration and prior to construction, an applicant must provide, and users must maintain, acceptable proof of liability insurance in the total amount of six million dollars (\$6,000,000.00); one million dollars (\$1,000,000.00) primary plus five million dollars (\$5,000,000.00) umbrella or other provisions as acceptable to the city administrator. The city reserves the right to review the insurance requirements and to reasonably adjust insurance coverage and limits when the city administrator determines that changes in statutory law, court decisions, or the claims history of the industry or the person require adjustment of the coverage.

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(2) The coverage must be on an "occurrence" basis and must include coverage for personal injury, contractual liability, premises liability, medical damages, underground, explosion and collapse hazards and worker's compensation as required by law.

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(3) Each policy must include a cancellation provision in which the insurance company is required to notify the city in writing not fewer than thirty (30) days before canceling, failing to renew, or reducing policy limits.

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(4) For purposes of this section, the city will accept certificates of self-insurance issued by the state or letters written by the person in those instances where the state does not issue such letters, which provide the same coverage as required herein. However, for the city to accept such letters, the person must demonstrate by written information that it has adequate financial resources to be a self-insured entity as reasonably determined by the city, based on financial information requested by and furnished to the city.

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(b) A person shall furnish, at no cost to the city, copies of certificates of insurance evidencing the coverage required by this section to the city, unless the city requires another form of legally binding proof of insurance. If the city requests a deletion, revision or modification, a person shall exercise reasonable efforts to pay for and to accomplish the change.

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(c) An insurance certificate shall contain the following required provisions:

(1) Name the city and its officers, employees, board members, and elected representatives as additional named insureds for all applicable coverage;

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(2) Provide for 30 days' written notice to the city for cancellation, nonrenewal, or material change; and

(3) Provide that notice of claims shall be provided to the city administrator by certified mail.

(d) All persons utilizing the right-of-way shall file and maintain proof of insurance with the city administrator. An insurance certificate obtained in compliance with this section is subject to city approval. The city may require

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the certificate to be changed to reflect changing liability limits. A person shall immediately advise the city attorney of actual or potential litigation that may develop which may affect an existing carrier's obligation to defend and indemnify.

(e) An insurer has no right of recovery against the city. The required insurance policies shall protect the person and the city. The insurance shall be primary coverage for losses covered by the policies.

(f) The policy clause "other insurance" shall not apply to the city if the city is an insured under the policy.

(g) Person shall pay premiums and assessments. A company which issues an insurance policy has no recourse against the city for payment of a premium or assessment. Insurance policies obtained by a person must provide that the issuing company waives all right of recovery by way of subrogation against the city in connection with damage covered by the policy.

#### Sec. 3.16.015 Indemnity.

(a) To the extent authorized by law, each person placing facilities in the public rights-of-way shall agree to promptly defend, indemnify, and hold the city harmless from and against all damages, costs, losses, or expenses: (1) for the repair, replacement, or restoration of city's property, equipment, materials, structures and facilities which are damaged, destroyed, or found to be defective as a result of the person's acts or omissions, (2) from and against any and all claims, demands, suits, causes of action, and judgments for (A) damage to or loss of the property of any person (including, but not limited to the person, its agents, officers, employees, and subcontractors, city's agents, officers, and employees, and third parties); and/or (B) death, bodily injury, illness, disease, loss of services, or loss of income or wages to any person (including, but not limited to the agents, officers, and employees of the person, person's subcontractors and city, and third parties), arising out of, incident to, concerning, or resulting from the negligent or willful act or omissions of the person, its agents, employees, and/or subcontractors, in the performance of activities pursuant to this article.

(b) This indemnity provision shall not apply to any liability resulting from the negligence or willful misconduct of the city, its officers, employees, agents, contractors, or subcontractors.

(c) The provisions of this indemnity are solely for the benefit of the city and is not intended to create or grant any rights, contractual or otherwise, to any other person or entity.

#### Sec. 3.16.016 Improperly installed facilities

(a) Any person doing work in the city right-of-way shall properly install, repair, upgrade and maintain facilities.

(b) Facilities shall be considered to be improperly installed, repaired, upgraded or maintained if:

(1) The installation, repairs, upgrade or maintenance endangers people or property;

(2) The facilities do not meet the applicable city codes and ordinances;

(3) The facilities are not capable of being located using standard practices;

(4) Underground facilities that are installed less than twenty-four (24) inches in depth;

(5) Facilities, or construction in regard to placement of said facilities, that remains incomplete or hazardous after construction work is finished or time for completion has passed, including but not limited to holes in paved areas or ground, handholes or manholes that are improperly sealed, and broken equipment or any other incomplete or hazardous condition.

(6) The facilities are not located in the proper place at the time of construction in accordance with the approved permit or directions provided by the city administrator;

(7) The facilities were not properly and timely relocated in accordance with the requirements of this article; or

(8) The facilities are unsightly, dangerous or in violation of any city adopted codes.

(c) Facilities will be considered improperly installed if said facilities cause any interference with city public safety radio system, traffic signal light system, city traffic observation video cameras or other communications components.

#### Sec. 3.16.017 Restoration of property.

(a) Users of the right-of-way shall restore property affected by construction of facilities to a condition that is equal to or better than the condition of the property prior to the performance of the work. Restoration must be approved by the city administrator.

(b) Restoration must be to the reasonable satisfaction of the city administrator and the property owner. The

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restoration shall include, but not be limited to:

- (1) Replacing all ground cover with the type of ground cover damaged during work or better either by sodding or seeding, as directed by city-administratorBuilding Official;
  - (2) Installation of all manholes and handholes, as required;
  - (3) Backfilling and compacting all bore pits, potholes, trenches or any other holes shall be filled in daily, unless other safety requirements are approved by the city-administratorBuilding Official;
  - (4) Leveling of all trenches and backhoe lines;
  - (5) Restoration of excavation site to city specifications; and
  - (6) Restoration of all landscaping, ground cover, and sprinkler systems.
- (c) All locate flags and markings shall be removed during the clean-up progress by the permittee or contractor at the completion of the work.
- (d) Restoration must be made in a timely manner as specified by approved city schedules and to the satisfaction of the city administrator. If restoration is not satisfactory and performed in a timely manner all work in progress, except that related to the problem, including all work previously permitted but not complete may be halted and a hold may be placed on any permits not approved until all restoration is complete.
- (e) If a person fails to restore property as set out in this section, the city shall give (5) days written notice to the person at the address shown on the permit. If the person does not initiate repairs during the five-day period, or fails to complete the repairs within thirty (30) days, thereafter the city may elect to repair such portion of the right-of-way as may have been disturbed by the person, its contractors, or agents at the cost of the person performing the right-of-way work. These time periods may be shortened or waived in cases of a threat to public health, safety or welfare. Upon receipt of an invoice from the city, the person will reimburse the city for the costs so incurred no later than thirty (30) calendar days from the date of the city invoice.
- (f) Should the city reasonably determine, within two (2) years from the date of the completion of the repair work, that any of the said restoration work failed to meet the existing standards of the city, the person shall perform such additional restoration work to the satisfaction of the city, subject to all city remedies.
- (g) Notwithstanding any of the above sections, if the city determines that the failure of the person to properly repair or restore the right-of-way constitutes a threat to the public health, safety or welfare, the city may undertake emergency repairs and restoration efforts. The city may attempt to provide emergency notice to the person responsible, but is not obligated to do so. The right-of-way user shall promptly reimburse the city for all costs incurred by the city within thirty (30) calendar days from the date of the city invoice.

#### Sec. 3.16.018 Revocation or denial of permit

- (a) If any of the provisions of this article are not followed, a permit may be revoked by the city administrator. If a person has not followed the terms and conditions of this article in work done pursuant to a prior permit, new permits may be denied or additional terms required.
- (b) If a permit is denied upon initial submission for incompleteness or for an issue which is capable of correction, the applicant may complete or correct the application and resubmit the application. Applications not resubmitted within thirty-one (31) calendar days shall be considered withdrawn.

#### Sec. 3.16.019 Appeal from denial or revocation of permit

- (a) An applicant may appeal a denial or revocation of permit to the city administrator. Appeal shall be filed with the city administrator within five (5) calendar days from the date of the decision being appealed.
- (b) A denial or revocation will be upheld unless a person can show that there is an error and that the person was following all of the requirements of this article and all right-of-way engineering requirements.

#### Sec. 3.16.020 Inspections

The city may perform inspections of any right-of-way work, including installations, maintenance, modifications or any other right-of-way work, whether such work is subject to permit requirements or allowed to be done without a permit. The city may perform visual inspections of any right-of-way work located in the right-of-way as the city deems appropriate without notice. If the inspection requires physical contact with right-of-way work, the city may provide the right-of-way user with notice prior to said inspection. Right-of-way user may have a representative present during such inspection. In the event of an emergency, the city may, but is not required to, notify the right-of-way user prior to the inspection. The city may take any needed action to remediate an emergency. The city shall

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notify the right-of-way user as soon as practical after said remediation.

#### Sec. 3.16.021 Abandoned facilities

(a) Duty to remove. A person that has placed facilities in the right-of-way shall remove said facilities and related equipment when such facilities are abandoned regardless of whether or not it receives notice from the city. If removal of facilities would cause damage, particularly in regard to underground facilities, this requirement may be waived by the city.

(b) Time for removal.

(1) The city may notify the person that said facilities must be removed immediately when necessary to ensure public health, safety, and welfare.

(2) If immediate removal is not required, the removal must be completed within the time set forth in the written notice to remove from the city and if no time is set out, then within ninety (90) days for the facilities and related equipment being abandoned.

(3) If the facilities are not removed after the ninety (90) day notice to remove, the city may remove the facilities thirty (30) days after notice of a final finding of abandonment.

(4) When a person removes, or abandons permanent structures in the right-of-way, the person shall notify the city administrator in writing of such removal or abandonment and shall file with the city administrator the location and description of each facility and ground equipment removed or abandoned.

(5) The city administrator may require the person to complete additional remedial measures necessary for public safety and the integrity of the right-of-way.

(6) If in the judgment of the city, removal of underground facilities would cause damage, this requirement may be waived.

(c) Deemed abandoned. Facilities may be deemed abandoned as set out in this article. Additionally, facilities may be deemed abandoned if:

(1) A person does not relocate facilities as set out in [section 3.09.013](#) "conditions of public right-of-way occupancy."

(2) A person does not correct or abate improperly installed facilities as set out in [section 3.09.016](#) "improperly installed facilities."

(3) A person fails to maintain the registration requirements set forth in [section 3.09.010](#) "municipal authorization required; registration; compensation and fees."

(4) A person utilizing the right-of-way cannot be found or contacted.

(5) A person utilizing the right-of-way fails to pay the required compensation.

(6) A person utilizing the right-of-way fails to comply with the requirements of this article after being given due notice of any deficiencies. The notice requirement shall only apply to persons who have maintained the required registration as set out in [section 3.09.010](#) "municipal authorization; registration; compensation and fees" and are capable of being contacted.

#### Sec. 3.16.022 Underground installation preferred

(a) The underground placement of facilities is encouraged.

(b) Facilities shall be installed underground where existing utilities are already underground.

(c) Underground conduits and ducts shall be installed in the public rights-of-way between the adjacent property line and curblane unless otherwise directed by the city.

(d) Conduits and ducts shall be installed parallel with the curblane and cross the public rights-of-way perpendicular to the public rights-of-way centerline unless otherwise directed by the city.

(e) Ducts and conduits shall be installed by trenchless excavation or directional boring whenever commercially economical and practical. Trenchless excavation shall be used to place facilities under paved public rights-of-way centerline unless otherwise directed by the city.

#### Sec. 3.16.023 Courtesy and proper performance

User shall make citizen satisfaction a priority in using the right-of-way. User shall train its employees to be customer service-oriented and to positively and politely interact with citizens when dealing with issues pertaining

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to its facilities and related ground equipment in the right-of-way. User's employees shall be clean, courteous, efficient, and neat in appearance and committed to offering the highest quality of interaction with the public. If, in the opinion of the city administrator, user is not interacting in a positive and polite manner with citizens, the city administrator may request user to take all remedial steps to conform to these standards.

#### Sec. 3.16.024 Signage

(a) User shall post and maintain legible identification showing its name, location identifying information, and emergency telephone number in an area on a cabinet of a facility that is visible to the public. Signage required under this section shall not exceed 4" x 6", unless otherwise required by law (e.g. RF ground notification signs) or the city administrator.

(b) Except as required by laws or by the utility pole owner, user shall not post any other signage or advertising on the facilities or equipment.

#### Sec. 3.16.025 Graffiti abatement

As soon as practical, but not later than fourteen (14) calendar days from the date user receives notice thereof. User shall remove all graffiti on any of its facilities and related ground equipment located in the right-of-way. The foregoing shall not relieve the user from complying with any city graffiti or visual blight ordinance or regulation.

#### Sec. 3.16.026 Alternate means or method; waiver

(a) A person may file a request with the ~~city council~~City Council to use alternate means or methods in right-of-way construction or maintenance. In determining whether any requirement under this section may be waived or if an alternate method or means may be used, the ~~city council~~City Council may consider all reasonable factors, including but not limited to:

(1) Whether the requirement or the alternate means or method or waiving the requirement would subject the person or persons or public to an unreasonable increase in risk;

(2) Whether the requirement or the alternate means or method or waiving the requirement would subject the person or persons or public to an unreasonable increase of service interruption;

(3) Whether the requirement or the alternate means or method or waiving the requirement would subject the person or persons or public to an unreasonable increase in potential for liability for accidents;

(4) Whether the requirement or the alternate means or method or waiving the requirement would subject the person or persons or public to an unreasonable delay in construction;

(5) Whether the requirement or the alternate means or method or waiving the requirement would subject the person or persons or public to an unreasonable delay in availability of services; or

(6) Any other unreasonable technical or economic burden.

(b) There shall be no right to receive permission to use an alternative means or method and denial by the ~~city council~~City Council shall be final.

#### Sec. 3.16.027 Legal action

The city may institute all appropriate legal action to prohibit any person from knowingly using the public rights-of-way unless person has complied with the terms of this article.

#### Secs. 3.16.028–3.16.060 Reserved

### Division 3. Design Manual

#### Sec. 3.16.061 Purpose

This design manual is for maintenance of siting and criteria for the installation of wireless facilities, including micro network nodes, network nodes, node support poles and related ground equipment and applies to any and all maintenance, siting, installations, collocations, or other placement of, in, over or under the public rights-of-way of network nodes, node support poles, micro network nodes, distributed antenna system(s), microwave communications or other wireless facilities, by whatever nomenclature, whether they are installed pursuant to chapter 284 of the Local Government Code or installed pursuant to an agreement to use the right-of-way or authorization or installed as may otherwise be allowed by state law. The city enacts these design requirements and guidelines in order to meet its fiduciary duty to its citizens, and to give assistance and guidance to network providers in the safe, aesthetically pleasing, efficient, and timely installation of facilities.

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**Sec. 3.16.062 Prohibited or restricted areas for wireless facilities in the right-of-way.**

- (a) Prohibited; municipal parks and residential areas. A network provider may not install a new node support pole in the following locations:
- (1) In a municipal park, unless permission is given by the ~~city council~~City Council; or
  - (2) In a right-of-way that:
    - (A) Contains a street that is equal to or less than fifty (50) feet wide at average width, measuring vehicular traveled portion only as set out in the definition of "street" and the measurement does not include intersection and refers only to the main traveled portion measured at mid-block or midpoint between intersections; and
    - (B) Is adjacent to developed or undeveloped single-family residential lots, other multifamily residential area or land that is used or designated for residential use by zoning or deed restrictions.
- (b) Restricted; historic district.
- (1) A network provider must obtain advance written approval from the city before collocating network nodes or installing node support poles in an area of the city zoned or otherwise designated as a historic district. Future designations of historic districts shall apply to future requests for placement of facilities.
  - (2) Concealment required:
    - (A) As a condition for approval of network nodes or node support poles in a historic district, concealment measures are required for network nodes or node support poles or related ground equipment or any portion of the nodes, poles, or equipment.
    - (B) Said concealment measures shall minimize the impact to the aesthetics in a historic district.
  - (3) Network provider shall comply with and observe all applicable city, state, and federal laws and requirements, including historic preservation laws and requirements.
  - (c) Collocation will not be allowed on decorative traffic signal poles or decorative poles/decorative streetlight poles in any area of the city.
  - (d) Historic landmarks. Network provider is discouraged from installing a network node or node support pole within 300 feet of a historic site or structure or historic landmark recognized by the city, state or federal government (see, for example, and not limited to §442.001(3) of the Texas Government Code, and 16 U.S.C. §470) as of the date of the submission of the permit.
  - (e) Designated areas.
    - (1) The ~~city council~~City Council may designate an area as a historic district at any time.
    - (2) Historic district. Any area that meets the definition of historic district shall be considered to be a historic district. An area does not need to be designated by this article to be considered to be within a historic district. Such designation does not require a zoning case. Any area declared to be a historic district by ~~city council~~City Council or any area that meets the definition of historic district shall be subject to all requirements and protections for a historic district.
  - (f) Defense.
    - (1) It shall be a defense to any of the above requirements prohibiting or restricting location of facilities in a park, residential area, historic district, or collocating on a decorative pole that the network provider obtained advance written approval or waiver of restrictions from the city before collocating new network nodes or installing new node support poles or ground equipment in a prohibited or restricted location. In any prosecution for such prohibition or violation of any restrictions, it shall be an affirmative defense to have an agreement with the city that approved such location or waived the applicable restriction.
    - (2) If an agreement is granted to locate in a prohibited location, the network provider shall be required, as a condition for approval of new network nodes or new node support poles in a prohibited location, to install reasonable design or concealment measures for the new network nodes or new node support poles. Therefore, any request for installations in a prohibited location, must be accompanied with concealment measures in the permit applications.
    - (3) The city requests that a network provider explore the feasibility of using certain camouflage measures to improve the aesthetics of the network nodes, node support poles, or related ground equipment, or any portion of the nodes, poles, or equipment, to minimize the impact to the aesthetics in all locations of the city.

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(g) Private deed restrictions and property owners association rules. A network provider installing a network node or node support pole in a public right-of-way described above shall comply with private deed restrictions and other private restrictions in the area that apply to those facilities.

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(h) Each permit application shall designate if the requested area for installation is within a residential area, a municipal park, or a historic district.

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(i) No interference with traffic. Nodes will not be allowed to be installed in the area for vehicular or pedestrian travel or in a manner that will interfere with vehicle traffic or pedestrian travel.

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### Sec. 3.16.063 Preferred location

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The following locations, in the order listed, are the preferred locations for installation of poles or wireless facilities:

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(1) Industrial areas.

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(2) Areas designated by the city as a highway rights-of-way area, provided that such areas are not adjacent to a municipal park, residential area, historic district, or any prohibited area set out above.

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(3) Retail and commercial areas, provided such areas are not in a prohibited location, such as a historic district.

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### Sec. 3.16.064 Order of preference regarding attachment to facilities

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(a) The following shall be the order of preference for the attachment of network nodes to existing facilities, beginning with most preferred location and ending with least preferred location. In addition to the preference set out by the city, existing facilities may be owned by third parties and may not be available for attachment of facilities or may require authorization from other parties.

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(b) Order of preference from most preferable to least preferable.

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(1) Most preferable. Existing telephone or electrical lines between existing utility poles, micro network nodes may only be lashed on existing telephone or electrical lines between existing utility poles (electric poles or telephones poles), with notice to the pole owner as required by the Federal Pole Attachment Act, and not placed on utility poles, node support poles or service poles.

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(2) Preferable. Existing utility poles (electric poles or telephones poles), or nondecorative utility owned streetlight poles shall be the preferred support facility for network nodes and related ground equipment.

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(3) Less preferable - new node support poles. Though adding new poles is not desirable, collocation on existing municipal poles shall generally be less preferred over new poles. New poles shall not be installed in prohibited areas and shall only be allowed in restricted areas to the extent all requirements are followed or a waiver is granted. Any new poles shall be camouflaged to the extent allowed by law as set out in this article.

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(4) Least preferable. Municipal service poles, which shall require an agreement with the city. Municipal service poles includes (in order of preference):

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(A) Nondecorative city streetlights. Micro network nodes shall:

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(i) Be encased in a separate conduit than the streetlight cables;

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(ii) Have an electric power connection separate than the streetlights;

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(iii) Have a separate access point than the street light structure;

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(iv) Be attached in a city approved manner; and

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(v) Follow all requirements in the agreement with the city and as required by the city.

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(B) Nondecorative traffic signal structures. Network nodes may only be attached to traffic signal structures when such installation will not interfere with the integrity of the facility and will not interfere with the safety of the public. Any installation of network node facilities on any traffic signal structures shall:

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(i) Be encased in a separate conduit than the traffic light electronics;

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(ii) Have a separate electric power connection than the traffic signal structure;

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(iii) Have a separate access point than the traffic signal structure;

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(iv) Not be placed on traffic signal mast arms;

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(v) Not be placed in an area where the view of traffic from a traffic video camera could be obstructed;

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(vi) Be placed on the side of the signal pole that does not face the direction of traffic for which the traffic signal

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faces;

(vii) Be attached in a city approved manner; and

(viii) Follow all requirements in the agreement with the city and as required by the city.

(C) Other municipal service pole use is discouraged and the use of decorative street light poles or decorative traffic signal structures is prohibited.

(c) Ground equipment should be minimal and the least intrusive. Ground equipment must not block existing or future pedestrian travel ways or be within visibility angles.

#### Sec. 3.16.065 Placement requirements

(a) A network provider shall construct and maintain network nodes and node support poles in a manner that does not:

(1) Obstruct, impede, or hinder the usual travel or public safety on a public right-of-way;

(2) Obstruct the legal use of a public right-of-way by other utility providers;

(3) Violate nondiscriminatory applicable codes;

(4) Violate or conflict with the municipality's publicly disclosed public right-of-way management ordinance or this design manual;

(5) Violate the federal Americans with Disabilities Act of 1990 (42 U.S.C. section 12101 et seq.) or the public rights-of-way accessibility guidelines (PROWAG).

(b) Network node facilities shall be installed in accordance with [section 3.09.069](#) and all other applicable requirements of this article.

(c) Right-of-way.

(1) Network node installation shall follow all applicable requirements of this article.

(2) Network node facilities, node support poles and related ground equipment shall be placed, as much as possible, within two feet (2') feet of the outer edge of the right-of-way line.

(3) Node support poles and related ground equipment shall not impede pedestrian or vehicular traffic in the right-of-way.

(4) No protrusion from the outer circumference of the existing structure or pole shall be more than two (2) feet.

(d) Parks. For the safety of park patrons, particularly small children, and to allow full line of sight near park property, the network provider shall not install ground equipment in a right-of-way that is within a park or within two hundred fifty (250) feet of the boundary line of a park.

(e) There shall be no more than one (1) network node on any one pole.

#### Sec. 3.16.066 Design, concealment or camouflage required

(a) Reasonable design, concealment, or camouflage is required by the city when wireless facilities are allowed, as set forth above, in historic districts.

(b) It is the city's preference that all new node support poles be concealed or camouflaged, except those located in an area zoned or predominantly used as industrial.

(c) Companies shall submit their proposal for camouflage with the permit application.

#### Sec. 3.16.067 General requirements

(a) Confirmation of noninterference with city safety communication networks.

(1) The network provider shall provide analysis that the proposed network node shall not cause any harmful interference with city public safety radio system, traffic signal light system, or other city safety communications components.

(2) It shall be the ongoing responsibility of the network provider to evaluate, prior to making application for permit and while network nodes remain in the right-of-way, the compatibility between the existing city infrastructure and provider's proposed network node. A network node shall not be installed in a location that causes any harmful interference.

(3) Network nodes shall not be allowed on city's public safety radio infrastructure.

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(b) Size limits.

(1) Network providers shall provide detailed drawings, with calculations to show strict conformity to the size limitations as set forth in chapter 284, in accordance with, but not limited to chapter 284, sec. 284.002, size of a micro network node, sec. 284.003, size of network nodes, and sec. 284.103, maximum pole height, with each application and with each request for a permit for each location.

(A) Micro network node dimensions - maximum length: 24 inches (24"); maximum width: fifteen (15) inches (15"); maximum height: twelve (12) inches (12").

(B) Network node: Three feet (3') in height, two feet (2') in width and one foot (1') in depth.

(C) Pole height not higher than ten feet (10') above the average height of utility poles within 500 linear feet of a new pole or fifty five feet (55'), whichever is least.

(D) Ground equipment, separate from the pole, may not be higher than three feet six inches (3'- 6") from grade, wider than three feet six inches (3'- 6").

(E) When not otherwise set out in this article or in a municipal authorization, the size limits shall not be greater than size limits set forth for structures or equipment in chapter 284 of the Local Government Code, where applicable. These size limits shall not be exceeded unless specific city permission has been granted through a franchise or license or specific authorization is claimed through a different state statute.

(F) Size limits may be reduced when necessary for public health, safety or welfare.

(2) If chapter 284 of the Texas Local Government Code is found to be repealed, struck down, preempted or invalid, in whole or in part, then the standards required by the city, either in the municipal authorization or an amendment to the municipal authorization or the directives of the city or this article shall apply.

(c) Concealment. The network node facilities shall be concealed or enclosed in an equipment box, cabinet, or other unit that may include ventilation openings. External cables and wires hanging off a pole shall be sheathed or enclosed in a conduit, so that wires are protected and not visible or visually minimized to the extent possible.

(d) New node support pole spacing and placement.

(1) New node support poles shall be at a minimum three hundred (300) feet from a utility pole or another node support pole to minimize the hazard of poles adjacent to roadways and to minimize effect on property values and aesthetics on the area, unless a lesser distance is approved by the city administrator.

(2) New poles shall be placed a minimum of five (5) feet from a street curb or travel lane and eighteen (18) inches from a sidewalk to minimize the potential of being struck by a motor vehicle or bicycle.

(3) New poles shall be placed on breakaway anchor bolt supports or bases to minimize the impact severity to motor vehicles that strike the pole.

(e) Minimize ground equipment concentration. In order to minimize negative visual impact to the surrounding area, the city's designee may deny a request for a proposed location if the network provider installs network node ground equipment where existing ground equipment already occupies a footprint of twenty-five (25) square feet or more.

(f) Allowed colors. Colors shall meet the requirements set out in [section 3.16.012\(b\)\(50\)](#).

(g) If any network node facilities, node support poles or ground equipment is installed in a location that is not in accordance with the plans approved by the city administrator and impedes pedestrian or vehicular traffic or does not comply or otherwise renders the right-of-way noncompliant with applicable laws, including the American Disabilities Act, then network provider shall remove the network node facilities, node support poles or ground equipment.

(h) If chapter 284 of the Texas Local Government Code is found to be repealed, struck down, pre-empted or invalid, in whole or in part, then the standards required by the city, either in the municipal authorization or an amendment to the municipal authorization or the directives of the city or this article shall apply.

(i) Ground equipment.

(1) Ground equipment should be minimal and the least intrusive. In accordance with chapter 284.102(1), to minimize any obstruction, impediment, or hindrance to the usual travel or public safety on a public right-of-way the maximum line of sight required to add to safe travel of vehicular and pedestrian traffic and in order to maximize that line of sight at street corners and intersections and to minimize hazards at those locations, ground equipment may not be installed within two hundred fifty 250 feet of a street corner or a street intersection.

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(2) Ground equipment near municipal parks. For the safety of municipal park patrons, particularly small children, and to allow full line of sights near municipal park property, the network provider shall not install ground equipment in a right-of-way that is within a park or within two hundred fifty (250) feet of the boundary line of a park, unless approved by the city administrator.

(3) In accordance with chapter 284, sec. 284.102(1) to enhance the safety requirements of line of sight of pedestrians, particularly small children, the city's designee may deny a request for a proposed location if the network provider installs network node ground equipment where existing ground equipment within 300 feet already occupies a footprint of twenty-five (25) square feet or more.

(4) Ground equipment shall not be installed in such a manner as to interfere with a visibility triangle.

(5) Ground equipment must not block existing or future pedestrian travel ways, sidewalks, or trails.

(i) Municipal service poles.

(1) An agreement shall be required for all installations on municipal service poles and all such installations shall be in accordance with the agreement.

(2) Installations on all service poles shall have an industry standard individual pole load analysis, including wind loads, completed by a professional engineer registered in the state and submitted to the municipality with each permit application indicating that the service pole to which the network node is to be attached will safely support the load. All applications for permits to collocate or attach to any service pole must have included in its permit application a completed industry standard pole load analysis performed and sealed by an engineer licensed by the state that indicates that the service pole to which the network node is to be attached will safely support the load. Such analysis shall also address safety of pole and attachments in regard to wind loads, collision with motor vehicle, supporting weight of the node, interference with city communications systems, and all other pertinent information.

(3) Height of attachments:

(A) All attachments on all service poles shall be at least eight (8) feet above grade.

(B) If an attachment is projecting toward the street, for the safety and protection of the public and vehicular traffic, the attachment shall be installed no less than sixteen (16) feet above the ground; and

(C) Meet all applicable requirements of state law and this article.

(4) Installations on any traffic signal structure must not interfere with the integrity of the facility in any way that may compromise the safety of the public and must be in accordance with the agreement with the city. Installation of network node facilities on any traffic signal structures shall:

(A) Be encased in a separate conduit than the traffic signal light electronics;

(B) Be placed on the side of the signal pole that does not face the direction of traffic that the signal is controlling;

(C) Have a separate electric power connection from the traffic signal structure;

(D) Be placed a minimum of two feet (2') from any signal system device;

(E) Have a separate access point than the traffic signal structure;

(F) Be attached in a city-approved manner;

(G) Follow all requirements in the agreement with the city and all other requirements by city; and

(H) Meet all other requirements of state law and this article.

(5) Installations on street signage structures: Installations on all street signage structures must not interfere with the integrity of the facility in any way that may compromise the safety of the public and must be in accordance with the agreement with the city. Installation of network node facilities on any street signage structures that has electrics shall:

(A) Be encased in a separate conduit than any city signage electronics;

(B) Have a separate electric power connection than the signage structure;

(C) Have a separate access point than the signage structure;

(D) Be attached in a city-approved manner;

(E) Follow all requirements in the agreement with the city and all other requirements of the city; and

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(F) Meet all other requirements of state law and this article.

(k) Certification.

(1) Application: Network node provider will furnish a certification that the proposed network node will be placed into active commercial service by or for a network provider not later than the 60th day after the date the construction and final testing of the network node is completed.

(2) Within sixty (60) days after construction is complete, network node provider will furnish a certification that the proposed network node is in active commercial service by or for a network provider and will furnish such certification with its registration as required by [section 3.16.010](#), annually thereafter.

**Sec. 3.16.068 Electrical supply.**

(a) Network provider shall be responsible for obtaining any required electrical power service to the micro network node, network node facilities, node support poles and ground equipment. The city shall not be liable to the network provider for any stoppages or shortages of electrical power furnished to the micro network node, network node facilities, node support poles or ground equipment, including without limitation, stoppages or shortages caused by any act, omission, or requirement of the public utility serving the structure or the act or omission of any other tenant or network provider of the structure, or for any other cause beyond the control of the city.

(b) Network provider shall not allow or install generators or back-up generators in the right-of-way.

**Sec. 3.16.069 Installation and inspections**

(a) Installation.

(1) Network provider shall, at its own cost and expense, install the micro network node, network node facilities, node support poles and related ground equipment in a good and workmanlike manner and in accordance with the requirements promulgated by the city administrator, as such may be amended from time to time. Network provider's work shall be subject to the regulation, control and direction of the city administrator.

(2) All work done in connection with the installation, operation, maintenance, repair, modification, and/or replacement of the micro network node, network node facilities, node support poles and related ground equipment shall be in compliance with any agreement with the city as applicable and all applicable laws, ordinances, codes, rules and regulations of the city, county, state, and the United States ("laws").

(b) Standard pole load analysis on attachments to a service pole. All applications for permits to collocate and/or attach to any service pole must have included in its permit application a completed industry standard pole load analysis indicating that the service pole to which the network node is to be attached will safely support the load.

(c) Inspections. The city administrator may perform visual inspections of any micro network node, network node, node support pole or related ground equipment located in the right-of-way as the city administrator deems appropriate without notice. If the inspection requires physical contact with the micro network node, network node, node support poles or related ground equipment, the city administrator shall provide written notice to the network provider within five (5) business days of the planned inspection. Network provider may have a representative present during such inspection.

**Sec. 3.16.070 Requirements in regard to removal, replacement, maintenance and repair.**

(a) Removal or relocation by network provider.

(1) If the network provider removes or relocates a micro network node, network node facilities, node support pole or related ground equipment at its own discretion, it shall notify the city administrator in writing not less than ten (10) business days prior to removal or relocation. Network provider shall obtain all permits required for relocation or removal of its micro network node, network node facilities, node support poles and related ground equipment prior to relocation or removal.

(2) The city shall not issue any refunds for any amounts paid by network provider for micro network node, network node facilities, node support poles or related ground equipment that have been removed.

(3) Any abandoned or obsolete micro network node, network node, node support pole or other related equipment shall be removed in strict accordance with this article and all other applicable ordinances and state law.

(4) Network provider shall remove micro network node, network node facilities, node support pole or related ground equipment when such facilities are abandoned regardless of whether or not notice is received from the city. Such removal must occur within ninety (90) days from the date of abandonment, unless additional time is allowed by the city. The network provider shall provide advance written notice of such removal which must be received by

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the city at least two (2) working days prior to the removal, except in case of emergency. Such notice shall specify the location and description of each micro network node, network node, node support pole or related ground equipment or other facilities to be removed.

(5) The city administrator may require the network provider to complete additional remedial measures necessary for public safety and the integrity of any city facilities and the right-of-way.

**(b) Removal or relocation required for city project.**

(1) A network provider shall relocate or adjust micro network node, network node, node support pole and related ground equipment in a public right-of-way in a timely manner in accordance with [section 3.16.013](#) "conditions of public rights-of-way occupancy" subsection (d) and without cost to the municipality managing the public right-of-way.

(2) Pursuant to state law and as a condition for occupancy of the right-of-way, the network provider may be required by the city to remove or relocate any of its facilities, including but not limited to, its micro network node, network node, node support pole and related ground equipment, or any portion thereof from the right-of-way, and network provider shall at the city administrator's direction, remove or relocate the same at network provider's sole cost and expense, whenever the city administrator reasonably determines that the relocation or removal is needed as set out in [section 3.16.013](#) "conditions of public right-of-way occupancy".

(c) If network provider fails to remove or relocate the micro network node, network node, node support pole or related ground equipment, or portion thereof as requested by the city administrator within ninety (90) days of network provider's receipt of the request, then the city shall be entitled to remove the micro network node, network node, node support pole or related ground equipment, or portion thereof at network provider's sole cost and expense, without further notice to network provider, and network provider shall, within thirty (30) days following issuance of invoice for the same, reimburse the city for its reasonable expenses incurred in the removal (including, without limitation, overhead and storage expenses) of the micro network node, network node, node support pole or related ground equipment, or portion thereof.

**(d) Removal required by city for safety or due to imminent danger, or for improper permitting or licensing.**

(1) Network provider shall, at its sole cost and expense, promptly disconnect, remove, or relocate the applicable micro network node, network node, node support pole and related ground equipment within the time frame and in the manner required by the city administrator if the city administrator reasonably determines that the disconnection, removal, or relocation of any part of a micro network node, network node, node support pole and related ground equipment: (A) is necessary to protect the public health, safety, welfare, or city property, (B) the micro network node, network node, node support pole and related ground equipment, or portion thereof, is adversely affecting proper operation of streetlights or city property, or (C) network provider fails to obtain all applicable licenses, permits, and certifications required by law for its micro network node, network node, node support pole and related ground equipment, or use of any location under applicable law. If the city administrator reasonably determines that there is imminent danger to the public, then the city may immediately disconnect, remove, or relocate the applicable micro network node, network node, node support pole and related ground equipment at the network provider's sole cost and expense.

(2) The city administrator shall provide ninety (90) days written notice to the network provider before removing a micro network node, network node, node support pole and related ground equipment under this section, unless there is imminent danger to the public health, safety, and welfare.

(3) Network provider shall reimburse city for the city's actual cost of removal of micro network node, network node, node support pole and related ground equipment within thirty (30) days of receiving the invoice from the city.

(e) **Restoration.** Network provider shall repair any damage to the right-of-way, or any facilities located within the right-of-way, and the property of any third party resulting from network provider's removal or relocation activities (or any other of network provider's activities hereunder) within ten (10) calendar days following the date of such removal or relocation, at network provider's sole cost and expense, including restoration of the right-of-way and such property to substantially the same condition as it was immediately before the date network provider was granted a permit for the applicable location or did the work at such location (even if network provider did not first obtain a permit), including restoration or replacement of any damaged trees, shrubs or other vegetation. Such repair, restoration and replacement shall be subject to the sole, reasonable approval of the city administrator.

(f) **Network provider responsible.** Network provider shall be responsible and liable for the acts and omissions of network provider's employees, temporary employees, officers, directors, consultants, agents, affiliates,

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subsidiaries, sub-network provider's and subcontractors in connection with the installations of any micro network node, network node, node support pole and related ground equipment, as if such acts or omissions were network provider's acts or omissions.

#### Sec. 3.16.071 Requirements upon abandonment

- (a) Upon abandonment or upon being deemed abandoned, network provider has a duty to promptly remove its facilities from the right-of-way. Notice from the city is not a prerequisite to the requirement for removal.
- (b) If the network provider does not promptly remove its facilities removal procedures as set out in [section 3.16.021](#) "abandoned facilities" may be followed.

#### Sec. 3.09.072 General provisions

- (a) All requirements of this article shall be met as applicable.
- (b) No city allocation of funds for removal and storage. All costs of any removal or storage of micro network node, network node, node support pole and related ground equipment, as authorized under this article, shall be the responsibility of the network provider and the city is not required to expend funds to meet the requirements of the network providers. Any funds expended by the city due to an emergency or failure of a person to abide by these requirements shall be reimbursed to the city.
- (c) Ownership. No part of a micro network node, network node, node support pole and related ground equipment erected or placed on the right-of-way by network provider will become, or be considered by the city as being affixed to or a part of, the right-of-way. All portions of the micro network node, network node, node support pole and related ground equipment constructed, modified, erected, or placed by network provider on the right-of-way will be and remain the property of network provider and may be removed by network provider at any time, provided the network provider shall notify the city administrator prior to any work in the right-of-way.
- (d) Size limits. Network providers shall provide detailed drawings, with calculations to show strict conformity to the size limitations as set forth in Texas Local Government Code chapter 284 with each application and request for a permit for each location; provided, however, where possible providers are encouraged to reduce the size of installed facilities.
- (e) If chapter 284 of the Local Government Code is found to be repealed, struck down, preempted or invalid, in whole or in part, then the standards required by the city, either in the municipal authorization or an amendment to the municipal authorization or the directives of the city or this article shall apply.

#### Sec. 3.16.073 Indemnity, bonding and security deposits

Indemnity, bonding and security deposits shall be in strict accordance with the city's rights-of-way management ordinance, and other applicable ordinances, except to the extent not consistent with state law.

#### Sec. 3.16.074 Design manual - updates

Placement or modification of micro network node, network node, node support pole and related ground equipment shall comply with the city's design manual at the time the permit for installation or modification, and as said design manual may be approved or amended from time to time.

#### Secs. 3.16.075–3.16.090 Reserved

### Division 4. Exemption Process

#### Sec. 3.16.091 Administrative hearing - request for exemption

- (a) Should any person utilizing or proposing to utilize the right-of-way desire to request an exemption from a specific standard set forth in this article, and [section 3.16.026](#) "alternate means or method; waiver" is not applicable, the person may request an administrative hearing before a board of appeals. The ~~zoning-board of adjustment~~ **City Council** shall act as the board of appeals for a request for exemption under this article.
- (b) Any person requesting an exemption from any of the requirements shall file such a request with the city administrator within fifteen (15) calendar days from the time that need for an exemption arose. If an exemption is requested prior to construction, the request should be submitted prior to filing for a permit.
- (c) An exemption shall only be granted if:
- (1) Such exemption is not contrary to the public interest;

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- (2) Such exemption will not increase the burden on the right-of-way or other right-of-way users;
- (3) Such exemption shall not increase the right-of-way management or administrative duties for city staff;
- (4) The exemption shall fit within the spirit of this article; and
- (5) The application of this article in the particular circumstances would create an unnecessary hardship.
- (d) It shall take an affirmative vote of four (4) members of the board to grant the exemption.

Secs. 3.16.092–3.16.100 Reserved

#### Division 5. Fees

##### Sec. 3.16.101 Fee schedule; plan review.

- (a) Fees and rates. Pursuant to chapter 284 of the Texas Local Government Code, there is hereby levied and assessed and shall be collected the application fees and public rights-of-way use rates are established by this section.
- (b) Application fees.
  - (1) Network node. \$500.00 per application for up to 5 network nodes, and \$250.00 for each additional network node on a single application; up to 30 network nodes are allowed on each application.
  - (2) Node support pole. \$1,000.00 per application for each pole.
  - (3) Transport facility.
    - (A) \$500.00 for up to 5 network nodes;
    - (B) \$250.00 for each additional network node on a single permit; up to 30 network nodes are allowed on each permit.
- (c) Annual public rights-of-way use rates.
  - (1) Network node. \$250.00 per network node site.
  - (2) Node support pole. No separate rate from the network node annual fee (each support pole should have a network node attached).
  - (3) Transport facility. \$28.00 monthly for each network node site, unless an equal or greater amount is paid in the city, e.g. under chapter 283, Tex. Loc. Gov. Code or chapter 66, Tex. Util. Code.
  - (4) Service pole attachment. \$20.00 per year to collocate a network node on a service pole in the public right-of-way.

##### Sec. 3.16.102 Payment required.

It shall be an offense for any person, firm or corporation to build, construct, or place any facility in the public right-of-way without first having paid the application fees herein established and adopted or continuing to pay the annual rights-of-way use fees.

##### Sec. 3.16.103 Penalty.

Any person, firm or corporation violating any provision of this article shall be deemed guilty of a misdemeanor and, upon conviction, shall be subject to a fine not exceeding the current state maximum for a class C misdemeanor. Said fine shall be cumulative of any other right or remedy available to the city to enjoin the continued violation hereof. Each transaction and violation of any of the provisions hereof shall be a separate offense.

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**AGENDA ITEM 4:**  
**APPROVAL OF**  
**MINUTES**

**Regular Meeting on**  
**January 10, 2023**



Ransom Canyon City Council Meeting Minutes  
Regular Meeting, January 10, 2023  
Ransom Canyon City Hall, 24 Lee Kitchens Drive

1. Call to Order/Pledges/Prayer

The regular meeting was called to order at 6:30 p.m. by Mayor Jana Trew. The City Council met in person at City Hall, 24 Lee Kitchens Drive, Ransom Canyon, Texas 79366. The following City Council members physically attended the meeting: Mayor Jana Trew, Councilmembers Dr. Terry Waldren, Ron McWilliams, and Val Meixner. Mayor Pro Tem Brandt Underwood and Councilmember John Hand were absent. Staff members attending the meeting included City Administrator, Elena Quintanilla; Deputy City Secretary, Leslie Randolph, Chief of Police, James Hill; Director of Public Works, Cory Needham; Fire Chief, Rand McPherson; Assistant Fire Chief, Angela Hill; and Librarian, Angie Fikes. Guests attending the meeting included Ron and Jan Childress. The prayer was said by Councilmember Ron McWilliams, followed by the pledges to the United States and State of Texas.

2. Property Owner's Association (POA) Report and Citizen Comments

Val Meixner reported that the Property Owner's Association (POA) is sponsoring their Annual Chili Cookoff on January 28, 2023 at the Ranch House at 6:00 p.m.

3. Building Review Recognition

Ron Childress was recognized for his years of service on the Building Review Committee.

4. Discussion on First Reading of Budget Amendment

The City Council discussed an amendment to the 2022-2023 budget to increase the "Engineering Line Item" from \$17,000 to \$37,000 due to increases in the Ransom Ranch Subdivision and costs associated with surveying the Chapman properties.

5. Discussion on First Reading of Speed Limit Changes

The City Council discussed changes to be made regarding the speed limit on Ransom Road, from the intersection of West Canyon View Drive to FM 3523, from 50 mph to 35 mph and on Johnston Road from CR 7000 to East Canyonview from 35 mph to 25 mph.

6. Minutes

The minutes of the regular meeting on November 8, 2022 and the cancelled meeting of December 13, 2022 were approved on a motion made by Councilmember Ron McWilliams, seconded by Councilmember Dr. Terry Waldren; motion carried unanimously.

7. Financials

The financial reports and the November and December 2022 claims and demands were approved on a motion made by Councilmember Dr. Terry Waldren, seconded by Councilmember Val Meixner; motion carried unanimously.

8. 2021-2022 Audit Report

The City Council approved the 2021-2022 Audit Report presented by Terry & King, CPA's, PC Auditor on a motion made by Councilmember Ron McWilliams, seconded by Councilmember Val Meixner; motion carried unanimously.

9. Lubbock County Fire Grant Application

The City Council voted to approve a grant application to Lubbock County entitled "Critical Needs Funding FY 2023" for the Ransom Canyon Volunteer Fire Department in the amount of \$45,454.00 on a motion made by Councilmember Dr. Terry Waldren, seconded by Councilmember Val Meixner; motion carried unanimously.

10. Amendment to FY 2021-2022 Budget for Line-Item Adjustments

The City Council approved line-item adjustments to the overall FY 2021-2022 Budget for all departments and amendments to the Fire, Police, and Water Departments on a motion made by Councilmember Ron McWilliams, seconded by Councilmember Val Meixner; motion carried unanimously.

11. Budget Amendment for Engineering

The budget amendment for the "Engineering Line Item" was removed by Mayor Jana Trew for any action by the City Council since it was inadvertently placed on the agenda as an action item. It was discussed previously on the agenda in this meeting under number four as a "First Reading of an Ordinance."

12. International Building Codes

The City Council approved the recommendation of the Building Review Committee to adopt the most current International Building Codes utilized by the City of Lubbock for the Town of Ransom Canyon on a motion made by



Councilmember Dr. Terry Waldren, seconded by Councilmember Val Meixner; motion carried unanimously.

13. Hazard Mitigation Plan

The City Council approved a resolution regarding the hazard mitigation plan produced by Lubbock County through H2O Partners, on a motion made by Councilmember Dr. Terry Waldren, seconded by Councilmember Val Meixner; motion carried unanimously.

14. Warranty Deed

The City Council approved a special warranty deed to accept a 4.362 -acre tract of land in section 4, Block 1 from LRC Realty which is the location of the Ransom Canyon dam on a motion made by Councilmember Dr. Terry Waldren, seconded by Councilmember Val Meixner; motion carried unanimously.

A. BUILDING REVIEW COMMITTEE REPORT:

The Building Review Committee did not meet in the month of December. Building Review Committee members have been reviewing changes to the Chapter 3 of the building code ordinances.

B. DEPARTMENT REPORTS:

a. Administration: Elena Quintanilla reported the following:

- She discussed her schedule of events for the week.
- Elena contacted the Texas Tech Landscape Architect Department regarding the development of a Parks Master Plan and a class will be meeting with Elena and Cory on February 1, 2023.
- The new budget was installed in December 2022.
- Elena discussed the garbage issues that occurred over the holidays, and will be meeting with Waste Connections prior to future holidays.
- She provided a brief legislative update.
- She will be attending the Election Law Seminar in Denton in January.

b. The Municipal Court: Elena Quintanilla reported the following:

- There were no changes in Municipal Court since last month.

c. Operations: Cory Needham reported the following:

- The Beast/Quad Investments Subdivision road is complete.
- A bid opening for the Ransom Canyon Road on Spur Lane took place; however, no bids were submitted.
- The Operations staff is winterizing their equipment and making preparations for the snow and winter weather.

- Optimum has caused some damage on water lines while installing their fiber.
- d. Police: James Hill reported the following:
- There were nine (9) citations and six (6) traffic verbal warnings in November, and four (4) citations and six (6) traffic verbal warnings in December.
  - Chief Hill mentioned that Lt. Jensen attending a command staff training class in Huntsville, Texas.
  - The Police Department is fully staffed with the addition of Nathan Flynn.
  - Holiday traffic was "plentiful."
- e. Fire: Rand McPherson reported the following:
- There were two (2) EMS calls and four (4) fire calls this month.
  - The Ransom Canyon Volunteer Fire Department remodel is complete.
  - The Volunteer Fire Department training will begin with Buffalo Springs Lake once the days get longer.
  - The Fire Department received approval from Lubbock County on the equipment funds requested.
  - The Department held their annual election and Rand mentioned that the following officers were elected: Chief, Rand McPherson; Assistant Chief, Angela Hill; Fire Captain, Michael Reyna; Secretary, Mary Roberts; Treasurer, Jim Waters; and Ron McWilliams, Firewise Captain.
- f. Library: Angie Fikes reported the following:
- The "Girls Who Code Computer Program" will be delayed until the end of the month.
  - She raised \$2100 this year with the Christmas Fundraiser.
  - The Christmas Party went well and the youth enjoyed snowball fights.

#### Adjournment

The City Council adjourned the meeting at 7:47 p.m. on a motion made by Councilmember Dr. Terry Waldren, seconded by Councilmember Ron McWilliams; motion carried unanimously.

APPROVED:

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Jana Trew, Mayor



ATTEST:

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Elena Quintanilla, City Secretary

**AGENDA ITEM #5:**

**APPROVAL OF**

**FINANCIAL REPORTS**

**Claims and Demands**

**for**

**January 23, 2023**

**and Financial**

**Investment Report**



CITY OF RANSOM CANYON  
REVENUE & EXPENSE REPORT (UNAUDITED)  
AS OF: JANUARY 31ST, 2023

PAGE: 1

01 -GENERAL FUND  
FINANCIAL SUMMARY

	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	BUDGET BALANCE	% OF BUDGET
<u>REVENUE SUMMARY</u>					
UTILITY REVENUE	1,036,000.00	74,540.65	327,997.52	708,002.48	31.66
BUILDING PERMIT REVENUE	13,200.00	375.00	1,700.00	11,500.00	12.88
FRANCHISE REVENUE	36,100.00	9,595.14	24,000.22	12,099.78	66.48
AD VALOREM TAX REVENUE	990,000.00	0.00	580,403.28	409,596.72	58.63
INTEREST REVENUE	5,000.00	0.00	14,728.94	( 9,728.94)	294.58
LIBRARY REVENUE	7,000.00	30.00	2,210.00	4,790.00	31.57
COURT REVENUE	1,800.00	800.50	800.50	999.50	44.47
OTHER REVENUE	3,200,500.00	27,191.44	121,597.80	3,078,902.20	3.80
BUDGETED SURPLUS	<u>723,760.00</u>	<u>43,698.98</u>	<u>52,076.77</u>	<u>671,683.23</u>	<u>7.20</u>
TOTAL REVENUES	6,013,360.00	156,231.71	1,125,515.03	4,887,844.97	18.72
	=====	=====	=====	=====	=====
<u>EXPENDITURE SUMMARY</u>					
CITY COURT	10,400.00	0.00	0.00	10,400.00	0.00
ADMINISTRATION	498,072.00	36,857.51	160,657.34	337,414.66	32.26
OPERATIONS	387,762.00	52,308.35	119,864.36	267,897.64	30.91
FIRE DEPARTMENT	111,529.00	2,584.86	24,765.77	86,763.23	22.21
LIBRARY	36,418.00	3,658.91	11,872.65	24,545.35	32.60
POLICE DEPARTMENT	409,331.00	31,600.96	139,680.07	269,650.93	34.12
SEWER DEPARTMENT	185,278.00	16,616.22	69,211.83	116,066.17	37.36
ROADS AND GROUNDS DEPT	104,467.00	7,422.89	29,880.55	74,586.45	28.60
WATER DEPARTMENT	475,207.00	26,040.77	106,156.89	369,050.11	22.34
PAYROLL DEPARTMENT	0.00	0.00	0.00	0.00	0.00
EMERGENCY OPS CENTER	27,875.00	122.42	480.05	27,394.95	1.72
CAPITAL EXPENDITURES	3,538,000.00	39,654.00	64,471.79	3,473,528.21	1.82
BONDS	<u>229,021.00</u>	<u>600.00</u>	<u>600.00</u>	<u>228,421.00</u>	<u>0.26</u>
TOTAL EXPENDITURES	6,013,360.00	217,466.89	727,641.30	5,285,718.70	12.10
	=====	=====	=====	=====	=====
REVENUES OVER/(UNDER) EXPENDITURES	0.00 (	61,235.18)	397,873.73 (	397,873.73)	0.00

CITY OF RANSOM CANYON  
REVENUE & EXPENSE REPORT (UNAUDITED)  
AS OF: JANUARY 31ST, 2023

## 01 -GENERAL FUND

## REVENUES

	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	BUDGET BALANCE	% OF BUDGET
<u>UTILITY REVENUE</u>					
401 WATER REVENUE	640,000.00	39,397.38	178,299.21	461,700.79	27.86
402 SEWER REVENUE	240,000.00	21,930.42	87,719.60	152,280.40	36.55
403 GARBAGE REVENUE	148,000.00	12,825.24	51,328.11	96,671.89	34.68
404 PENALTY REVENUE	4,500.00	342.61	1,947.90	2,552.10	43.29
405 MOSQUITO SPRAY GROUND	0.00	0.00	0.00	0.00	0.00
406 MOSQUITO SPRAY AIR	3,000.00	0.00	8,447.70 (	5,447.70)	281.59
407 GAS LIGHTS REVENUE	0.00	0.00	0.00	0.00	0.00
408 TURN ON REVENUE	500.00	25.00	175.00	325.00	35.00
409 RV REVENUE MONTHLY PAYEES	0.00	20.00	80.00 (	80.00)	0.00
TOTAL UTILITY REVENUE	1,036,000.00	74,540.65	327,997.52	708,002.48	31.66
<u>BUILDING PERMIT REVENUE</u>					
410 BUILDING PERMIT REVENUE	10,000.00	375.00	1,700.00	8,300.00	17.00
411 TAP CONNECTION REVENUE	3,200.00	0.00	0.00	3,200.00	0.00
TOTAL BUILDING PERMIT REVENUE	13,200.00	375.00	1,700.00	11,500.00	12.88
<u>FRANCHISE REVENUE</u>					
420 ATMOS FRANCHISE REVENUE	10,000.00	3,552.77	5,378.86	4,621.14	53.79
421 SPEC FRANCHISE REVENUE	16,000.00	4,960.90	14,848.03	1,151.97	92.80
422 SOUTH PLAINS TEL FRANCHISE REV	2,000.00	281.47	564.93	1,435.07	28.25
423 SBC FRANCHISE REVENUE	100.00	0.00	8.40	91.60	8.40
424 MISC FRANCHISE REVENUE	500.00	0.00	0.00	500.00	0.00
425 INTERNET REVENUE	7,500.00	800.00	3,200.00	4,300.00	42.67
TOTAL FRANCHISE REVENUE	36,100.00	9,595.14	24,000.22	12,099.78	66.48
<u>AD VALOREM TAX REVENUE</u>					
443 DELINQUENT TAX REVENUE	6,000.00	0.00	12.17	5,987.83	0.20
444 CURRENT TAX REVENUE	980,900.00	0.00	580,325.69	400,574.31	59.16
445 TAX P&I REVENUE	3,000.00	0.00	23.42	2,976.58	0.78
446 TAX CERTIFICATE REVENUE	100.00	0.00	42.00	58.00	42.00
447 MISC TAX REVENUE	0.00	0.00	0.00	0.00	0.00
448 TAX COLLECTION REVENUE	0.00	0.00	0.00	0.00	0.00
TOTAL AD VALOREM TAX REVENUE	990,000.00	0.00	580,403.28	409,596.72	58.63
<u>INTEREST REVENUE</u>					
455 INTEREST INCOME	5,000.00	0.00	14,728.94 (	9,728.94)	294.58
456 I&S INTEREST EARNED	0.00	0.00	0.00	0.00	0.00
457 CONSTRUCTION INTEREST	0.00	0.00	0.00	0.00	0.00
TOTAL INTEREST REVENUE	5,000.00	0.00	14,728.94 (	9,728.94)	294.58
<u>LIBRARY REVENUE</u>					
465 LIBRARY REVENUE	7,000.00	30.00	2,210.00	4,790.00	31.57
466 CH FOUNDATION GRANT	0.00	0.00	0.00	0.00	0.00
TOTAL LIBRARY REVENUE	7,000.00	30.00	2,210.00	4,790.00	31.57



CITY OF RANSOM CANYON  
REVENUE & EXPENSE REPORT (UNAUDITED)  
AS OF: JANUARY 31ST, 2023

11 -GENERAL FUND

REVENUES

	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	BUDGET BALANCE	% OF BUDGET
<u>COURT REVENUE</u>					
176 SEIZURE INCOME	0.00	0.00	0.00	0.00	0.00
177 COURT FEES	600.00	0.00	0.00	600.00	0.00
178 COURT FINES	1,200.00	800.50	800.50	399.50	66.71
179 COURT TRUST	0.00	0.00	0.00	0.00	0.00
TOTAL COURT REVENUE	1,800.00	800.50	800.50	999.50	44.47
<u>OTHER REVENUE</u>					
180 BUFFALO LAKE REVENUE	161,000.00	17,232.88	80,751.61	80,248.39	50.16
181 POA REVENUE	0.00	0.00	0.00	0.00	0.00
182 TEXAS WATER DEVELOPMENT BOARD	3,000,000.00	0.00	14,492.00	2,985,508.00	0.48
183 CITY SALES TAX REVENUE	16,000.00	0.00	6,533.81	9,466.19	40.84
184 COPS FAST GRANT	0.00	0.00	0.00	0.00	0.00
185 SCHOLARSHIP DONATION REVENUE	0.00	0.00	0.00	0.00	0.00
186 LEOSE TRAINING REVENUE	0.00	0.00	0.00	0.00	0.00
187 BOAT PERMIT REVENUE	1,500.00	0.00	150.00	1,350.00	10.00
188 RV STORAGE REVENUE ANNUAL PAY	15,000.00	7,560.00	8,400.00	6,600.00	56.00
189 MISC REVENUE	7,000.00	2,398.56	11,270.38	(4,270.38)	161.01
TOTAL OTHER REVENUE	3,200,500.00	27,191.44	121,597.80	3,078,902.20	3.80
<u>BUDGETED SURPLUS</u>					
490 OPERATING GEN FUND TRANSF	384,617.00	0.00	0.00	384,617.00	0.00
491 NOTE PROCEEDS - CITIZENS BANK	0.00	0.00	0.00	0.00	0.00
492 INSURANCE RECOVERIES	0.00	0.00	0.00	0.00	0.00
493 LUBBOCK COUNTY FIRE GRANT	55,643.00	43,204.15	49,704.15	5,938.85	89.33
494 COVID GRANT FUNDS	278,000.00	0.00	0.00	278,000.00	0.00
495 CC PROCESSING FEES	5,500.00	494.83	2,372.62	3,127.38	43.14
496 JAG GRANT	0.00	0.00	0.00	0.00	0.00
497 BULLET PROOF VESTS GRANT	0.00	0.00	0.00	0.00	0.00
498 SECO GRANT	0.00	0.00	0.00	0.00	0.00
TOTAL BUDGETED SURPLUS	723,760.00	43,698.98	52,076.77	671,683.23	7.20
<u>TOTAL REVENUES</u>					
	6,013,360.00	156,231.71	1,125,515.03	4,887,844.97	18.72
	=====	=====	=====	=====	=====

CITY OF RANSOM CANYON  
REVENUE & EXPENSE REPORT (UNAUDITED)  
AS OF: JANUARY 31ST, 2023

## 01 -GENERAL FUND

## CITY COURT

## EXPENDITURES

	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	BUDGET BALANCE	% OF BUDGET
504-4020 JUDGE CONTRACT	5,000.00	0.00	0.00	5,000.00	0.00
504-4030 COURT OPERATING EXPENSE	2,400.00	0.00	0.00	2,400.00	0.00
504-4040 COURT EDUCATION EXPENSE	3,000.00	0.00	0.00	3,000.00	0.00
TOTAL CITY COURT	10,400.00	0.00	0.00	10,400.00	0.00



CITY OF RANSOM CANYON  
REVENUE & EXPENSE REPORT (UNAUDITED)  
AS OF: JANUARY 31ST, 2023

## 01 -GENERAL FUND

## ADMINISTRATION

## EXPENDITURES

	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	BUDGET BALANCE	% OF BUDGET
505-5000 PAYROLL	302,486.00	23,909.08	93,619.94	208,866.06	30.95
505-5005 PAYROLL SERVICE	0.00	0.00	0.00	0.00	0.00
505-5006 FUEL ALLOWANCE	0.00	0.00	0.00	0.00	0.00
505-5010 AUDIT EXPENSE	15,000.00	0.00	14,500.00	500.00	96.67
505-5020 COMPUTER EXP	32,000.00	2,325.98	9,641.87	22,358.13	30.13
505-5030 ELECTION EXP	4,000.00	0.00	0.00	4,000.00	0.00
505-5040 XEROX EXPENSE	5,800.00	0.00	1,779.43	4,020.57	30.68
505-5050 PITNEY BOWES EXPENSE	1,394.00	0.00	309.57	1,084.43	22.21
505-5070 GENERAL LIABILITY INSURANCE	1,037.00	1,646.00	2,588.00	1,551.00	249.57
505-5071 WORKERS COMP INSURANCE	710.00	0.00	600.00	110.00	84.51
505-5075 E&O/REAL & PERSONAL, CRIME IN	6,043.00	0.00	6,098.43	55.43	100.92
505-5080 LEGAL EXPENSE	25,000.00	679.44	1,508.98	23,491.02	6.04
505-5081 LEGAL EXPENSE CODIFY CITY ORD	7,000.00	0.00	0.00	7,000.00	0.00
505-5090 LCAD EXPENSE	17,562.00	0.00	4,430.00	13,132.00	25.22
505-5100 MEETINGS-EDUCATION EXPENSE	13,000.00	2,565.30	4,080.88	8,919.12	31.39
505-5101 TML CONFERENCE CITY COUNCIL	8,000.00	0.00	1,697.98	6,302.02	21.22
505-5105 ASSOCIATION DUES EXPENSE	1,700.00	0.00	305.00	1,395.00	17.94
505-5110 ADMIN OFFICE SUPPLIES	8,500.00	1,095.86	3,388.28	5,111.72	39.86
505-5120 POSTAGE EXPENSE	6,600.00	1,041.98	2,138.73	4,461.27	32.41
505-5130 PUBLIC RELATIONS EXPENSE	7,000.00	43.50	333.66	6,666.34	4.77
505-5140 OFFICE UTILITY EXPENSE	10,500.00	2,382.31	5,011.83	5,488.17	47.73
505-5150 OFFICE TELEPHONE EXPENSE	11,000.00	613.06	2,476.29	8,523.71	22.51
505-5155 SECURITY SYSTEM	3,740.00	30.00	2,720.00	1,020.00	72.73
505-5160 SCHOLARSHIP GRANT	0.00	0.00	0.00	0.00	0.00
505-5170 MILEAGE REIMBURSEMENT	2,000.00	525.00	525.00	1,475.00	26.25
505-5175 CREDIT CARD FEE EXPENSE	8,000.00	0.00	2,903.47	5,096.53	36.29
505-5180 OTHER USES OF FUNDS	0.00	0.00	0.00	0.00	0.00
505-5300 CAPITAL OUTLAY	0.00	0.00	0.00	0.00	0.00
<b>TOTAL ADMINISTRATION</b>	<b>498,072.00</b>	<b>36,857.51</b>	<b>160,657.34</b>	<b>337,414.66</b>	<b>32.26</b>

CITY OF RANSOM CANYON  
REVENUE & EXPENSE REPORT (UNAUDITED)  
AS OF: JANUARY 31ST, 2023

## 01 -GENERAL FUND

## OPERATIONS

## EXPENDITURES

	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	BUDGET BALANCE	% OF BUDGET
506-6000 PAYROLL	120,067.00	9,443.21	24,559.51	95,507.49	20.45
506-6010 DUES AND FEES EXPENSE	1,400.00	0.00	475.75	924.25	33.98
506-6015 OPERATIONS SCHOOL EXPENSE	12,500.00	0.00	1,675.74	10,824.26	13.41
506-6016 OPERATIONS CELL PHONE	6,000.00	271.51	1,011.83	4,988.17	16.86
506-6020 ENGINEERING EXPENSE	17,000.00	16,112.40	26,249.89	9,249.89	154.41
506-6030 BUILDING INSPECTION EXPENSE	6,000.00	225.00	2,025.00	3,975.00	33.75
506-6040 GARBAGE CONTRACT EXPENSE	120,000.00	21,215.64	29,429.40	90,570.60	24.52
506-6050 GAS AND OIL EXPENSE	18,792.00	1,006.00	3,346.99	15,445.01	17.81
506-6055 MILEAGE REIMBURSEMENT	3,000.00	380.63	895.01	2,104.99	29.83
506-6060 SHOP MATERIALS EXPENSE	2,000.00	306.54	538.46	1,461.54	26.92
506-6080 BUILDING REPAIR EXPENSE	12,000.00	1,231.05	2,980.85	9,019.15	24.84
506-6100 EQUIPMENT REPAIR EXPENSE	8,000.00	152.35	3,497.48	4,502.52	43.72
506-6110 SMALL TOOLS EXPENSE	500.00	0.00	0.00	500.00	0.00
506-6120 UNIFORMS EXPENSE	6,800.00	1,009.37	1,992.84	4,807.16	29.31
506-6150 JOHN DEERE EXPENSE	0.00	0.00	0.00	0.00	0.00
506-6160 EQUIPMENT PURCHASE EXPENSE	8,000.00	954.65	2,011.41	5,988.59	25.14
506-6170 MOSQUITO SPRAY GROUND	7,500.00	0.00	0.00	7,500.00	0.00
506-6171 MOSQUITO SPRAY AIR	13,000.00	0.00	0.00	13,000.00	0.00
506-6175 DUMP TRUCK REPAIR	0.00	0.00	0.00	0.00	0.00
506-6200 WORKERS COMP INSURANCE	11,858.00	0.00	6,990.00	4,868.00	58.95
506-6210 AUTO & APD INSURANCE	4,712.00	0.00	4,101.00	611.00	87.03
506-6220 GENERAL /E&O LIABILITY INS	2,220.00	0.00	2,220.00	0.00	100.00
506-6230 REAL/PERSONAL/MOBILE PROP INS	6,413.00	0.00	5,863.20	549.80	91.43
506-6300 CAPITAL OUTLAY	0.00	0.00	0.00	0.00	0.00
 TOTAL OPERATIONS	 387,762.00	 52,308.35	 119,864.36	 267,897.64	 30.91



AS OF: JANUARY 31ST, 2023

## 01 -GENERAL FUND

## FIRE DEPARTMENT

## EXPENDITURES

	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	BUDGET BALANCE	% OF BUDGET
507-7020 COMPUTER EXPENSE	1,500.00	993.47	993.47	506.53	66.23
507-7030 DUES EXPENSE	575.00	0.00	0.00	575.00	0.00
507-7040 EDUCATION EXPENSE	4,500.00	0.00	1,564.35	2,935.65	34.76
507-7045 LUBBOCK COUNTY GRANT	55,643.00	0.00	0.00	55,643.00	0.00
507-7050 EQUIPMENT EXPENSE	3,000.00	0.00	7.00	2,993.00	0.23
507-7055 SUPPLIES	0.00	0.00	0.00	0.00	0.00
507-7060 AUTO & APD INSURANCE EXPENSE	3,088.00	0.00	3,088.00	0.00	100.00
507-7061 REAL & PERSONAL PROP INSURANC	3,592.00	0.00	3,592.00	0.00	100.00
507-7065 TANKER TRUCK PAYMENT	0.00	0.00	0.00	0.00	0.00
507-7070 WORKERS COMP INSURANCE	631.00	0.00	598.00	33.00	94.77
507-7080 MEDICAL EQUIPMENT EXPENSE	3,000.00	0.00	6,941.71	3,941.71	231.39
507-7090 PERSONAL EQUIPMENT EXPENSE	2,500.00	0.00	2,375.60	124.40	95.02
507-7100 RADIO REPAIR EXPENSE	3,000.00	0.00	87.15	2,912.85	2.91
507-7140 BUILDING UTILITIES EXPENSE	7,000.00	1,337.85	3,338.95	3,661.05	47.70
507-7145 FIRE STATION BUILDING REPAIR	3,000.00	150.00	1,751.40	1,248.60	58.38
507-7150 TELEPHONE EXPENSE	2,000.00	103.54	412.81	1,587.19	20.64
507-7160 VEHICLE REPAIR EXPENSE	18,500.00	0.00	15.33	18,484.67	0.08
507-7170 BUNKER GEAR CAPITAL EXP	0.00	0.00	0.00	0.00	0.00
507-7190 INTEREST EXPENSE ASB	0.00	0.00	0.00	0.00	0.00
TOTAL FIRE DEPARTMENT	111,529.00	2,584.86	24,765.77	86,763.23	22.21

CITY OF RANSOM CANYON  
REVENUE & EXPENSE REPORT (UNAUDITED)  
AS OF: JANUARY 31ST, 2023

01 -GENERAL FUND

LIBRARY

EXPENDITURES

		CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	BUDGET BALANCE	% OF BUDGET
508-8020	PAYROLL	23,171.00	1,930.92	7,723.68	15,447.32	33.33
508-8030	LIBRARY PROGRAMS EXPENSE	9,500.00	1,166.10	2,522.19	6,977.81	26.55
508-8035	CH FOUNDATION GRANT	0.00	0.00	0.00	0.00	0.00
508-8140	UTILITIES EXPENSE	2,400.00	455.65	1,123.17	1,276.83	46.80
508-8145	Building Repair	0.00	0.00	0.00	0.00	0.00
508-8150	TELEPHONE EXPENSE	1,245.00	106.24	423.61	821.39	34.02
508-8160	WORKERS COMP INSURANCE	102.00	0.00	80.00	22.00	78.43
TOTAL LIBRARY		36,418.00	3,658.91	11,872.65	24,545.35	32.60



CITY OF RANSOM CANYON  
REVENUE & EXPENSE REPORT (UNAUDITED)  
AS OF: JANUARY 31ST, 2023

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#1 -GENERAL FUND  
POLICE DEPARTMENT  
EXPENDITURES

	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	BUDGET BALANCE	% OF BUDGET
509-9000 PAYROLL	328,407.00	27,835.40	96,554.80	231,852.20	29.40
509-9010 AMMO EXPENSE	3,000.00	0.00	1,731.35	1,268.65	57.71
509-9015 ANIMAL CONTROL	150.00	0.00	0.00	150.00	0.00
509-9020 DUES EXPENSE	400.00	0.00	90.00	310.00	22.50
509-9030 EDUCATION EXPENSE	4,000.00	577.15	895.31	3,104.69	22.38
509-9040 EMT EDUCATION EXPENSE	0.00	0.00	0.00	0.00	0.00
509-9041 EMERGENCY MGT TRAINING	1,500.00	0.00	0.00	1,500.00	0.00
509-9050 GAS -OIL EXPENSE	15,000.00	1,066.12	3,519.12	11,480.88	23.46
509-9055 MILEAGE REIMBURSEMENT	0.00	0.00	0.00	0.00	0.00
509-9060 AUTO & APD INSURANCE EXPENSE	2,085.00	0.00	2,000.00	85.00	95.92
509-9065 LAW ENFORCEMENT LIABILITY INS	4,118.00	0.00	3,820.00	298.00	92.76
509-9066 E&O/REAL & PERSONAL PROP INS	5,752.00	0.00	5,667.77	84.23	98.54
509-9067 WORKERS COMP INSURANCE	8,413.00	0.00	5,943.00	2,470.00	70.64
509-9070 CELL PHONE EXPENSE	4,750.00	246.64	1,308.97	3,441.03	27.56
509-9090 OFFICE SUPPLY EXPENSE	500.00	96.00	126.95	373.05	25.39
509-9110 SMALL EQUIPMENT EXPENSE	3,000.00	0.00	1,587.01	1,412.99	52.90
509-9130 RADIO REPAIR EXPENSE	3,500.00	20.08	20.08	3,479.92	0.57
509-9150 TELEPHONE EXPENSE	1,500.00	110.60	439.70	1,060.30	29.31
509-9160 VEHICLE REPAIR EXPENSE	3,000.00	1,366.23	2,415.71	584.29	80.52
509-9170 CAMERA EXPENSE	0.00	0.00	0.00	0.00	0.00
509-9175 SURVEILLANCE VIDEO CAMERAS	6,506.00	0.00	6,261.95	244.05	96.25
509-9180 COMPUTER EXPENSE	7,500.00	34.83	5,106.62	2,393.38	68.09
509-9200 UNIFORM EXPENSE	2,000.00	158.47	963.78	1,036.22	48.19
509-9210 BOAT MAINTENANCE EXPENSE	1,000.00	0.00	188.51	811.49	18.85
509-9215 05 POLICE VEH PAYMENT	0.00	0.00	0.00	0.00	0.00
509-9220 LAKE REPAIR & MAINT EXPENSE	750.00	0.00	0.00	750.00	0.00
509-9221 COMMUNITY EVENTS EXPENSE	2,500.00	89.44	1,039.44	1,460.56	41.58
509-9230 INTEREST EXPENSE - FMCC	0.00	0.00	0.00	0.00	0.00
509-9240 BULLET PROOF VEST MATCH	0.00	0.00	0.00	0.00	0.00
509-9300 CAPITAL OUTLAY	0.00	0.00	0.00	0.00	0.00
<b>TOTAL POLICE DEPARTMENT</b>	<b>409,331.00</b>	<b>31,600.96</b>	<b>139,680.07</b>	<b>269,650.93</b>	<b>34.12</b>

CITY OF RANSOM CANYON  
REVENUE & EXPENSE REPORT (UNAUDITED)  
AS OF: JANUARY 31ST, 2023

## 01 -GENERAL FUND

## SEWER DEPARTMENT

## EXPENDITURES

	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	BUDGET BALANCE	% OF BUDGET
510-1000 CHEMICAL EXPENSE	6,000.00	1,049.14	3,419.68	2,580.32	56.99
510-1001 PAYROLL	108,186.00	8,679.23	35,860.43	72,325.57	33.15
510-1005 PERMIT INSPECTION EXPENSE	2,500.00	0.00	1,250.00	1,250.00	50.00
510-1010 LAB EXPENSE	6,000.00	0.00	1,427.00	4,573.00	23.78
510-1014 UTILITY EXPENSE	42,000.00	4,829.35	17,286.26	24,713.74	41.16
510-1016 SEWER SLUDGE HAULING	2,000.00	112.54	112.54	1,887.46	5.63
510-1020 REPAIR EXPENSE	16,000.00	1,945.96	8,177.92	7,822.08	51.11
510-1025 SEWER PLANT WATER EXPENSE	0.00	0.00	0.00	0.00	0.00
510-1100 WORKERS COMP INSURANCE	2,592.00	0.00	1,678.00	914.00	64.74
TOTAL SEWER DEPARTMENT	185,278.00	16,616.22	69,211.83	116,066.17	37.36



CITY OF RANSOM CANYON  
REVENUE & EXPENSE REPORT (UNAUDITED)  
AS OF: JANUARY 31ST, 2023

## 01 -GENERAL FUND

## ROADS AND GROUNDS DEPT

## EXPENDITURES

	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	BUDGET BALANCE	% OF BUDGET
511-1000 PAYROLL	74,167.00	6,145.56	22,627.24	51,539.76	30.51
511-1100 STREET SWEEPING EXPENSE	7,000.00	0.00	3,400.00	3,600.00	48.57
511-1101 CONTRACT ROAD REPAIR EXPENSE	0.00	0.00	1,100.00 (	1,100.00)	0.00
511-1110 EQUIPMENT REPAIR	2,000.00	158.98	455.39	1,544.61	22.77
511-1115 GROUNDS MAINTENANCE EXPENSE	7,000.00	494.00	494.00	6,506.00	7.06
511-1120 MATERIALS & SUPPLIES EXPENSE	3,000.00	492.35	576.59	2,423.41	19.22
511-1124 STREET SIGNS EXPENSE	1,300.00	132.00	160.00	1,140.00	12.31
511-1130 TREE TRIMMING EXPENSE	2,000.00	0.00	0.00	2,000.00	0.00
511-1140 PARK EXPENSES	8,000.00	0.00	1,067.33	6,932.67	13.34
511-1300 CAPITAL OUTLAY	0.00	0.00	0.00	0.00	0.00
 TOTAL ROADS AND GROUNDS DEPT	 104,467.00	 7,422.89	 29,880.55	 74,586.45	 28.60

CITY OF RANSOM CANYON  
REVENUE & EXPENSE REPORT (UNAUDITED)  
AS OF: JANUARY 31ST, 2023

01 -GENERAL FUND

WATER DEPARTMENT

EXPENDITURES

	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	BUDGET BALANCE	% OF BUDGET
512-1000 PAYROLL	79,807.00	6,521.41	26,388.63	53,418.37	33.07
512-1200 WATER SYSTEM PERMIT FEES	1,600.00	0.00	1,345.55	254.45	84.10
512-1205 LAB EXPENSE	3,000.00	315.70	763.40	2,236.60	25.45
512-1210 LP&L PURCHASE	370,000.00	17,577.87	69,964.86	300,035.14	18.91
512-1214 UTILITIES EXPENSE	9,000.00	841.00	3,076.00	5,924.00	34.18
512-1215 WATER METER EXPENSE	3,000.00	0.00	800.00	2,200.00	26.67
512-1220 REPAIR EXPENSE	8,000.00	784.79	3,818.45	4,181.55	47.73
512-6155 PICKUP LEASE EXPENSE	0.00	0.00	0.00	0.00	0.00
512-6160 TAIL GATE LIFT	0.00	0.00	0.00	0.00	0.00
512-6165 TANK INSPECTION	800.00	0.00	0.00	800.00	0.00
 TOTAL WATER DEPARTMENT	 475,207.00	 26,040.77	 106,156.89	 369,050.11	 22.34



CITY OF RANSOM CANYON  
REVENUE & EXPENSE REPORT (UNAUDITED)  
AS OF: JANUARY 31ST, 2023

PAGE: 13

01 -GENERAL FUND  
PAYROLL DEPARTMENT  
EXPENDITURES

	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	BUDGET BALANCE	% OF BUDGET
513-1301 ADMINISTRATION EXPENSE	0.00	0.00	0.00	0.00	0.00
513-1302 OPERATIONS EXPENSE	0.00	0.00	0.00	0.00	0.00
513-1303 POLICE EXPENSE	0.00	0.00	0.00	0.00	0.00
513-1304 MEDICAL INSURANCE EXPENSE	0.00	0.00	0.00	0.00	0.00
513-1306 LONGEVITY EXPENSE	0.00	0.00	0.00	0.00	0.00
513-1310 PAYROLL SERVICE EXPENSE	0.00	0.00	0.00	0.00	0.00
513-1311 PAYROLL TAX EXPENSE	0.00	0.00	0.00	0.00	0.00
513-1325 TMRS EXPENSE	0.00	0.00	0.00	0.00	0.00
513-1350 WORKERS COMP EXPENSE	0.00	0.00	0.00	0.00	0.00
513-1355 POLICE WORKERS COMP EXPENSE	0.00	0.00	0.00	0.00	0.00
513-1360 CITY SEC FUEL REIMBURSEMENT	0.00	0.00	0.00	0.00	0.00
TOTAL PAYROLL DEPARTMENT	0.00	0.00	0.00	0.00	0.00

CITY OF RANSOM CANYON  
REVENUE & EXPENSE REPORT (UNAUDITED)  
AS OF: JANUARY 31ST, 2023

01 -GENERAL FUND

EMERGENCY OPS CENTER

EXPENDITURES

		CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	BUDGET BALANCE	% OF BUDGET
14-1405	EMERGENCY OPERATIONS CENTER	23,000.00	122.42	480.05	22,519.95	2.09
14-1410	EOC SIREN	4,875.00	0.00	0.00	4,875.00	0.00
TOTAL EMERGENCY OPS CENTER		27,875.00	122.42	480.05	27,394.95	1.72

## 01 -GENERAL FUND

## CAPITAL EXPENDITURES

## EXPENDITURES

	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	BUDGET BALANCE	% OF BUDGET
520-4900 BUDGETED SURPLUS TRANSFER	0.00	0.00	0.00	0.00	0.00
520-4910 CONSTRUCTION SAVINGS	0.00	0.00	0.00	0.00	0.00
520-4920 OPERATING RESERVE	0.00	0.00	0.00	0.00	0.00
520-5000 POLICE DEPT VEHICLE	0.00	0.00	0.00	0.00	0.00
520-5005 DAM REPAIR	0.00	0.00	0.00	0.00	0.00
520-5007 E LAKE SHORE DR SAVINGS PLAN	0.00	0.00	0.00	0.00	0.00
520-5008 DEBT PMT SEWER LINE REPAIR	0.00	0.00	0.00	0.00	0.00
520-5009 POLICE VEHICLE	50,000.00	0.00	0.00	50,000.00	0.00
520-5010 SEAL COAT/STREET REPAIRS	175,000.00	0.00	0.00	175,000.00	0.00
520-5011 SEWER JETTER	0.00	0.00	0.00	0.00	0.00
520-5012 OPERATIONS VEHICLE	0.00	0.00	0.00	0.00	0.00
520-5015 CITY HALL DEBT PAYMENT	0.00	0.00	0.00	0.00	0.00
520-5016 CITY HALL	0.00	0.00	0.00	0.00	0.00
520-5017 CITY HALL REPAIRS/FURNITURE	0.00	0.00	0.00	0.00	0.00
520-5027 SHREDDER	0.00	0.00	0.00	0.00	0.00
520-5028 SECO GRANT CITY HALL WINDOWS	0.00	0.00	0.00	0.00	0.00
520-5029 WATER & SEWER LINE REPAIR	0.00	0.00	0.00	0.00	0.00
520-5030 WATER TANK REPAIR CIP	0.00	0.00	( 46,445.00)	46,445.00	0.00
520-5071 SEWER PLANT MUFFLER REPAIR	0.00	0.00	0.00	0.00	0.00
520-5072 SEWER REPAIR ENGINEERING	0.00	0.00	0.00	0.00	0.00
520-5073 SEWER PLANT REHABILITATION	3,000,000.00	39,654.00	77,817.20	2,922,182.80	2.59
520-5080 ROOSEVELT WATER LINE	0.00	0.00	0.00	0.00	0.00
520-5081 FERRARA FIRE TRUCKS (2)	0.00	0.00	0.00	0.00	0.00
520-5085 WATER SYSTEM VAULT & VALVE FR	0.00	0.00	0.00	0.00	0.00
520-5090 MASTER CONTROL VALVE	0.00	0.00	0.00	0.00	0.00
520-5095 ISOLATION VALVE FRONT ROAD VA	0.00	0.00	0.00	0.00	0.00
520-5101 LEGAL/ENGINEERING,CCN/WATERLI	0.00	0.00	0.00	0.00	0.00
520-5102 ENGINEERING, ZONING CODE	0.00	0.00	0.00	0.00	0.00
520-5120 CROFOOT VAULT & METER	0.00	0.00	0.00	0.00	0.00
520-5150 PRUSSURE SUSTAINING VALVES-FR	0.00	0.00	0.00	0.00	0.00
520-5160 CAMERA SYSTEMS	0.00	0.00	0.00	0.00	0.00
520-5200 GARAGE ADDITION	0.00	0.00	0.00	0.00	0.00
520-5300 WATER METER REPLACEMENT PROG	278,000.00	0.00	0.00	278,000.00	0.00
520-5400 DUMP TRAILER	0.00	0.00	0.00	0.00	0.00
520-5500 POLICE VEHICLE JAG GRANT	0.00	0.00	0.00	0.00	0.00
520-5600 METAL DETECTOR	0.00	0.00	0.00	0.00	0.00
520-5700 SKID LOADER	0.00	0.00	0.00	0.00	0.00
520-5701 VACTRON	0.00	0.00	0.00	0.00	0.00
520-5800 BUFFALO FLOW METER	0.00	0.00	0.00	0.00	0.00
520-5810 EMERGENCY ROAD	0.00	0.00	0.00	0.00	0.00
520-5811 LAWN MOWER	0.00	0.00	0.00	0.00	0.00
520-5812 LAND ACQUISITION	0.00	0.00	0.00	0.00	0.00
520-5813 FIRE TRUCK	35,000.00	0.00	33,099.59	1,900.41	94.57
TOTAL CAPITAL EXPENDITURES	3,538,000.00	39,654.00	64,471.79	3,473,528.21	1.82



CITY OF RANSOM CANYON  
REVENUE & EXPENSE REPORT (UNAUDITED)  
AS OF: JANUARY 31ST, 2023

01 -GENERAL FUND  
BONDS  
EXPENDITURES

	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	BUDGET BALANCE	% OF BUDGET
545-4500 BOND PRINCIPAL EXPENSE	130,000.00	0.00	0.00	130,000.00	0.00
545-5000 BOND INTEREST EXPENSE	98,021.00	0.00	0.00	98,021.00	0.00
545-5001 NOTE INTEREST	0.00	0.00	0.00	0.00	0.00
545-5010 BOND SERVICING FEE	1,000.00	600.00	600.00	400.00	60.00
545-5015 Amortization	0.00	0.00	0.00	0.00	0.00
545-6000 Depreciation	0.00	0.00	0.00	0.00	0.00
TOTAL BONDS	229,021.00	600.00	600.00	228,421.00	0.26
TOTAL EXPENDITURES	6,013,360.00	217,466.89	727,641.30	5,285,718.70	12.10
REVENUES OVER/(UNDER) EXPENDITURES	0.00 (	61,235.18)	397,873.73 (	397,873.73)	0.00

\*\*\* END OF REPORT \*\*\*



1/01/2023 1:22 PM  
VENDOR SET: 01 City of Ransom Canyon  
BANK: \* ALL BANKS  
DATE RANGE: 1/01/2023 THRU 1/31/2023

VENDOR I.D.	NAME	STATUS	CHECK	INVOICE	DISCOUNT	CHECK	CHECK	CHECK
			DATE	AMOUNT		NO	STATUS	AMOUNT
3640	C-CHECK		VOID CHECK	V	1/03/2023		019632	
			CHRISTMAS TECH					
	C-CHECK	VOIDED	CHRISTMAS TECH	V	1/03/2023		019637	760.00CR

* * T O T A L S * *		NO	INVOICE AMOUNT		DISCOUNTS	CHECK AMOUNT
REGULAR CHECKS:		0	0.00		0.00	0.00
HAND CHECKS:		0	0.00		0.00	0.00
DRAFTS:		0	0.00		0.00	0.00
EFT:		0	0.00		0.00	0.00
NON CHECKS:		0	0.00		0.00	0.00
VOID CHECKS:		2 VOID DEBITS	0.00			
		VOID CREDITS	760.00CR	760.00CR	0.00	

TOTAL ERRORS: 0

		NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
VENDOR SET: 01	BANK: * TOTALS:	2	760.00CR	0.00	0.00
BANK: *	TOTALS:	2	760.00CR	0.00	0.00



6/01/2023 7:11 PM  
VENDOR SET: 01 City of Ransom Canyon  
BANK: APCO AP CITIZENS OPERATING  
DATE RANGE: 1/01/2023 THRU 1/31/2023

VENDOR I.D.	NAME	STATUS	CHECK	INVOICE	DISCOUNT	CHECK	CHECK	CHECK
			DATE			NO	STATUS	AMOUNT
1770	ANGELIA FIKES							
I-101152023	ANGELIA FIKES	E	1/13/2023	965.46		000146		965.46
1770	ANGELIA FIKES							
I-11312023	ANGELIA FIKES	E	1/31/2023	965.46		000148		965.46
1023	COMPUTER TRANSITION SERVICES,							
I-202301026699	COMPUTER TRANSITION SERVICES,	R	1/03/2023	2,050.18		019608		2,050.18
1069	LubePro							
I-202301026704	LubePro	R	1/03/2023	298.00		019609		298.00
1080	AFLAC							
I-202301026698	AFLAC	R	1/03/2023	302.68		019610		302.68
1085	UMB BANK							
I-202301026710	UMB BANK	R	1/03/2023	600.00		019611		600.00
0102	JASON ROBB							
I-202301036713	JASON ROBB	R	1/03/2023	148.75		019612		148.75
0160	ATMOS							
I-202301026697	ATMOS	R	1/03/2023	1,566.93		019613		1,566.93
0360	CAPROCK WASTE - MUNICIPAL SERV							
I-2483005V114	CAPROCK WASTE - MUNICIPAL SERV	R	1/03/2023	7,935.00		019614		7,935.00
0600	DPC INDUSTRIES, INC							
I-757002818-22	DPC INDUSTRIES, INC	R	1/03/2023	537.14		019615		537.14
0830	HOME DEPOT CREDIT SERVICES							
I-9972950	HOME DEPOT CREDIT SERVICES	R	1/03/2023	553.36		019616		553.36
1300	O D KENNEY							
I-202301026709	O D KENNEY	R	1/03/2023	540.99		019617		540.99
1330	OVERHEAD DOOR CO-LUBBOCK							
I-139820	OVERHEAD DOOR CO-LUBBOCK	R	1/03/2023	75.78		019618		75.78
1400	PETTY CASH							
I-202301026705	PETTY CASH	R	1/03/2023	86.05		019619		86.05
1470	PITNEY BOWES PURCHASE PWR							
I-202301026706	PITNEY BOWES PURCHASE PWR	R	1/03/2023	1,041.98		019620		1,041.98

4/01/2023 11:22 AM  
VENDOR SET: 01 City of Ransom Canyon  
BANK: APCO AP CITIZENS OPERATING  
DATE RANGE: 1/01/2023 THRU 1/31/2023

VENDOR I.D.		NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
1590	I-202301026708	SLATONITE	R	1/03/2023	269.04		019621		269.04
1640	I-1197075	SOUTH PLAINS ELECTRIC	R	1/03/2023	6,612.23		019622		6,612.23
1650	I-202301036716	SOUTH PLAINS TELEPHONE	R	1/03/2023	691.20		019623		691.20
2520	I-202301036717	DISH NETWORK	R	1/03/2023	94.36		019624		94.36
3440	I-202301026696	AREA WIDE INSPECTION SERVICE	R	1/03/2023	150.00		019625		150.00
3700	I-202301026702	EUROFINS LLC	R	1/03/2023	234.00		019626		234.00
4710	I-12232022	AT&T MOBILITY	R	1/03/2023	661.07		019627		661.07
5300	I-24829558V114	CAPROCK WASTE - ROLL OFF	R	1/03/2023	2,559.54		019628		2,559.54
5370	I-202301036715	CORY NEEDHAM	R	1/03/2023	118.75		019629		118.75
5460	I-202301036714	ROBERT MCCARVER	R	1/03/2023	47.50		019630		47.50
5560	I-202301026707	SAM'S CLUB MASTERCARD	R	1/03/2023	8,153.99		019631		8,153.99
5620	I-70311	SLATON GAS & EQUIPMENT CO.	R	1/03/2023	1,560.00		019633		1,560.00
6040	I-VV0001950	CITY OF LUBBOCK	R	1/03/2023	20.08		019634		20.08
6720	I-202301026711	PARKHILL SMITH & COOPER	R	1/03/2023	35,939.40		019635		35,939.40
8410	I-202301026703	GICON PUMPS & EQUIPMENT	R	1/03/2023	1,206.90		019636		1,206.90

VENDOR SET: 01 City of Ransom Canyon  
BANK: APCO AP CITIZENS OPERATING  
DATE RANGE: 1/01/2023 THRU 1/31/2023

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
3640	CHRISTMAS TECH							
I-202301026700	CHRISTMAS TECH	V	1/03/2023	760.00		019637		760.00
3640	CHRISTMAS TECH							
M-CHECK	CHRISTMAS TECH	VOIDED	V 1/03/2023			019637		760.00CR
9240	D'S PEST CONTROL							
I-202301026701	D'S PEST CONTROL	R	1/03/2023	186.30		019638		186.30
9630	LEE JONES							
I-202301036712	LEE JONES	R	1/03/2023	65.63		019639		65.63
9700	CSI: LUBBOCK							
I-14214	CSI: LUBBOCK	R	1/03/2023	30.00		019640		30.00
0128	RYAN SANCHEZ							
I-202301106719	RYAN SANCHEZ	R	1/10/2023	144.99		019641		144.99
1810	TML EMPLOYEE BENEFITS POOL							
I-23401nk2301	TML EMPLOYEE BENEFITS POOL	R	1/10/2023	14,352.94		019642		14,352.94
8510	ELENA QUINTANILLA							
I-202301106718	ELENA QUINTANILLA	R	1/10/2023	687.25		019643		687.25
0023	COMPUTER TRANSITION SERVICES,							
I-217692	COMPUTER TRANSITION SERVICES,	R	1/24/2023	72.00		019645		72.00
0056	TAS UNITED							
I-010123	TAS UNITED	R	1/24/2023	99.32		019646		99.32
0058	ANGELIA FIKES							
I-202301246723	ANGELIA FIKES	R	1/24/2023	300.00		019647		300.00
0106	WINSTON WATER COOLER							
I-S3732240-001	WINSTON WATER COOLER	R	1/24/2023	123.50		019648		123.50
0129	JONES ENTERPRISES							
I-52942	JONES ENTERPRISES	R	1/24/2023	476.00		019649		476.00
0160	ATMOS							
I-202301246725	ATMOS	R	1/24/2023	1,713.81		019650		1,713.81
0310	BRANDON & CLARK							
I-1469831	BRANDON & CLARK	R	1/24/2023	446.42		019651		446.42



VENDOR SET: 01 City of Ransom Canyon  
BANK: APCO AP CITIZENS OPERATING  
DATE RANGE: 1/01/2023 THRU 1/31/2023

VENDOR I.D.	NAME	STATUS	CHECK	INVOICE	DISCOUNT	CHECK	CHECK	CHECK
			DATE	AMOUNT		NO	STATUS	AMOUNT
0360	CAPROCK WASTE - MUNICIPAL SERV							
I-2517497V114	CAPROCK WASTE - MUNICIPAL SERV	R	1/24/2023	7,935.00		019652		7,935.00
0600	DPC INDUSTRIES, INC							
I-DE75002973-22	DPC INDUSTRIES, INC	R	1/24/2023	60.00		019653		60.00
0700	GALLS INC							
I-023243884	GALLS INC	R	1/24/2023	58.47		019654		58.47
0980	PREMIER WATERWORKS, INC							
I-2010412	PREMIER WATERWORKS, INC	R	1/24/2023	722.04		019655		722.04
0990	K & L SUPPLY							
I-45488	K & L SUPPLY	R	1/24/2023	494.00		019656		494.00
1030	CITY OF LUBBOCK UTILITIES SOLI							
I-202301246731	CITY OF LUBBOCK UTILITIES SOLI	R	1/24/2023	112.54		019657		112.54
1070	LUBBOCK GRADER BLADE							
I-77985	LUBBOCK GRADER BLADE	R	1/24/2023	132.00		019658		132.00
1170	MIDTOWN PRINTING							
I-134345	MIDTOWN PRINTING	R	1/24/2023	459.86		019659		459.86
1800	TML RISK POOL							
I-202301246721	TML RISK POOL	R	1/24/2023	1,646.00		019660		1,646.00
2690	DARLEY & CO							
I-202301246728	DARLEY & CO	R	1/24/2023	2,052.74		019661		2,052.74
3220	LOWER COLORADO RIVER AUTHORITY							
I-LAB-0063633	LOWER COLORADO RIVER AUTHORITY	R	1/24/2023	115.70		019662		115.70
3440	AREA WIDE INSPECTION SERVICE							
I-3409	AREA WIDE INSPECTION SERVICE	R	1/24/2023	75.00		019663		75.00
3700	EUROFINS LLC							
I-202301246729	EUROFINS LLC	R	1/24/2023	418.00		019664		418.00
5130	WARREN CAT							
I-PS0220130876	WARREN CAT	R	1/24/2023	158.98		019665		158.98
5300	CAPROCK WASTE - ROLL OFF							
I-251750V114	CAPROCK WASTE - ROLL OFF	R	1/24/2023	2,786.10		019666		2,786.10

VENDOR SET: 01 City of Ransom Canyon  
BANK: APCO AP CITIZENS OPERATING  
DATE RANGE: 1/01/2023 THRU 1/31/2023

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
5720	PARKHILL SMITH & COOPER							
I-202301246722	PARKHILL SMITH & COOPER	R	1/24/2023	19,827.00		019667		19,827.00
7200	CITY OF LUBBOCK UTILITIES WATE							
I-202301246730	CITY OF LUBBOCK UTILITIES WATE	R	1/24/2023	17,577.87		019668		17,577.87
8120	NOVA HEALTHCARE, PA							
I-2210207	NOVA HEALTHCARE, PA	R	1/24/2023	86.81		019669		86.81
8280	AQUAONE							
I-202301246726	AQUAONE	R	1/24/2023	75.00		019670		75.00
8460	MARY ANN CROW							
I-202301246727	MARY ANN CROW	R	1/24/2023	500.00		019671		500.00
9060	BOJORQUEZ LAW FIRM, PC							
I-11047	BOJORQUEZ LAW FIRM, PC	R	1/24/2023	410.40		019672		410.40
9980	ARAMARK							
I-202301246724	ARAMARK	R	1/24/2023	545.68		019673		545.68
TEXAS	TEXAS COMMISSION ON LAW ENFORC							
I-202301246732	TEXAS COMMISSION ON LAW ENFORC	R	1/24/2023	35.00		019674		35.00
8640	CHRISTMAS TECH							
I-202301256733	CHRISTMAS TECH	R	1/26/2023	760.00		019675		760.00

* * T O T A L S * *	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
REGULAR CHECKS:	65	150,557.25	0.00	149,797.25
HAND CHECKS:	0	0.00	0.00	0.00
DRAFTS:	0	0.00	0.00	0.00
EFT:	2	1,930.92	0.00	1,930.92
NON CHECKS:	0	0.00	0.00	0.00
VOID CHECKS:	0 VOID DEBITS	0.00		
	VOID CREDITS	760.00CR	760.00CR	0.00

TOTAL ERRORS: 0

	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
VENDOR SET: 01 BANK: APCO TOTALS:	67	151,728.17	0.00	151,728.17
BANK: APCO TOTALS:	67	151,728.17	0.00	151,728.17

VENDOR SET: 01 City of Ransom Canyon  
BANK: PY PAYROLL LIABILITIES  
DATE RANGE: 1/01/2023 THRU 1/31/2023

VENDOR I.D.		NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
1126		TCG ADMINISTRATORS, LP							
	I-TCG202301116720	457 Deferred Compensation	E	1/31/2023	100.00		000147		
	I-TCG202301266734	457 Deferred Compensation	E	1/31/2023	100.00		000147		200.00
1100		INTERNAL REVENUE SERVICE - IRS							
	I-T1 202301116720	FEDERAL WITHHOLDING	D	1/13/2023	1,749.47		000152		
	I-T3 202301116720	SOCIAL SECURITY PAYABLE	D	1/13/2023	3,067.12		000152		
	I-T4 202301116720	MEDICARE PAYABLE	D	1/13/2023	717.32		000152		5,533.91
1100		INTERNAL REVENUE SERVICE - IRS							
	I-T1 202301266734	FEDERAL WITHHOLDING	D	1/31/2023	1,899.90		000153		
	I-T3 202301266734	SOCIAL SECURITY PAYABLE	D	1/31/2023	3,261.60		000153		
	I-T4 202301266734	MEDICARE PAYABLE	D	1/31/2023	762.78		000153		5,924.28
1940		TEXAS MUNICIPAL RETIREMEN							
	I-RET202301116720	TMRS PAYABLE	D	1/31/2023	8,200.64		000154		
	I-RET202301266734	TMRS PAYABLE	D	1/31/2023	8,689.88		000154		16,890.52
3340		OFFICE OF THE TEXAS ATTORNEY G							
	I-C02202301116720	RI# 0013095172B398711407	R	1/13/2023	392.45		019644		392.45
3340		OFFICE OF THE TEXAS ATTORNEY G							
	I-C02202301266734	RI# 0013095172B398711407	R	1/31/2023	392.45		019676		392.45

* * T O T A L S * *	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
REGULAR CHECKS:	2	784.90	0.00	784.90
HAND CHECKS:	0	0.00	0.00	0.00
DRAFTS:	3	28,348.71	0.00	28,348.71
EFT:	1	200.00	0.00	200.00
NON CHECKS:	0	0.00	0.00	0.00
VOID CHECKS:	0 VOID DEBITS	0.00		
	VOID CREDITS	0.00	0.00	

TOTAL ERRORS: 0

	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
VENDOR SET: 01 BANK: PY TOTALS:	6	29,333.61	0.00	29,333.61
BANK: PY TOTALS:	6	29,333.61	0.00	29,333.61
REPORT TOTALS:	73	181,061.78	0.00	181,061.78



SELECTION CRITERIA

-----  
/ENDOR SET: 01-CITY OF RANSOM CANYON

/ENDOR: ALL

BANK CODES: All

FUNDS: All  
-----

CHECK SELECTION

CHECK RANGE: 000000 THRU 999999

DATE RANGE: 1/01/2023 THRU 1/31/2023

CHECK AMOUNT RANGE: 0.00 THRU 999,999,999.99

INCLUDE ALL VOIDS: YES  
-----

PRINT OPTIONS

SEQUENCE: CHECK NUMBER

PRINT TRANSACTIONS: YES

PRINT G/L: NO

UNPOSTED ONLY: NO

EXCLUDE UNPOSTED: NO

MANUAL ONLY: NO

STUB COMMENTS: NO

REPORT FOOTER: NO

CHECK STATUS: NO

PRINT STATUS: \* - All  
-----

the 1990s, the incidence of *S. flexneri* has increased in the United Kingdom [10]. In the United States, *S. flexneri* has been reported as the most common serotype of *Shigella* isolated from children with shigellosis [11]. In the United Kingdom, *S. flexneri* serotype 3 is the most common serotype isolated from children with shigellosis [12]. In the United States, *S. flexneri* serotype 3 is the most common serotype isolated from children with shigellosis [13]. In the United Kingdom, *S. flexneri* serotype 3 is the most common serotype isolated from children with shigellosis [14].

The purpose of this study was to determine the prevalence of *S. flexneri* serotype 3 in children with shigellosis in the United Kingdom. The study was conducted in the United Kingdom, where *S. flexneri* serotype 3 is the most common serotype isolated from children with shigellosis [12]. The study was conducted in the United Kingdom, where *S. flexneri* serotype 3 is the most common serotype isolated from children with shigellosis [14].

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PAGE 1 of 5

Visit us at SamsClubCredit.com/businesscard or Call 1-866-220-2760

## Payment Information

<b>\$</b> New Balance:	\$9,689.76
Total Minimum Payment Due:	\$404.00
Payment Due Date:	02/12/2023

Payments must be received by 5pm ET on 02/12/2023 if mailed, or by 11:59pm ET on 02/12/2023 for online and phone payments.

MEMBER SERVICE: For Account Information log on to SamsClubCredit.com/businesscard. This account is not registered. The authentication code is: 7UAR658. Or call toll-free 1-866-220-2760.

To make a payment, please visit us online or mail your payment using the coupon below. Payments are also accepted at your local CheckFreePay\* or MoneyGram locations\*. \* Fees may apply.

RECEIVED

JAN 30 2023

## Account Summary

Previous Balance as of 12/24/2022	\$8,153.99	Credit Limit	\$25,000
Payments	8,153.99	Available Credit	\$15,302
Purchases/Debits	+ 9,689.76	Cash Advance Limit	\$5,000
New Balance as of 01/23/2023	\$9,689.76	Available Cash	\$5,000
31 Day Billing Cycle from 12/24/2022 to 01/23/2023			

## Rewards Summary

5% earned on Gas/EVCharging	\$0.00
3% earned on Dining	\$17.17
1% earned on Other Purchases	\$91.19
Rewards this Statement	\$108.36
Total Rewards Earned 2022	\$862.37
Total Rewards Earned 2023	\$89.36

Congratulations! In 2022, you earned a total of \$862.37 in Sam's Cash with your Sam's Club Mastercard.

You have already earned \$89.36 in Sam's Cash since January 1, 2023 in this current billing cycle.

Sam's Cash will be automatically loaded onto your Sam's Club membership. And remember, the Sam's Cash earned with your Sam's Club Mastercard is issued monthly. Your membership must be active to redeem. Thank you for using your Sam's Club Mastercard!

6709 0007 HJJ

1 7 23 230123

PAGE 1 of 5

1469 1000 8653 01FQ6709

173984

Use blue or black ink.  
detach & mail with your  
check.

## Account Number

New Balance	\$9,689.76
Total Minimum Payment Due	\$404.00
Payment Due Date	02/12/2023

Amount  
Enclosed \$

No other correspondence please.  
Print new address or email changes on back.

VIEW AND PAY YOUR BILL ONLINE!  
SamsClubCredit.com/businesscard

MARIA QUINTANILLA  
TOWN OF RANSOM CANYON  
24 LEE KITCHENS DR  
RANSOM CANYON TX 79366-2200

173984  
Q211

Make SAM'S CLUB MC/SYNCRB  
Payment P.O. BOX 960016  
to: ORLANDO, FL 32896-0016

00404000815399 004040000968976 000556053 1040175 85822



PAGE 2 of 5

Visit us at SamsClubCredit.com/businesscard or Call 1.866.220.2760

## Transaction Detail

Date	Reference #	Description	Amount
<b>Payments</b>			<b>-\$8,153.99</b>
01/07	85560530D0123MF63	PAYMENT - THANK YOU	-\$8,153.99
		TOTAL 5560531040175858	\$8,153.99
<b>Purchases and Other Debits</b>			<b>\$9,689.76</b>
12/22	8534551PM566DV8G7	E & J SMOKEHOUSE LUBBOCK TX	\$422.34
01/04	851841205566MT3VK	TEXAS MUNICIPAL CLERKS 940-5653488 TX	\$100.00
01/05	0230537062X86QQRZ	OFFICEMAX/DEPOT 6196 LUBBOCK TX	\$22.98
01/06	55432860660TRPRD2	AWEBER SYSTEMS INC 877-293-2371 PA	\$10.00
01/06	552635207P604WY9G	BUDDY HOLLY HALL LUBBOCK TX	\$150.00
01/13	55436870E4M4LQXW2	EMBASSY SUITES DENTON TX	\$369.28
		FOLIO #290050	
01/19	55429500KMN6TQ9L8	UBER TRIP 8005928996 CA	\$21.98
01/20	55429500LLWBM2WWO	UBER TRIP 8005928996 CA	\$19.91
		MARIA QUINTANILLA	
		TOTAL [REDACTED]	\$1,116.49
12/29	5543286PV5YFNMQ03	TEEX ECOMMERCE 979-458 6898 TX	\$380.00
01/05	554295005RTFZ34J9	BRANDON AND CLARK 8067715600 TX	\$1,667.11
01/10	55432860A61PSEV8K	SQ *J & B GARAGE DOORS RANSOM CANYON TX	\$1,454.71
01/20	75122250M0H25YM6M	1914 INSCO LUBBOCK LUBBOCK TX	\$1,107.12
01/20	25247800L01E76ZAP	DESIGNS IN THREAD LUBBOCK TX	\$72.00
		HAROLD NEEDHAM	
		TOTAL [REDACTED]	\$4,680.94
12/27	7545491PT566G4GN8	MIGHTY WASH 5 LUBBOCK TX	\$9.00
12/27	5542950PTLVYXZQVY	ADOBE *ACROPRO SUBS 4085366000 CA	\$16.08
01/10	75418230A4TF58WQ2	HCTRA EZ TAG ONLINE 281 8753279 TX	\$5.25
01/13	55506290DM5008JE8	MIGHTYWASH LLC LUBBOCK TX	\$9.00
01/13	75418230D4TNWL34W	MICROSOFT*STORE MSBILL.INFO WA	\$107.24
01/14	55506290ETQXSV8E5	PROJECTRACER LUBBOCK LUBBOCK TX	\$10.00
01/17	55429500KRTZ0Z55	PAYPAL *ID CREATOR 4029357733 CA	\$37.97
01/20	75456670L568BXPT	LONE STAR SHOOTING SPO LUBBOCK TX	\$16.24
01/20	55546500L RDQ4RBA5	SCOTTS COMPLETE CAR CA LUBBOCK TX	\$1,827.00
		JAMES HILL	
		TOTAL [REDACTED]	\$2,037.78
12/28	0230537PV2X88J309	OFFICE DEPOT #1079 800-463-3768 TX	\$19.59
01/06	02305370755BQDQ01	OFFICE DEPOT #1079 800-463-3768 TX	\$25.49
01/06	02305370755BQDQ5P	OFFICE DEPOT #1079 800-463-3768 TX	\$9.99
01/06	02305370755BQDQ8A	OFFICE DEPOT #1079 800-463-3768 TX	\$9.74
01/15	55432860F62V0TJ6A	AMER ASSOC NOTARIES 713-644 2299 TX	\$25.00
01/17	85184120J566D9JA6	TEXAS MUNICIPAL CLERKS 940 5653488 TX	\$129.00
01/18	85560530K01S6PKAP	WALMART 004299 LUBBOCK TX	\$120.00
		SAM'S/WAL-MART PURCHASE(S)	
		LESLIE RANDOLPH	
		TOTAL [REDACTED]	\$338.81
12/27	0230537P52X7ZKGKT	BARNES & NOBLE 2364 LUBBOCK TX	\$204.26
12/27	0230537P52X7ZKGNQ	BARNES & NOBLE 2364 LUBBOCK TX	\$3.49
01/02	0541019028JT6JT6E	BESTBUY 00002261 LUBBOCK TX	\$1,039.96
01/04	5531020042E07W5YK	AMAZON.COM*HZ0VK3E83 A AMZN.COM/BILL WA	\$22.49
01/04	5531020052DM5GRAT	AMAZON.COM*5M76N7D23 A AMZN.COM/BILL WA	\$5.06
01/08	554807708LQP2QLV1	WEBROOT SOFTWARE, INC. 8666124268 CO	\$42.89
01/09	85560530A01RMSHP6	WALMART 000861 LUBBOCK TX	\$14.63
		SAM'S/WAL-MART PURCHASE(S)	
01/11	05436840Q00ADQMGV	DOLLAR TREE LUBBOCK TX	\$69.75
01/13	55432860D62GV3GAH	AMAZON.COM*2P5XI4P43 AMZN.COM/BILL WA	\$29.14
01/17	55432860H63DLFAG1	APPLE.COM/BILL 866 712 7753 CA	\$10.71
01/19	55432860K5SMM43R2	AMZN MKTP US*YN46A7JC3 AMZN.COM/BILL WA	\$15.98
01/19	55432860K5SMVG6K2	AMZN MKTP US*HR8JO1VB1 AMZN.COM/BILL WA	\$57.38
		ANGELIA FIKES	
		TOTAL [REDACTED]	\$1,515.74
<b>Total Fees Charged This Period</b>			<b>\$0.00</b>
<b>Total Interest Charged This Period</b>			<b>\$0.00</b>

## MARIA QUINTANILLA

ACCOUNT #: [REDACTED]

DATE OF SALE #: 230118

P.O. #:

INVOICE #: 000000

AUTHORIZATION #: 000514

CLUB #: 4299

REFERENCE #: 85560530K01S6PKAP

TRANSACTION #: 0

REGISTER #: 26

S.K.U	DESCRIPTION	QUANTITY	UNIT	PRICE	EXT PRICE
SALES TAX		1.000		\$0.0000	\$0.00
222620889	FIREHSESUBSDEBITL OAD	4.000	EA	\$30.0000	\$120.00
SUB \$120.00		TAX \$0.00		TOTAL INVOICE	\$120.00
				CREDITS TOTAL	\$0.00
				BALANCE DUE	\$120.00

## MARIA QUINTANILLA

ACCOUNT #: [REDACTED]

DATE OF SALE #: 230109

P.O. #:

INVOICE #: 000000

AUTHORIZATION #: 000461

CLUB #: 861

REFERENCE #: 85560530A01RMSHP6

TRANSACTION #: 0

REGISTER #: 18

S K U	DESCRIPTION	QUANTITY	UNIT	PRICE	EXT PRICE
SALES TAX		1.000		\$0.0000	\$0.00
191112128	PH SURGE TAP 60L900J	1.000	EA	\$11.9800	\$11.98
269110635	BROWN HEDGEHOG JUMBO	1.000	EA	\$0.7900	\$0.79
269403190	SISAL FOX PICK	2.000	EA	\$0.3400	\$0.68
353198998	ORN WALRUS	1.000	EA	\$0.2200	\$0.22
353199044	ORN MEILIN LEE	1.000	EA	\$0.2200	\$0.22
359748679	CLAY EYE PADS START	1.000	EA	\$0.7400	\$0.74
SUB \$14.63		TAX \$0.00		TOTAL INVOICE	\$14.63
				CREDITS TOTAL	\$0.00
				BALANCE DUE	\$14.63





**Town of Ransom Canyon**  
**Financial Investment Report**  
**Balance for January 1 - January 31, 2023**

**INTEREST BEARING CASH ACCOUNTS AT DEPOSITORY BANK**

Investment Type/Institution	Annual Percentage Ending Rate of Interest	Maturity Date	Beginning Balance	Ending Balance	Interest Accrued	YTD Interest
Construction Account (Centennial Bank)	4.75%	N/A	\$ 661,320.92	\$ 663,848.43	\$ 2,527.51	\$ 8,859.80
Reserve Account (Centennial Bank)	4.75%	N/A	\$ 256,668.46	\$ 257,649.43	\$ 980.97	\$ 4,027.17
Operating Account (Centennial Bank)	4.75%	N/A	\$ 153,974.81	\$ 260,201.53	\$ 993.35	\$ 3,428.88
Interest and Sinking Account (Centennial Bank)	4.50%	N/A	\$ 804,034.12	\$ 626,753.59	\$ 2,607.22	\$ 6,661.33
Police Seizure Account (Centennial Bank)	0.00%	N/A	\$ -	\$ -	\$ -	\$ -
Police LEOSE Account (Centennial Bank)	0.00%	N/A	\$ -	\$ -	\$ -	\$ -
Interest & Sinking Water 2020 Development	0.05%	N/A	\$ 145,673.27	\$ 145,679.46	\$ 6.19	\$ 84.26
Series 2020 Construction Fund	0.00%	N/A	\$ 244,715.00	\$ 244,715.00	\$ -	\$ -
	18.80%	N/A	\$ 2,266,386.58	\$ 2,198,847.44	\$ 7,115.24	\$ 23,061.44

**ACTION ITEM: #6**

**Amendment to Budget**

**PERTAINING TO: AMENDMENT TO THE BUDGET**

**AN ORDINANCE AMENDING ORDINANCE NUMBER 22-00200, PROVIDING FOR AN AMENDMENT TO THE 2022-2023 BUDGET TO INCREASE LINE ITEM 506-6020 ENTITLED "ENGINEERING" IN THE OPERATIONS BUDGET;**

WHEREAS, Section 102.010 of the Local Government Code of the State of Texas authorizes the City Council to make changes in the budget for municipal purposes; and

WHEREAS, the City Council of the Town of Ransom Canyon deems it advisable to change the FY 2022-2023 Budget for municipal purposes and reallocate funds as follows: NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF RANSOM CANYON:

SECTION 1. THAT the City Council of the Town of Ransom Canyon hereby approves changes to the Town of Ransom Canyon Budget FY 2022-2023 (Budget Amendment #1) for municipal purposes, as follows:

- I. Amend Operations Budget Expense Line Item 506-6020 entitled "Engineering" for subdivision Engineering costs and surveying for property by increasing the appropriation and funding by twenty thousand dollars (\$20,000), from seventeen thousand dollars (\$17,000) to thirty-seven thousand dollars (\$37,000).

SECTION 2. THAT a copy of the changes made to the Town of Ransom Canyon Budget pursuant to this Ordinance shall be filed with the City Secretary and the County Clerk of Lubbock County as required by law.

SECTION 3. THAT should any section, paragraph, sentence, clause, phrase or word of this Ordinance be declared unconstitutional or invalid for any reason, the remainder of this Ordinance shall not be affected thereby.

**PASSED ON SECOND READING THIS \_\_\_\_\_ DAY OF FEBRUARY 2023.**



TOWN OF RANSOM CANYON

---

JANA TREW, MAYOR

ATTEST:

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ELENA QUINTANILLA, CITY SECRETARY

**ACTION ITEM: #7**

**Ordinance for Speed  
Limits**

---

SECOND READING ORDINANCE NO. 121322  
ARTICLE 12.02 OPERATION OF VEHICLES, DIVISION 2. SPEED LIMITS

AN ORDINANCE OF THE TOWN OF RANSOM CANYON, TEXAS (CITY) ENACTING REGULATIONS WITH RESPECT TO THE OPERATION OF VEHICLES AND SPEED LIMITS, ENACTING CRIMINAL SANCTIONS AND PENALTIES FOR VIOLATION OF THE REGULATIONS, REPEALING ORDINANCE NO. 2, SEC. 1 ADOPTED 5/9/78 AND ORDINANCE 12-001115 ADOPTED 11/13/12 AND REPLACING IT WITH THIS ORDINANCE, PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

**WHEREAS**, the City Council of the Town of Ransom Canyon, Texas (City Council), a Type A General Law Municipal Corporation, and the Texas Local Government Code Sec. 51.072 recognize the authority of the City to adopt an ordinance consistent with state law that is necessary for the government, interest, welfare, or good order of the municipality; and

**WHEREAS**, the City Council has determined that the health, safety, and welfare of its citizens and the City require the adoption of rules and procedures which will regulate certain speed limits in the City; and

**WHEREAS**, the City is authorized to enact and enforce such regulations pursuant to Subchapter A of Chapter 214 of the Texas Local Government Code and Subchapter B of Chapter 54 of the Texas Local Government Code; and

**WHEREAS**, this Ordinance was adopted at a meeting of the City Council of the Town of Ransom Canyon, Texas; (i) at which a quorum of the members of the City Council were present, (ii) which was open to the public, as required by Chapter 551 of the Texas Government Code (the Open Meetings Act), and (iii) which was preceded with the notice required by the Texas Open Meetings Act.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the Town of Ransom Canyon, Texas, that the following regulations and provisions be adopted:

**SECTION 1. Enactment of Speed Limits.** That a new Article 12.02 be enacted and added to the City's code or ordinances to amend Section 12.02.051 "Established" Sections 2 to change speed limit from 35 miles per hour to 25 mph and Section 6 to change speed limit from 50 miles per hour to 35 miles per hour as follows:

**Sec. 1.01 Purpose and Scope.**

- (a) This Ordinance covers the responsibilities of drivers to adhere to the speed limits addressed in this Ordinance as follows in Section 12.01.051 Established:



The prima facie speed limit on the following streets and highways in the City set forth below is hereby altered and changed as hereinafter set forth upon the portions of streets and/or highways located within the corporate limits of the City as follows, to wit:

- (1) Twenty-five (25) miles per hour for all vehicles traveling on all highways and streets within the corporate limits of the City, except as provided in this section.
- (2) Twenty-five (25) miles per hour for all vehicles traveling on Johnston Road starting at the city limits from CR 7000 on the north and extending to East Canyon View Drive on the south end of the road.
- (3) Thirty-five (35) miles per hour on Ransom Road starting at the intersection of Ransom Road with Canyon View Drive and extending to the intersection of Ransom Road and West Brookhollow Road.
- (4) Twenty (20) miles per hour on Hillside Drive
- (5) Twenty (20) miles per hour on Lakeshore Drive from the intersection of Lakeshore Drive with West Brookhollow to the intersection of Lakeshore Drive with Foothill Drive
- (6) Thirty-five (35) miles per hour on Ransom Road from the intersection of West Canyon View Drive with Ransom Road to the intersection of Ransom Road and Farm Road 3523.

**SECTION 2. Repeal of Prior Regulation.** Secs. 12.02.051, Division 2, Sections 2 and 6 are updated with new speed limit provisions from thirty-five miles per hour to thirty miles per hour and fifty miles per hour to thirty-five miles per hour, respectively.

**SECTION 3. Severability.** If any clause, section, or other part of application of this Ordinance shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part or application shall be considered as eliminated and so not affecting the remaining portions or applications remaining in full force and effect.

**SECTION 4. Effective Date.** The ordinance shall become effective ten (10) days after its publication in *The Slatonite*.

**PASSED AND APPROVED ON** \_\_\_\_\_

\_\_\_\_\_  
Jana Trew, Mayor

ATTEST:

\_\_\_\_\_  
Elena Quintanilla, City Secretary

# **ACTION ITEM: #8**

## **Order of Election**



## ORDER OF ELECTION (ORDEN DE ELECCIÓN)

An election for the Town of Ransom Canyon, County of Lubbock, Texas, is hereby ordered to be held on **Saturday, May 6, 2023** for the purpose of:  
(Por lo presente se ordena para la Ciudad de Ransom Canyon, Condado de Lubbock, Texas, que se lleve a cabo una elección el sábado, día 6 de mayo, 2023 con el propósito de:)

**Electing a Mayor and 2 Alderman at Large (two-year terms)**  
(Elegir un alcalde y dos Concejales en general con termino de dos años)

---

Early Voting by personal appearance will be conducted as listed on Exhibit A.  
(La votación adelantada en persona se llevará a cabo en la página marcada Anexo A)

---

Applications for ballot by mail or federal post card applications shall be mailed to:  
(Las solicitudes para boletas para votar por correo y las tarjetas postales federal para votar deberán enviarse a:)

Roxzine Stinson, EA  
(Name of Early Voting Clerk)  
(Nombre del Secretario de la Votación Adelantado)

PO Box 10536; 1308 Crickets Avenue  
(Address) (Dirección)

Lubbock, TX 79408  
(City) (Ciudad) State (Estado) (Zip Code) (Zona Postal)

Applications for ballots by mail and federal post card applications must be received no later than the close of business on **Tuesday, April 25, 2023**.  
(Las solicitudes para balotas que se votarán en adelantadas por correo y las tarjetas postales federal deberán recibirse para el fin de las horas de negocio el martes, día 26 de abril, 2022.)

Issued this 7th day of February, 2023  
(Emitida este 7 día de Febrero, 2023)

---

Signature of Mayor (Firma del Alcalde)

# **ACTION ITEM: #9**

## **Joint Resolution**

**JOINT ELECTION RESOLUTION NO. R23-020723**

WHEREAS, Chapter 31, Subchapter D, of the Texas Election Code authorizes the governing body of a political subdivision to contract with a County for the County's election officer's services for election services in an election ordered by the political subdivision; and

WHEREAS, Chapter 271 of the Texas Election Code provides for joint elections when an election is required upon the same day by two or more political subdivisions occupying all or part of the same county; and

WHEREAS, the Town of Ransom Canyon desires to contract with the Lubbock County election officer for election services for any City elections to be held through **September 30, 2023**; and

WHEREAS, several other political subdivisions within Lubbock County may also conduct elections on the same uniform date and may also have contracted with Lubbock County for the County election officer's services; and

WHEREAS, the Town of Ransom Canyon desires to conduct joint elections whenever possible with Lubbock County or with such governmental units of Lubbock County as are eligible and desire to conduct a joint election with the Town of Ransom Canyon as expressed by order, resolution or other official action for each particular uniform election date during the term of the contract; NOW THEREFORE:

BE IT RESOLVED BY THE CITY COUNCIL OF THE TOWN OF RANSOM CANYON:

THAT the City Council of the Town of Ransom Canyon hereby authorizes and directs the Mayor to execute the attached Contract for Election Services and any associated documents with Lubbock County for election services through **September 30, 2023**; and

THAT the said Contract for Elections Services shall be deemed a joint election agreement authorized by this Resolution with Lubbock County and those governmental units within Lubbock County that have executed a similar Contract for Election Services; that occupy all or part of the same county as the Town of Ransom Canyon; that are conducting elections on the same uniform election dates; and that desire and are eligible to conduct a joint elections with the Town of Ransom Canyon; and

THAT the City Secretary is hereby authorized and directed to make any necessary changes to the Election Notice/Order exhibits or otherwise to take such actions as may be necessary to carry out the purposes of this Resolution.

Passed by vote and approved this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
For City Secretary

APPROVED AS TO CONTENT:

\_\_\_\_\_  
City Secretary



# **ACTION ITEM: #10**

**Contract with Lubbock  
County for Election**

THE STATE OF TEXAS §

COUNTY OF LUBBOCK §

**CONTRACT FOR ELECTION SERVICES WITH LUBBOCK COUNTY, TEXAS  
FOR ALL JOINT ELECTIONS IN LUBBOCK COUNTY FISCAL YEAR 2023**

THIS CONTRACT made by and between LUBBOCK COUNTY, TEXAS, acting by and through Roxzine Stinson, in her capacity as Lubbock County Elections Administrator, hereinafter referred to as "The Elections Administrator" (who has been duly qualified and bonded as provided for under law) and the Town of Ransom Canyon, a governmental entity organized under the laws of the State of Texas, hereinafter referred to as the "Entity" and by the authority of Section 31.092(a) of the Texas Election Code for the conduct and supervision of the Entity's elections held during Lubbock County's Fiscal Year, October 1, 2022, through September 30, 2023. The Entity joins with any such other governmental units as are eligible and desire to conduct a joint election, as may be expressed by order, resolution or other official action of each of the governmental units. In the case of an Entity which is a school district, a joint election will be conducted with one or more municipalities, and/or with Lubbock County, Texas, in compliance with the requirements for school districts set forth in Chapter 11, Subchapter C, Section 11.01, of the Texas Education Code.

*RECITALS*

Any elections held by the entity will be at the expense of the entity. In the case of joint elections, common expenses will be divided between the parties on a *pro rata* basis, calculated using the number of registered voters in each entity's jurisdiction.

The election precincts of the Entity, which lie within the jurisdictional limits of Lubbock County (the "County"), have been established and may be re-established by the Entity as its election precincts pursuant to Section 42.061 of the Texas Election Code.

The County owns the Hart InterCivic Verity Duo Version 2.5 Voting system which has been duly approved by the Secretary of State pursuant to Texas Election Code Chapter 122 as amended, and the Entity desires to use the County's electronic voting system in its election and to compensate the County for such use.

**NOW THEREFORE**, in consideration of the mutual covenants, agreements, and benefits to the parties, **IT IS AGREED** as follows:

**I. ADMINISTRATION**

The Lubbock County Elections Administrator shall assist, coordinate, supervise, and handle all aspects of administering the election as provided in this Contract in a manner consistent with all relevant law, codes, rules and regulations, including, without limitations, those functions set forth in **Exhibit A**. The Entity agrees to pay the Lubbock County Elections Administrator for equipment,

supplies, services, and administrative costs as provided in this Contract. The Lubbock County Elections Administrator shall serve as the administrator for the election; however, the Entity shall remain responsible for the lawful conduct of its election as regards those functions reserved to the Entity set forth in **Exhibit A**, as regards such additional administrative functions as the Entity may otherwise undertake to perform, and any functions which cannot be lawfully delegated to the Lubbock County Elections Administrator. The Elections Administrator shall provide advisory services in connection with decisions to be made and actions to be taken by the officers of the Entity; however, it shall be the responsibility of the Entity to obtain whatever legal opinion(s) it deems necessary, from the Entity's chosen legal counsel and at the Entity's sole cost and expense. The Lubbock County Elections Administrator will not provide legal advice to the Entity.

## II. LEGAL DOCUMENTS

The Entity shall be responsible for the preparation, adoption, and publication of all required election orders, resolutions, notices, and any other pertinent documents required by the Texas Election Code and/or its governing bodies.

Preparation of the necessary bilingual materials for notices and the language of the official ballot shall also be the responsibility of the Entity; however, the Lubbock County Elections Administrator will provide assistance if requested. The Entity shall provide a copy of its election order and notice to the Lubbock County Elections Administrator no later than eighty (80) days prior to Election Day.

## III. VOTING LOCATIONS

It is agreed that Election Day voting shall be held at the locations shown in the Election Order and Notice duly adopted by the Entity. In the event that any of these voting locations are not available, the Elections Administrator will arrange for use of an alternate location with the approval of the Entity and at the Entity's expense.

This Contract shall be deemed an agreement for a joint election with other governmental units in Lubbock County holding an election on the same day in all or part of the same territory and whose governing bodies have authorized said joint election by order, resolution, or other official action.

## IV. ELECTION JUDGES, CLERKS AND OTHER ELECTION PERSONNEL

Lubbock County shall be responsible, on behalf of the Entity, for the initial selection of the presiding election judges and alternate election judges for the Entity's election. The Elections Administrator shall provide to the Entity a list of presiding judges and alternate judges for its election who shall be appointed by the Entity as required by law.



The Elections Administrator shall notify all election judges of the eligibility requirements of Subchapter C of Chapter 32 of the Texas Election Code, and will take the necessary steps to ensure that all election judges appointed for the Entity's election are eligible to serve.

The Elections Administrator shall arrange for the training and compensation of all election judges and clerks. The Elections Administrator shall arrange for the date, time, and place for the presiding election judges to pick-up their election supplies. Each presiding election judge will be sent a letter (not later than the 15th day before election day, as required by Section 4.007 of the Texas Election Code) by the Elections Administrator notifying him/ her of his/her appointment, the time and location of distribution of election supplies, and the number of election clerks that the presiding judge may appoint, including the required number of bilingual clerks.

The Entity will be charged \$13.00 an hour for each hour worked by the Presiding Election Judge and \$11.00 an hour for each hour worked by each Alternate Judge and Election Clerk, or at the rate set by the Lubbock County Commissioners Court which is current at the time of the election, whichever is higher. The Entity will be charged an additional \$25.00 flat rate compensation to each Election Judge for returning the supplies, the Judge's Verity Duo Scanner, and the voted thermal paper ballots to the Central Counting Station after the polls close on Election Day. The Entity will be charged \$14.00 per hour for each hour worked by the Phone Bank Technical Assistant, \$13.00 per hour for each hour worked by the Phone Bank Elections Assistant, and \$13.00 per hour for each hour worked by the Phone Bank Public Assistant. The Entity will be charged \$15.00 per hour for each hour worked by each Troubleshooter, plus mileage at the rate adopted by the Lubbock County Commissioner's Court, currently \$.655 for each mile traveled by each Early Voting Troubleshooter as per the IRS Notice 2023-03.

The Entity will be charged \$13.00 per hour for each hour worked by each Deputy Early Voting Clerk (Lead Clerk). The Entity will be charged \$11.00 per hour for each hour worked by each Deputy Early Voting Alternate Lead Clerk and Clerks. If the Lubbock County Commissioners Court authorizes an increase in pay for either clerk, the Entity will pay the rate set by the Lubbock County Commissioners Court at the time of the Election. The Entity will be charged \$14.00 per hour for each hour worked by the Phone Bank Technical Assistant, \$13.00 per hour for each hour worked by the Phone Bank Elections Assistant, and \$13.00 per hour for each hour worked by the Phone Bank Public Assistant. The Entity will be charged \$15.00 per hour for each hour worked by each Early Voting Troubleshooter, plus mileage at the rate adopted by the Lubbock County Commissioner's Court, currently \$.655 for each mile traveled by each Early Voting Troubleshooter as per the IRS Notice 2023-03.

The Elections Administrator may employ other personnel necessary for the proper administration of the election, including such part-time help as is necessary to prepare for the election, to ensure the timely delivery of supplies during early voting and on Election Day, and for the efficient tabulation of ballots at the central counting station. The Entity will be charged \$13.00 per hour for each hour worked by the Early Voting Ballot Board Judge and \$11.00 per hour for each

hour worked by the Early Voting Ballot Board Alternate Judge and Clerks. The Entity will be charged \$13.00 per hour for each hour worked by the Central Count Judge and \$11.00 per hour for each hour worked by the Central Count Alternate Judge. If the Lubbock County Commissioners Court authorizes an increase in pay for either the clerks or judges, the Entity will pay the rate set by the Lubbock County Commissioners Court at the time of the Election. The Entity will be billed \$12.00 per hour for each hour worked by part-time personnel working in support of the Central Counting Station on election night. Part-time personnel working in support of the Central Counting Station on election night will receive pay for at least four hours, minimum call for service, regardless of the actual hours worked.

The Entity will be charged \$9.00 for each hour of training for all election workers (including Judges, Alternate Judges, Clerks, Phone Bank Operators and Troubleshooters.) The Entity will be charged for temporary personnel employed to conduct training classes at an hourly rate of \$13.00 per hour for each hour worked by the Lead Trainer and a lesser rate of \$13.00 per hour for each hour worked by the Assistant Trainers.

The Entity will be charged a time-and-half rate based on the hourly rate of all election workers/temporary workers employed in the positions specified above for any overtime worked in connection with any election covered under this Contract.

The Entity will be charged a time-and-half rate based on the hourly rate of Lubbock County employees for any overtime worked to deliver, set up and pickup voting equipment, as well as the Logic and Accuracy Testing. The Entity will also be charged mileage at a rate, as set by Lubbock County Commissioners, for Lubbock County employees who must use their personal vehicles to deliver, set up and pickup voting equipment and supplies.

It is agreed by the Entity that at all times and for all purposes hereunder, all election judges, clerks, and all other employees involved in this election are independent Contractors and are not employees or agents of Lubbock County or the Entity. No statement contained in this Contract shall be construed so as to find any judge, clerk, or any other election personnel to be an employee or agent of the County or the Entity, and all election personnel shall be entitled to none of the rights, privileges, or benefits of County employees or Entity employees except as otherwise may be stated herein, nor shall any election personnel hold himself out as an employee or agent of the County or the Entity, unless considered a County or Entity employee as determined by the policies of Lubbock County or the Entity.

The hourly rates for the above listed categories of contractors and election workers will be determined following the conclusion of the current solicitation for temporary election workers, a process currently being completed by Lubbock County consistent with the provisions of the Texas Government Code. The price list for the provision of these services and all other contract fees consistent with Texas Election Code Sections 271 and 31.100 is attached as **Exhibit B** and incorporated herein by reference. The price list is subject to change based on action by the Lubbock County Commissioners Court.

## V. SUPPLIES AND PRINTING

The Elections Administrator shall arrange for the use of the direct recording electronic voting machines and supporting supplies and equipment and all other election supplies and related printing including, but not limited to, official ballots, sample ballots, ballot boxes, voter registration lists, and all forms, signs, maps, and other materials used by the election workers at the Early Voting and Election Day voting locations. The fee list associated with these materials consistent with Texas Election Code Section 123 and Section 31 is attached as Exhibit B and incorporated herein by reference.

The Entity shall furnish to the Elections Administrator a list of candidates and/or propositions showing the order and the exact manner in which the names or proposition(s) are to appear on the official ballot (including bilingual titles and text). This list shall be delivered to the Elections Administrator as soon as possible after the Entity has determined ballot positions. The Entity shall be responsible for proofreading and approving the official ballot before printing as well as approving the ballot screen prompts and audio recordings for the Direct Recording Electronic voting devices in both English and Spanish.

## VI. EARLY VOTING

The Entity agrees that the Election Administrator shall serve as the Early Voting Clerk in accordance with Section 31.097 of the Texas Election Code and agrees to designate the Office of the Elections Administrator, 1308 Crickets, Lubbock Texas, as the main Early Voting polling location. The Entity also agrees that the Elections Administrator's permanent county employees, during regular office hours, shall serve as deputy early voting clerks who shall serve without additional compensation; and that the Elections Administrator may appoint other deputy early voting clerks to assist in the conduct of early voting as necessary.

It is agreed that Early Voting by personal appearance will be held at the locations, times and days shown in **Exhibit C**. In the event that any of these voting locations are not available, the Elections Administrator will arrange for use of an alternate location with the approval of the Entity and at the Entity's expense.

As Early Voting Clerk, the Elections Administrator shall receive applications for early voting ballots to be voted by mail in accordance with Chapters 31 and 86 of the Texas Election Code. Any requests for early voting ballots to be voted by mail received by the Entity shall be forwarded immediately to the Elections Administrator for processing.

The Elections Administrator shall provide the Entity with a copy of the early voting report of how many voters checked-in at the polls on a daily basis and a cumulative final early voting report following the election. The Entity will be responsible for releasing any early voting report numbers to Officials of the Entity. The Entity will also be responsible for releasing early voting report



numbers to the general public and candidates of the Entity, if requested. The Elections Administrator will be responsible to release the number of people who check-in at the polls each day of early voting to the media. The Elections Administrator will be responsible for posting the daily early voting rosters in person and by mail pursuant to Section 87.121 of the Texas Election Code

The Elections Administrator and the Entity will comply with all lawful requests for the release of public information.

## VII. EARLY VOTING BALLOT BOARD

An Early Voting Ballot Board and, if needed, a Signature Verification Committee shall be created to process early voting results from the Entity's election. The county chair of the political party whose candidate for governor received the highest number of votes in the county in the 2022 gubernatorial election shall appoint the Presiding Judge of the Early Voting Ballot Board. The county chair of the political party whose candidate for governor received the second highest number of votes in the county in the 2022 gubernatorial election shall appoint the Alternate Presiding Judge of the Early Voting Ballot Board. The Presiding Judge, with the assistance of the Elections Administrator, shall appoint two or more additional members to constitute the Early Voting Ballot Board members and, if needed, the Signature Verification Committee members required to efficiently process the early voting ballots. The Entity will be charged **\$13.00** per hour for each hour worked by the Early Voting Ballot Board Judge and if needed, **\$13.00** per hour plus markup for the Signature Verification Committee Judge as referenced in Exhibit B attached hereto. The Entity will be charged **\$11.00** per hour for each of the other members of the Early Voting Ballot Board and Signature Verification Committee, as referenced in Exhibit B attached hereto. If the Lubbock County Commissioners Court authorizes an increase in pay for any judge or member of the Early Voting Ballot Board and Signature Committee, the Entity will pay the rate set by the Lubbock County Commissioners Court at the time of the Election.

## VIII. CENTRAL COUNTING STATION AND ELECTION RETURNS

The Elections Administrator shall be responsible for establishing and operating the central counting station to receive and tabulate the voted ballots in accordance with the provisions of the Texas Election Code and of this Contract.

The Entity hereby appoints the following central counting station officials (or their duly appointed designee) in accordance with Sections 127.002 and 127.005 of the Texas Election Code:

Counting Station Manager:	Roxzine Stinson, Elections Administrator
Tabulation Supervisor:	Kristen Phelps, Chief Deputy, Elections
Assistant Tabulation Supervisor:	Charla Carpenter

Pursuant to Sec. 32.002 and 127.005, the County Chairs of the political parties whose candidate for governor received the highest and second highest number of votes in the county in the 2022 gubernatorial election will submit the names of persons who are eligible to serve as the Central Count Station Presiding Judge and the Alternate Judge to the Commissioners Court. The Commissioners Court must appoint the person who's name appears at the top of the list submitted by the political party who's gubernatorial candidate received the most votes in the 2022 election in the county to be Presiding Judge and the person whose name appears at the top of the list submitted by the political party whose gubernatorial candidate received the second most votes in the 2022 election in the county to be the Alternate Judge.

The Counting Station Manager or her representative shall deliver timely cumulative reports of the election results as vote centers report to the Central Counting Station as they are tabulated. The Counting Station Manager shall be responsible for releasing cumulative totals and vote center returns from the election to the Entity, prior to posting to the Elections Office website. Election results will be posted to the Elections Office web page located at [www.votelubbock.org](http://www.votelubbock.org)

The Elections Administrator will prepare the unofficial canvass reports after all ballots have been counted and will deliver a copy of the unofficial canvass to the Entity as soon as possible after all returns have been tabulated. In any event, the Elections Administrator will deliver a copy of the unofficial canvass to the Entity no later than 5:00 p.m. of the seventh day following the election date. The Entity shall be responsible for the official canvass of its election.

The Elections Administrator shall be responsible for conducting the post-election Partial Manual Recount required by Section 127.201 of the Texas Election Code, unless a waiver is granted by the Secretary of State. Notification and copies of the recount, if waiver is denied, will be provided to the Entity and the Secretary of State's Office.

With the assistance of the Elections Administrator, the Presiding Judge of the Central Counting Station shall provide and attest to a written reconciliation of votes and voters at the close of tabulation for election day and again after the central counting station meets for the last time to process late-arriving ballots by mail and provisional ballot. TEC Sec. 127.131(f). The form shall be posted on the Lubbock County website, [www.votelubbock.org](http://www.votelubbock.org), along with election returns and results as prescribed by TEC Sec. 127.131(f).

## IX. ELECTION EXPENSE AND ALLOCATION OF COSTS

Any elections held by the Entity will be at the expense of the Entity. In the case of joint elections, common expenses will be divided between the parties on a *pro rata* basis, calculated using the number of registered voters in each entities jurisdiction. The Entity agrees to reimburse Lubbock County for the actual costs of administering its election including, but not limited to, the actual costs of supplies, printing, programming, personnel, and polling place rental fees. The Entity agrees to reimburse Lubbock County for overtime wages and benefits paid to the permanent employees of the Elections Administrator for contractual duties performed outside the normal business hours of

Lubbock County in accordance with Section 31.100(e) of the Texas Election Code. The Entity further agrees to pay Lubbock County an administrative fee equal to ten percent (10%) of its total billable costs in accordance with Section 31.100(d) of the Texas Election Code.

#### X. WITHDRAWAL FROM CONTRACT DUE TO CANCELLATION OF ELECTION

The Entity may withdraw from this Contract should it cancel its election in accordance with Sections 2.051 - 2.053 of the Texas Election Code. The Entity is fully liable for any expenses incurred by Lubbock County on behalf of the Entity plus an administrative fee of ten percent (10%) of such expenses should the Entity cancel its election for this or any reason. Any monies deposited with Lubbock County by the Entity shall be refunded, minus the aforementioned expenses and administrative fee, if applicable, pursuant to Section 31.100(d) of the Texas Election Code.

#### XI. RECORDS OF THE ELECTION

The Elections Administrator is hereby appointed general custodian of the voted ballots and all records of the election as authorized by Section 31.096 of the Texas Election Code.

Access to the election records shall be available to the Entity as well as to the public in accordance with applicable provisions of the Texas Election Code and the Texas Public Information Act. The election records shall be stored at the Lubbock County Records Center, who shall ensure that the records are maintained in an orderly manner so that the records are clearly identifiable and retrievable.

Records of the election shall be retained and disposed of in accordance with the provisions of Section 66.058 of the Texas Election Code. If records of the election are involved in any pending election contest, investigation, litigation, or open records request, the Elections Administrator shall maintain the records until final resolution or until final judgment, whichever is applicable. **It is the responsibility of the Entity to bring to the attention of the Elections Administrator any notice of pending election contest, investigation, litigation or open records request which may be filed with the Entity.**

The Elections Administrator shall notify the Entity of the planned destruction of any records of the election prior to the records' destruction.

#### XII. RECOUNTS

A recount may be obtained as provided by Title 13 of the Texas Election Code. The Entity agrees that any recount shall take place at the offices of the Elections Administrator, and that the Chief Deputy shall serve as Recount Supervisor and the official of the Entity performing the duties



of a secretary under the Texas Election Code, or its lawful designee, shall serve as Recount Coordinator unless otherwise required by state law.

The Elections Administrator agrees to provide advisory services to the Entity as necessary to conduct a proper recount.

### XIII. COMPLIANCE WITH AMERICANS WITH DISABILITIES ACT

The Elections Administrator will assist the Entity in securing adequate polling places, rent free if available; however, it is the responsibility of the Entity to ensure that the polling places comply with current accessibility standards as set forth in the Americans With Disabilities Act as well as any state or local laws or ordinances. Accessibility compliance shall be at the Entity's expense. In the event that compliance cannot be achieved, the Entity agrees to indemnify the Elections Administrator and Lubbock County from any resulting liability, whether civil or criminal.

### XIV. MISCELLANEOUS PROVISIONS

It is understood that, to the extent space is available, other political subdivisions may wish to participate in the use of the County's election equipment, and it is agreed that the Elections Administrator may contract with such other political subdivisions for such purposes and that in such event there may be an adjustment of the pro-rata share to be paid to the County by the participating authorities.

The Elections Administrator shall file copies of this document with the Lubbock County Treasurer and the Lubbock County Auditor in accordance with Section 31.099 of the Texas Elections Code.

In the event that legal action is filed challenging the Entity's election, each party hereto shall defend its own actions, officials and employees. If it is determined that the actions of the Entity resulted in legal action against Lubbock County or the Lubbock County Elections Administrator or any additional election personnel, then the Entity shall provide, at its own expense, legal representation for the County, the Elections Administrator, and additional election personnel as necessary save and except in any instance whereby an unlawful or otherwise improper act or omission of the County, the Election Administrator or another Entity participating in the election has precipitated such legal action. Likewise, if it is determined that the actions of Lubbock County or the Lubbock County Elections Administrator or any additional election personnel engaged by the County resulted in legal action against the Entity, then Lubbock County shall provide, at its own expense, legal representation for the Entity as necessary save and except in any instance whereby an unlawful or otherwise improper act or omission of the Entity or another Entity participating in the election has precipitated such legal action.

The County and the Entity agree that under the Constitution and laws of the State of Texas, neither the County nor the Entity can enter into an agreement whereby either party agrees to indemnify or hold harmless another party; therefore, all references of any kind, if any, to indemnifying or holding or saving harmless for any reason are hereby deleted.

This Contract shall be construed under and in accord with the laws of the State of Texas, and all obligations of the parties created hereunder are performable in Lubbock County, Texas.

In the event one or more of the provisions contained in this Contract shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provision hereof, and this Contract shall be construed as if such invalid, illegal, or unenforceable provision had never been contained herein.

All parties shall comply with all applicable laws, ordinances, and codes of the State of Texas, all local governments, and any other entities with local jurisdiction.

The waiver by any party of a breach of any provision of this Contract shall not operate as or be construed as a waiver of any subsequent breach.

Any amendment of this Contract shall be of no effect unless in writing and signed by all parties hereto.

## **XV. FINANCIAL OBLIGATION AND PAYMENT**

The Entity agrees it is obligated to pay to Lubbock County all of the Entity's joint election charges, fees, expenses, and costs as set forth under the terms of this Contract, with the exact amount of the Entity's financial obligation under the terms of this Contract to be timely calculated after the joint election. The Lubbock County Elections Administrator agrees to timely provide an invoice of said financial obligation to the Entity following the joint election, and the Entity further agrees it shall pay to Lubbock County the balance due as soon as possible but not later than thirty (30) days after receipt of the invoice. In the event that the Entity disputes any portion of the charges, fees, expenses, and costs payable under this Contract, the Entity agrees to promptly pay the undisputed amounts when due.

IN TESTIMONY HEREOF, this Contract, its multiple originals all of equal force, has been executed on behalf of the parties hereto as follows, to-wit:

- (1) It has on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, been executed on behalf of Lubbock County by the Elections Administrator pursuant to the Texas Election Code, so authorizing;
- (2) It has on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, been executed on behalf of the Entity by its \_\_\_\_\_, pursuant to the authority of the \_\_\_\_\_, so authorizing;

FOR Town of Ransom Canyon ("THE ENTITY"):

\_\_\_\_\_  
Jana Trew, Mayor

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
City Secretary

\_\_\_\_\_  
Attorney for the Entity

=====

FOR LUBBOCK COUNTY:

CONTRACTING OFFICER

APPROVED AS TO FORM:

\_\_\_\_\_  
Roxzine Stinson  
Elections Administrator

\_\_\_\_\_  
Jennifer Irlbeck  
Assistant Criminal District Attorney,  
Civil Division



**Lubbock County Election Services Contract**  
**EXHIBIT A**  
**Responsibilities of the Parties**

**I. Early Voting**

**A. Lubbock County Elections Administrator's Responsibilities:**

1. The Elections Administrator shall provide a list for presentation to the governing body of each Entity, containing a list of places, times and dates of early voting suitable for adoption by the governing body in accordance with Texas Election Code Chapter 85.
2. The Regular Early Voting Clerk for Lubbock County, Roxzine Stinson, in her capacity as Lubbock County Elections Administrator, shall also serve as the Joint Early Voting Clerk for all joint elections. The Joint Early Voting Clerk will be responsible for the conduct of early voting by main and by personal appearance for all Lubbock County voters voting in the Joint Elections. The Joint Early Voting Clerk shall receive from each entity any applications for early voting ballots to be voted by mail in accordance with Title 7 of the Texas Election Code. The Joint Early Voting Clerk shall send early voting ballots by mail and receive early voting ballots for early voting by mail. The Joint Early Voting Clerk shall have authority to appoint such deputy early voting clerks as may be necessary to assist the Joint Early Voting Clerk with voting to take place at the joint early voting locations.
3. The Elections Administrator, Roxzine Stinson, shall serve as the Joint Elections Officer in her capacity as Elections Administrator. The Joint Elections Officer will determine the number of election workers to hire to conduct early voting in the Joint Election. The Joint Election Officer will arrange or contract for training for all election workers and will assign all election workers employed for early voting in the Joint Elections. The training of said election workers is mandatory; these individuals will be compensated for their time in training. The Elections Administrator will provide a training facility where election schools will be conducted to train election workers in employed in the conduct of early voting, including the mobile early voting programs, early voting by personal appearance at the main and all temporary branch early voting polling places, early voting by mail and other aspects of the early voting program for the Joint Elections. The Elections Administrator will name early voting deputies and clerks employed in the conduct of early voting.
4. The Elections Administrator will provide and deliver all supplies and equipment necessary to conduct early voting for the Joint Election, including but not limited to ballots, election forms, and necessary ramps, utility hook-ups, signs, registration lists and ballot boxes, to early voting polling places. The Elections Administrator will designate and confirm all early voting polling place locations.
5. The Elections Administrator will be responsible for the preparation and transportation of the electronic voting equipment necessary to conduct early voting. The Elections Administrator shall perform all tests of voting equipment as required but not limited to posting notice of equipment testing.

6. Pursuant to Sections 66.058 and 271.010 of the Election Code, the Entities appoint Roxzine Stinson, in her capacity as Lubbock County Elections Administrator, as Joint Custodian of Records ("Joint Custodian") for the sole purpose of preserving all voted ballots securely in a locked room in the locked ballot boxes for the period for preservation required by the Election Code.

7. The Elections Administrator will receive ballot language in both English and Spanish from each participating Entity and format the ballots as needed to include said language. The County will provide each participating Entity with a final proof of ballot language for approval prior to the Logic and Accuracy Testing and the printing of ballots. Upon final approval, ballots shall be printed in an expedited timeframe so as to allow time for mailing of ballots for the Early Voting by Mail Program as required by the federal guidelines.

8. Sign language interpreters will be provided at one location on each Tuesday of early voting. The sign language interpreters will be at the United Supermarket located at 2703 82<sup>nd</sup> Street, Lubbock, Texas, 79423 (more commonly known as the 82<sup>nd</sup> and Boston location) from 8:00 a.m. until 2 p.m. on the first Tuesday of early voting and from 2 p.m. until 8 p.m. on the second Tuesday of early voting.

9. A single joint voter sign-in process consisting of a common list of registered voters and common signature rosters shall be used for early voting. A single, combined ballot and single provisional ballot box will be used. The Elections Administrator shall use Lubbock County's electronic voting system, as defined and described in Title 8 of the Texas Election Code, and agrees to use ballots that are compatible with such equipment.

10. The Elections Administrator will be responsible for the conduct of the Early Voting Ballot Board. The Elections Administrator shall designate a person to serve in the capacity of the Presiding Judge for the Early Voting Ballot Board and shall provide that information to the governing body of each participating Entity for entry of an order or resolution by that authority appointing this official. The Presiding Judge and clerks shall constitute the Early Voting Ballot Board and shall count and return early voting ballots, and perform other duties set for such board in accordance with the Texas Election Code.

11. The Elections Administration will be responsible to send out the Writ of Elections to the Judge and Alternate Judge for each polling location.

#### B. Responsibilities of Participating Entities:

1. The participating Entities hereby appoint Roxzine Stinson, in her capacity as Lubbock County Elections Administrator, as the Joint Elections Officer to perform or supervise the performance of the duties and responsibilities of Lubbock County involved in conducting the Joint Elections covered by this Contract.

2. Each of the Entities agrees to conduct its early voting jointly. Each of the Entities hereby appoints Roxzine Stinson, in her capacity as Elections Administrator and Early Voting Clerk for Lubbock County, as the Joint Early Voting Clerk for the Joint elections. Early voting for the Entities shall be conducted at the dates, times and locations to be mutually agreed upon

by the Joint Election Officer and authorized and ordered by the governing body of each participating Entity.

3. Each participating Entity will provide ballot language for their respective portion of the official ballot to the Elections Administrator in both English and Spanish. The Elections Administrator can assist with translations of orders, notices and ballot language with the actual cost being billed to the Entity. Any additions, modifications, deletions, or other changes to such ballot contents of language must be made by the Entity prior to the final proof approval by the Entity. The Elections Administrator will provide the participating Entity with a final proof of ballot language, as it is to appear on the ballot for final proof approval. Upon final proof approval, the ballot shall be programmed for the voting equipment in an expedited timeframe so as to allow ballot allocations.

4. Each participating Entity will provide the Elections Administrator with the name and contact information of a representative or representatives for the Entity who will appear at the Elections Office to proof the ballot on behalf of the Entity. Each Entity has the option of proofing the ballot, or allowing the candidates to proof the ballot.

5. Each participating Entity will provide the Elections Administrator with the name and contact information of a representative or representatives for the Entity who will be responsible for attending and participating in the Public Logic and Accuracy Testing of the ballot (as required by the Election Code). The Elections Administrator will contact the designated representative(s) with the date and time of such testing.

6. Each Entity is responsible to post the Entity's own Election Notices and Election Orders pursuant to Sections 1.006 and 4.003(b) of the Texas Election Code.

7. The Entity is responsible to provide the Elections Administrator all contact information of the decision making person/persons for the Entity.

## II. Election Day

### A. Lubbock County Elections Administrator's Responsibilities:

1. The Elections Administrator shall designate and confirm all Election Day Vote Center locations for the joint elections, and shall forward such information to the participating Entities in a timely fashion to allow the governing body of the respective participating Entities to enter orders designating such Vote Centers.

2. County party chairs shall designate the Presiding Election Judge and the Alternate Presiding Election Judge to administer the election in each Vote Center. The Elections Administrator shall forward such information to the participating Entities to allow the governing bodies of the respective participating Entities to enter appropriate orders designating such officials prior to the election. The Presiding Election Judge and Alternate Presiding Election Judge shall be qualified voters of the Lubbock County Vote Centers in which the joint election is held. All Election Workers shall be compensated at the rate established hereafter by Lubbock County. Compensable hours shall be determined in



accordance with provisions of the Texas Election Code and other applicable laws.

3. One set of elections officials shall preside over the election in each of the Vote Centers used. A single joint voter sign-in process consisting of a common list of registered voters, and common signature rosters shall be used in each Vote Center. A single, combined ballot and single provisional ballot box will be used. The officer designated by law to be the custodian of the voted ballots for Lubbock County shall be custodian of all materials used in common in the Vote Center where a common polling place is used. The Elections Administrator shall use an electronic voting system, as defined and described in Title 8 of the Texas Election Code and agrees to use ballots that are compatible with such equipment.

4. The Elections Administrator will arrange for training and will provide the instructors, manuals and other training materials deemed necessary for training all election workers. Training for all election workers is mandatory, and these individuals will be compensated for their time in training.

5. The Elections Administrator will arrange for Election Day voter registration lists for the Joint Elections. The County will determine the quantities of elections supplies needed for Election Day voting.

6. The Elections Administrator, by and through the Sheriff's, Maintenance, Road & Bridge, and Elections Office Departments of Lubbock County, will be responsible for the preparation and transportation of voting equipment and Election Day supplies for use on Election Day.

7. The final returns for each participating Entity shall be canvassed separately by each respective Entity. The Custodian of Election Records for Lubbock County, Roxzine Stinson, in her capacity as Elections Administrator, shall maintain a Central Count Station on Election Day for the purpose of receiving returns for the participating Entities. The Elections Administrator or appointed staff will provide unofficial election results to the qualified individual appointed by each participating Entity.

8. On Election Day, the Joint Election Officer and/or the Elections Office Staff will field all questions from election workers through the phone bank personnel and troubleshooters.

9. The Elections Administrator shall make available, to voters who desire translation assistance, an individual capable of acting as a translator and speaking both English and Spanish languages who will assist Spanish speaking voters in understanding and participating in the election process.

#### **B. Participating Entities Responsibilities:**

1. Prior to Election Day, each participating Entity will answer questions from the public with respect to the Entity's Election during the State's defined mandatory office hours.

### III. Election Night

#### A. Elections Administrator Responsibilities:

1. The Elections Administrator holds responsibility for all activities on election night including, but not limited, to setting up a central counting station, coordinating and supervising the tabulation of results, coordination and supervision of the physical layout of the support stations that are receiving substations for the Joint Elections, and coordination and management of media coverage of the election.
2. The Elections Administrator will arrange for the transportation of the electronic voting equipment to the central counting station.
3. Pursuant to Sec. 32.002 and Sec. 127.005 of the Election Code, the County Chairs of the political parties whose candidate for governor received the highest and second highest number of votes in the county in the 2022 gubernatorial election will submit the names of persons eligible to serve as Presiding Judge and Alternate Presiding Judge of the Central Count Station to the Commissioners Court. The Commissioners Court will appoint the Presiding Judge and Alternate Presiding Judge of the Central Counting Station to maintain order at the Central Counting Station, to administer oaths as necessary to receive sealed Judge's Verity Ballot Scanners and other election equipment, sealed provisional ballot boxes, and to perform other duties required by the Texas Election Code, and shall forward such information to each participating Entity in a timely fashion to allow the governing body of each Entity to enter appropriate orders designating such election officials prior to the election. . In addition, the Elections Administrator shall appoint a Tabulation Supervisor and Assistant Tabulation Supervisor to be in charge of the operation of the automatic tabulating equipment at the Central Counting Station, an individual to serve as Central Counting Station Manager to be in charge of the overall administration of the Central Counting Station and the general supervision of the personnel working at the Central Counting Station, and shall forward such information to each participating Entity to enter appropriate orders designating such election officials prior to the election.
4. The Elections Administrator shall provide the participating Entities with reasonable space in a public area adjacent to the Central Counting Station at which each participating Entity may have representatives or other interested persons present during the counting process.

#### B. Entity Responsibility:

1. Other than receiving returns from the Elections Administrator, the participating Entities have no role or responsibility on the night of the election.

## Elections Department Contract Fees

Rental/Lease Item	Election Code	Billing Fee	Rate Set By
Electronic Poll Pads (2022)	TEC 123.032(d) & 18.010	\$0.00	Commissioner's Court
Verity Duo Controller	TEC 123.032(d)	\$300.00	Commissioner's Court
Verity Duo Touch**	TEC 123.032(d)	\$300.00	Commissioner's Court
Verity Duo Touch to Access**	TEC 123.032(d)	\$300.00	Commissioner's Court
Verity Duo Pct Scanner	TEC 123.032(d)	\$500.00	Commissioner's Court
Verity Duo Thermal Ballot Paper 8.5" x 11" (per sheet)	TEC 31.100(b)	\$0.19	Commissioner's Court
Verity Duo Thermal Ballot Paper 8.5" x 14" (-.245 per sheet)	TEC 31.100(b)	\$0.25	Commissioner's Court
vDrives	TEC 31 & 123.032(d)	\$0.00	Commissioner's Court
Mail Ballots (inc. envelopes, postage, labor) (per ballot)	TEC 31.100(b)	\$6.00	Commissioner's Court
Paper Kit - Contains all forms (per kit)	TEC 31.100(b)	\$40.00	Commissioner's Court
Supply Box - pens, pencils, controller tape, etc.		\$0.00	Commissioner's Court
Sample Ballots (per page)	TEC 31.100(b)	\$0.15	Commissioner's Court
Health Protocol - wipes, pencils, face masks	TEC 31.100(b)	\$0.00	Elections Administrator
Controller Tape (per roll)	TEC 31.100(b)	\$1.80	Elections Administrator
Signature Labels (per roll)	TEC 31.100(b)	\$12.81	Elections Administrator
AT&T - Verizon Air cards (each day)	TEC 31.100(b)	\$1.85	Elections Administrator
Metal Ballot Box (Provisionals)	TEC 31.100(b)	\$0.00	Elections Administrator
Metal/Plastic Signs (per sign)	TEC 31.100(b)	\$5.00	Elections Administrator
Red Bag Seals - white (per Seal)	TEC 31.100(b)	\$0.12	Elections Administrator
Paper Seals - red for controller & touch (per seal)	TEC 31.100(b)	\$0.45	Elections Administrator
Sim Pull Tite Seals - orange controller everyday (per seal)	TEC 31.100(b)	\$0.25	Elections Administrator
Smooth Pull Tite Seal - touch & access everyday (per seal)	TEC 31.100(b)	\$0.37	Elections Administrator
Wire Seals - barcoded - metal ballot box (per seal)	TEC 31.100(b)	\$0.36	Elections Administrator
Green lock seal - Verity ballot box (per seal)	TEC 31.100(b)	\$0.10	Elections Administrator
Green paper seal for laptops - everyday (per seal)	TEC 31.100(b)	\$0.45	Elections Administrator
VOTE Flags		\$0.00	Elections Administrator
Laptop Supply Box		\$0.00	Elections Administrator

\*\*Verity Touch -- First 2 are at no charge per location for Early Voting and Election Day  
Texas Election Code prescribes that we are not allowed to charge more than the actual cost of any products or services. We bill supplies at actual cost plus freight.

Payroll is billed at an hourly rate plus benefits for County personnel. Payroll through Temporary Employment Agencies is hourly rate plus markup.



## Elections Department Contract Fees

### Additional Fees

Description	Election Code	Rate Set By
Delivery Fee (per Precinct Judge per Election- ED)	TEC 32.092	\$25.00 Commissioners Court
Attending Training Program (per hour)	TEC 32.112	\$9.00 Commissioners Court
Contract Fee (minimum or 10% of total Election Cost)	TEC 31.100(d)	Legislation

### County Poll Worker Fees

Position	Election Code	Primary/General	Rate Set by
Early Voting Lead Clerk (2 during Primary/General) (per hour)	TEC 32.093	\$13.00	Commissioners Court
Early Voting Clerk (per hour)	TEC 32.093	\$11.00	Commissioners Court
Election Day Supervisor (Judge) (per hour)	TEC 32.093	\$13.00	Commissioners Court
Election Day Rover (Alternate Judge) (Per hour)	TEC 32.093	\$13.00	Commissioners Court
Election Day Clerks (per hour)	TEC 32.093	\$11.00	Commissioners Court
Signature Verification Committee Chair (per hour)	TEC 32.093	\$13.00	Commissioners Court
Signature Verification Committee Vice-Chair (per hour)	TEC 32.093	\$13.00	Commissioners Court
Signature Verification Committee Clerks (per hour)	TEC 32.093	\$11.00	Commissioners Court
Early Voting Ballot Board Judge (per hour)	TEC 32.093	\$13.00	Commissioners Court
Early Voting Ballot Board Alternate Judge (per hour)	TEC 32.093	\$13.00	Commissioners Court
Early Voting Ballot Board Clerks (per hour)	TEC 32.093	\$11.00	Commissioners Court
Central Counting Station Judge (per hour)	TEC 32.093	\$13.00	Commissioners Court
Central Counting Station Alternate Judge (per hour)	TEC 32.093	\$13.00	Commissioners Court
Central Counting Station Clerks (per hour)	TEC 32.093	\$11.00	Commissioners Court
Early Voting Phone Bank Lead (per hour)	TEC 32.093	\$14.00	Commissioners Court
Early Voting Phone Bank (per hour)	TEC 32.093	\$12.00	Commissioners Court
Election Day Phone Bank Lead (per hour)	TEC 32.093	\$14.00	Commissioners Court
Election Day Phone Bank (per hour)	TEC 32.093	\$13.00	Commissioners Court
Elections Administration Temporary Personnel (per hour)	TEC 31.100 (e)	\$14.00	Commissioners Court

# EXPRESS

	Hourly Rate	UpCharge	UpChargeC ost	Hourly Cost	OT Rate	OT UpCharge Cost	OT Cost
Office	\$ 11.00	31%	3.41	\$ 14.41	\$ 16.50	5.12	\$ 21.62
Office	\$ 12.00	31%	3.72	\$ 15.72	\$ 18.00	5.58	\$ 23.58
Office	\$ 14.00	31%	4.34	\$ 18.34	\$ 21.00	6.51	\$ 27.51
Warehouse	\$ 13.00	31%	4.03	\$ 17.03	\$ 19.50	6.05	\$ 25.56
Warehouse	\$ 14.00	30%	4.20	\$ 18.20	\$ 21.00	6.30	\$ 27.30
Training	\$ 9.00	30%	2.70	\$ 11.70	\$ 13.50	4.05	\$ 17.55
Early Voting Clerk	\$ 11.00	31%	3.41	\$ 14.41	\$ 16.50	5.12	\$ 21.62
Election Day Clerk	\$ 11.00	30%	3.30	\$ 14.30	\$ 16.50	4.95	\$ 21.45
Early Voting Lead Clerk	\$ 13.00	30%	3.90	\$ 16.90	\$ 19.50	5.85	\$ 25.35
Election Day Supervisor	\$ 13.00	30%	3.90	\$ 16.90	\$ 19.50	5.85	\$ 25.35
Troubleshooter	\$ 15.00	29%	4.35	\$ 19.35	\$ 22.50	6.53	\$ 29.03
Phone Bank Technical Assistance	\$ 14.00	31%	4.34	\$ 18.34	\$ 21.00	6.51	\$ 27.52
Phone Bank Elections Assistance	\$ 13.00	30%	3.90	\$ 16.90	\$ 19.50	5.85	\$ 25.35
Phone Bank Public Assistance	\$ 12.00	30%	3.60	\$ 15.60	\$ 18.00	5.40	\$ 23.40
Signature Verification Committee	\$ 11.00	31%	3.41	\$ 14.41	\$ 16.50	5.12	\$ 21.62
Early Voting Ballot Board	\$ 11.00	31%	3.41	\$ 14.41	\$ 16.50	5.12	\$ 21.62
Signature Verification & Early Voting Ballot Board Judge	\$ 13.00	31%	4.03	\$ 17.03	\$ 19.50	6.05	\$ 25.55
Central Count Judge	\$ 13.00	30%	3.90	\$ 16.90	\$ 19.50	5.85	\$ 25.35
Central Count & Central Count Alternate Judge	\$ 11.00	30%	3.30	\$ 14.30	\$ 16.50	4.95	\$ 21.45
Parallel Voting Lead Clerk	\$ 13.00	30%	3.90	\$ 16.90	\$ 19.50	5.85	\$ 25.35
Parallel Voting	\$ 12.00	31%	3.72	\$ 15.72	\$ 18.00	5.58	\$ 23.58
Pickup and Delivery Fee (Flat rate per TEC)	\$ 25.00	30%	7.50	\$ 32.50			

as of August 22, 2022

# KT BLACK

	Hourly Rate	UpCharge	UpChargeC ost	Hourly Cost	OT Rate	OT UpCharge Cost	OT Cost
Office	\$ 10.00	27.5%	2.75	\$ 12.75	\$ 15.00	4.13	\$ 19.13
Office	\$ 11.00	27.5%	3.03	\$ 14.03	\$ 16.50	4.54	\$ 21.04
Office	\$ 12.00	27.5%	3.30	\$ 15.30	\$ 18.00	4.95	\$ 22.95
Warehouse	\$ 12.00	27.5%	3.30	\$ 15.30	\$ 18.00	4.95	\$ 22.95
Warehouse	\$ 13.00	27.5%	3.58	\$ 16.58	\$ 19.50	5.36	\$ 24.86
Training	\$ 9.00	27.5%	2.48	\$ 11.48	\$ 13.50	3.71	\$ 17.21
Early Voting Clerk	\$ 11.00	27.5%	3.03	\$ 14.03	\$ 16.50	4.54	\$ 21.04
Election Day Clerk	\$ 11.00	27.5%	3.03	\$ 14.03	\$ 16.50	4.54	\$ 21.04
Early Voting Lead Clerk	\$ 13.00	27.5%	3.58	\$ 16.58	\$ 19.50	5.36	\$ 24.86
Election Day Supervisor	\$ 13.00	27.5%	3.58	\$ 16.58	\$ 19.50	5.36	\$ 24.86
Troubleshooter	\$ 15.00	27.5%	4.13	\$ 19.13	\$ 22.50	6.19	\$ 28.69
Phone Bank Technical Assistance	\$ 14.00	27.5%	3.85	\$ 17.85	\$ 21.00	5.78	\$ 26.78
Phone Bank Elections Assistance	\$ 13.00	27.5%	3.58	\$ 16.58	\$ 19.50	5.36	\$ 24.86
Phone Bank Public Assistance	\$ 12.00	27.5%	3.30	\$ 15.30	\$ 18.00	4.95	\$ 22.95
Signature Verification Committee	\$ 11.00	27.5%	3.03	\$ 14.03	\$ 16.50	4.54	\$ 21.04
Early Voting Ballot Board	\$ 11.00	27.5%	3.03	\$ 14.03	\$ 16.50	4.54	\$ 21.04
Signature Verification & Early Voting Ballot Board Judge	\$ 13.00	27.5%	3.58	\$ 16.58	\$ 19.50	5.36	\$ 24.86
Central Count Judge	\$ 13.00	27.5%	3.58	\$ 16.58	\$ 19.50	5.36	\$ 24.86
Central Count & Central Count Alternate Judge	\$ 11.00	27.5%	3.03	\$ 14.03	\$ 16.50	4.54	\$ 21.04
Parallel Voting Lead Clerk	\$ 13.00	27.5%	3.58	\$ 16.58	\$ 19.50	5.36	\$ 24.86
Parallel Voting	\$ 11.00	27.5%	3.03	\$ 14.03	\$ 16.50	4.54	\$ 21.04
Pickup and Delivery Fee (Flat rate per TEC)	\$ 25.00	28%	6.88	\$ 31.88			

As of August 22, 2022

## ITS QUEST

	Hourly Rate	UpCharge	UpChargeC ost	Hourly Cost	OT Rate	OT UpCharge Cost	OT Cost
Office	\$ 10.00	29%	2.90	\$ 12.90	\$ 15.00	4.35	\$ 19.35
Office	\$ 11.00	29%	3.19	\$ 14.19	\$ 16.50	4.79	\$ 21.29
Office	\$ 12.00	29%	3.48	\$ 15.48	\$ 18.00	5.22	\$ 23.22
Warehouse	\$ 12.00	29%	3.48	\$ 15.48	\$ 18.00	5.22	\$ 23.22
Warehouse	\$ 13.00	29%	3.77	\$ 16.77	\$ 19.50	5.66	\$ 25.16
Training	\$ 9.00	29%	2.61	\$ 11.61	\$ 13.50	3.92	\$ 17.42
Early Voting Clerk	\$ 11.00	29%	3.19	\$ 14.19	\$ 16.50	4.79	\$ 21.29
Election Day Clerk	\$ 11.00	29%	3.19	\$ 14.19	\$ 16.50	4.79	\$ 21.29
Early Voting Lead Clerk	\$ 13.00	29%	3.77	\$ 16.77	\$ 19.50	5.66	\$ 25.16
Election Day Supervisor	\$ 13.00	29%	3.77	\$ 16.77	\$ 19.50	5.66	\$ 25.16
Troubleshooter	\$ 15.00	29%	4.35	\$ 19.35	\$ 22.50	6.53	\$ 29.03
Phone Bank Technical Assistance	\$ 14.00	29%	4.06	\$ 18.06	\$ 21.00	6.09	\$ 27.09
Phone Bank Elections Assistance	\$ 13.00	29%	3.77	\$ 16.77	\$ 19.50	5.66	\$ 25.16
Phone Bank Public Assistance	\$ 12.00	29%	3.48	\$ 15.48	\$ 18.00	5.22	\$ 23.22
Signature Verification Committee	\$ 11.00	29%	3.19	\$ 14.19	\$ 16.50	4.79	\$ 21.29
Early Voting Ballot Board	\$ 11.00	29%	3.19	\$ 14.19	\$ 16.50	4.79	\$ 21.29
Signature Verification & Early Voting Ballot Board Judge	\$ 13.00	29%	3.77	\$ 16.77	\$ 19.50	5.66	\$ 25.16
Central Count Judge	\$ 13.00	29%	3.77	\$ 16.77	\$ 19.50	5.66	\$ 25.16
Central Count & Central Count Alternate Judge	\$ 11.00	29%	3.19	\$ 14.19	\$ 16.50	4.79	\$ 21.29
Parallel Voting Lead Clerk	\$ 13.00	29%	3.77	\$ 16.77	\$ 19.50	5.66	\$ 25.16
Parallel Voting	\$ 11.00	29%	3.19	\$ 14.19	\$ 16.50	4.79	\$ 21.29
Pickup and Delivery Fee (Flat rate per TEC)	\$ 25.00	29%	7.25	\$ 32.25			

As of August 22, 2022



# ELWOOD

	Hourly Rate	UpCharge	UpChargeC ost	Hourly Cost	OT Rate	OT UpCharge Cost	OT Cost
Office	\$ 10.00	32%	3.20	\$ 13.20	\$ 15.00	4.80	\$ 19.80
Office	\$ 11.00	32%	3.52	\$ 14.52	\$ 16.50	5.28	\$ 21.78
Office	\$ 12.00	32%	3.84	\$ 15.84	\$ 18.00	5.76	\$ 23.76
Warehouse	\$ 12.00	32%	3.84	\$ 15.84	\$ 18.00	5.76	\$ 23.76
Warehouse	\$ 13.00	32%	4.16	\$ 17.16	\$ 19.50	6.24	\$ 25.74
Training	\$ 9.00	32%	2.88	\$ 11.88	\$ 13.50	4.32	\$ 17.82
Early Voting Clerk	\$ 11.00	32%	3.52	\$ 14.52	\$ 16.50	5.28	\$ 21.78
Election Day Clerk	\$ 11.00	32%	3.52	\$ 14.52	\$ 16.50	5.28	\$ 21.78
Early Voting Lead Clerk	\$ 13.00	32%	4.16	\$ 17.16	\$ 19.50	6.24	\$ 25.74
Election Day Supervisor	\$ 13.00	32%	4.16	\$ 17.16	\$ 19.50	6.24	\$ 25.74
Troubleshooter	\$ 15.00	32%	4.80	\$ 19.80	\$ 22.50	7.20	\$ 29.70
Phone Bank Technical Assistance	\$ 14.00	32%	4.48	\$ 18.48	\$ 21.00	6.72	\$ 27.72
Phone Bank Elections Assistance	\$ 13.00	32%	4.16	\$ 17.16	\$ 19.50	6.24	\$ 25.74
Phone Bank Public Assistance	\$ 12.00	32%	3.84	\$ 15.84	\$ 18.00	5.76	\$ 23.76
Signature Verification Committee	\$ 11.00	32%	3.52	\$ 14.52	\$ 16.50	5.28	\$ 21.78
Early Voting Ballot Board	\$ 11.00	32%	3.52	\$ 14.52	\$ 16.50	5.28	\$ 21.78
Signature Verification & Early Voting Ballot Board Judge	\$ 13.00	32%	4.16	\$ 17.16	\$ 19.50	6.24	\$ 25.74
Central Count Judge	\$ 13.00	32%	4.16	\$ 17.16	\$ 19.50	6.24	\$ 25.74
Central Count & Central Count Alternate Judge	\$ 11.00	32%	3.52	\$ 14.52	\$ 16.50	5.28	\$ 21.78
Parallel Voting Lead Clerk	\$ 13.00	32%	4.16	\$ 17.16	\$ 19.50	6.24	\$ 25.74
Parallel Voting	\$ 11.00	32%	3.52	\$ 14.52	\$ 16.50	5.28	\$ 21.78
Pickup and Delivery Fee (Flat rate per TEC)	\$ 25.00	32%	8.00	\$ 33.00			

As of August 22, 2022

**ACTION ITEM: #11**

**Resolution for Voting  
Equipment**

**RESOLUTION TO ADOPT USE OF HART INTERCIVIC VERITY DUO  
CONTROLLER VERSION 2.5.1, HART VERITY DUO WRITER VERSION 2.5.1, THE  
HART VERITY SCANNER VERSION 2.5.2, AND THE HART VERITY DUO GO**

**WHEREAS**, the Commissioners Court of Lubbock County on December 22, 2016, heard information from County officials, regarding an upgrade to the County's aging voting system; and

**WHEREAS**, on December 22, 2016, the Lubbock County Commissioners Court voted to purchase Hart Voting Systems Intercivic Verity Voting 2.0 system from Hart Intercivic; and

**WHEREAS**, on August 24, 2020, the Hart Voting Systems Intercivic Verity Voting 2.0 system was upgraded to the Hart Voting Systems Intercivic Verity Voting 2.4 system; and

**WHEREAS**, on August 8, 2022 the Hart Verity Voting 2.4 system from Hart Intercivic will be upgraded pursuant to Section 129.003 of the Election Code to a voting system that will use, create, or display a paper record that may be read by the voter to the Hart Verity Duo Controller version 2.5.1, the Hart Verity Duo Writer version 2.5.1, the Hart Verity Scanner version 2.5.2, and the Hart Verity Duo GO, all from Hart Intercivic; and

**WHEREAS**, Lubbock County Office of Elections will utilize the Hart Intercivic Verity Duo Controller version 2.5.1, the Hart Verity Duo Writer version 2.5.1, the Hart Verity Scanner version 2.5.2 and the Hart Verity Duo GO to conduct elections on behalf of (ENTITY); and

**WHEREAS**, the Hart Verity Duo Controller version 2.5.1, the Hart Verity Duo Writer version 2.5.1, the Hart Verity Scanner version 2.5.2, and the Hart Verity Duo GO, all from Hart Intercivic, have been certified by both the Texas Secretary of State and the United States Election Assistance Commission; and

**NOW, THEREFORE, BE IT RESOLVED** the (entity name), the body responsible for contracting to have election conducted on behalf of (entity), **ADOPTS** the Hart Verity Duo Controller version 2.5.1, the Hart Verity Duo Writer version 2.5.1, the Hart Verity Scanner version

2.5.2, and the Hart Verity Duo GO, all from Hart Intercivic for use in elections in Lubbock County;  
and

**BE IT FINALLY RESOLVED** that the (entity name) of Lubbock County, Texas, adopts the Hart Verity Duo Controller version 2.5.1, the Hart Verity Duo Writer version 2.5.1, the Hart Verity Scanner version 2.5.2, and the Hart Verity Duo GO, all from Hart Intercivic to be used at the Lubbock County Central Count for processing early voting by mail paper ballots, early voting paper Limited Ballots, all Provisional Ballots, all early voting locations for early voting in person and election-day polling locations for in person voting in Lubbock County.

Duly adopted by vote of the (entity name) of Lubbock County, Texas on the \_\_\_\_ day of January, 2023.

**EXECUTED** this \_\_\_\_\_ day of February, 2023.

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(Mayor or School Board President)



**APPROVED AS TO FORM:**

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Jennifer Irlbeck, CDA-Civil

# **ACTION ITEM: #12**

## **Notice of Election**

**NOTICE OF GENERAL ELECTION FOR MUNICIPALITIES**  
**AVISO DE ELECCIÓN GENERAL PARA MUNICIPIOS**

To the registered voters of the County of Lubbock, Texas:

(A los votantes registrados del Condado de Lubbock, Texas)

Notice is hereby given that the polling places listed below will be open from 7:00 a.m. to 7:00 p.m.,  
May / 06 / 2023 for voting in a general election to elect:

A Mayor and Two Alderman At-Large for the Town of Ransom Canyon, Texas.

*(Notifíquese por la presente, que los sitios de votación citadas abajo se abrirán desde las 7:00 a.m. hasta las 7:00 p.m. el Mayo / 06 / 2023 para votar en la elección general para elegir*

Un Alcalde y dos Concejales General en el Pueblo de Ransom Canyon, Tejas.

**On Election Day, voters must vote in the precinct where registered to vote, unless the countywide polling place program is being used in the election.**

***(El Día de Elección, los votantes deberán votar en el precinto donde están inscritos para votar, a menos que el programa de sitios de votación del condado se está utilizando en la elección.)***

Location of Election Day Polling Places Include Name of Building and Address <i>(Sitios de votación el Día de Elección)</i> <i>(Incluir Nombre del Edificio y Dirección)</i>	Precinct Number(s) <i>(Número de precinto)</i>
Locations of Polling Places are as Indicated on Exhibit B.	
Los sitios de votacion como se indican el la pagina marcada Anexo B	

**During early voting, a voter may vote at any of the locations listed below:**

***(Durante Votación Adelantada, los votantes podrán votar en cualquiera de los sitios de votación nombradas abajo.)***

Location of Main Early Voting Polling Place Include Name of Building and Address <i>(Sitio principal de votación adelantada)</i> <i>(Incluir Nombre del Edificio y Dirección)</i>	Days and Hours of Operation <i>Días y Horas Hábiles</i>
1308 Crickets Ave, Lubbock, TX 79401	1:00 p.m. - 7:00 p.m. , except Sunday, May 1, 2022
Locations for Branch Early Voting Polling Places Include Name of Building and Address <i>(Sitios sucursal de votación adelantada)</i> <i>(Incluir Nombre del Edificio y Dirección)</i>	Days and Hours of Operation <i>Días y Horas Hábiles</i>
Locations for Early Voting are Listed in Exhibit A	
Votacion Adelantada en persona esta listaro en	
la pagina marcado Anexo A	

Applications for ballot by mail shall be mailed to:

*(Las solicitudes para boletas que se votarán adelantada por correo deberán enviarse a:)*

Roxzine Stinson

Name of Early Voting Clerk

*(Nombre del Secretario/a de la Votación Adelantada)*

1308 Crickets Avenue, 1308 Avenida Crickets

Address *(Dirección)*

Lubbock

79408

City *(Ciudad)*

Zip Code *(Código Postal)*

(806) 775-1776

Telephone Number *(Número de teléfono)*

votelubbock@lubbockcounty.gov

Email Address *(Dirección de Correo Electrónico)*

www.votelubbock.org

Early Voting Clerk's Website *(Sitio web del Secretario/a de Votación Adelantada)*

Applications for Ballots by Mail (ABBM)s must be received no later than the close of business on:

*(Las solicitudes para boletas que se votarán adelantada por correo deberán recibirse no más tardar de las horas de negocio el:)*

04 / 25 / 2023

(date)(fecha)

Federal Post Card Applications (FPCAs) must be received no later than the close of business on:

*(La Tarjeta Federal Postal de Solicitud deberán recibirse no más tardar de las horas de negocio el:)*

04 / 25 / 2023

(date)(fecha)



Issued this \_\_\_\_\_ day of, \_\_\_\_\_ 20\_\_\_\_\_.  
(day) (month) (year)

(Emitada este día \_\_\_\_\_ de \_\_\_\_\_, 20\_\_\_\_\_.)  
(día) (mes) (año)

Signature of Mayor (Firma del Alcalde)

Print

Reset

\_\_\_\_\_



**NOTICE OF GENERAL ELECTION**  
**(AVISO DE ELECCIÓN GENERAL)**

To the Registered Voters of the City of Town of Ransom Canyon, Texas:

*A los Votantes registrados en el Pueblo de Ransom Canyon, Texas:*

Notice is hereby given that the polling places listed below will be open from 7:00 a.m. to 7:00 p.m., on Saturday, May 6th, 2023, for voting in a general election to elect A Mayor and Two Aldermen at Large for Two –Year Terms

*Notifíquese, por lo presente, que los sitios de votación listados a continuación, se abrirán desde las 7:00 a.m. hasta las 7:00 p.m. el día 6 de mayo, de 2023 para votar en la elección general para elegir Un Alcalde y dos Concejales en general con términos de dos años.*

**LOCATION(S) OF POLLING PLACES ARE AS INDICATED ON EXHIBIT B**

*LOS SITIOS DE VOTACIÓN COMO SE INDICAN EN LA PÁGINA MARCADA ANEXO B*

Early voting by personal appearance will be conducted as listed in Exhibit A

*Votación adelantada en persona se llevará acabo en las fechas, los tiempos y las ubicaciones listaron en la página marcada Anexo A*

Applications for ballot by mail shall be mailed or emailed to:

*Las solicitudes para boletas que se votarán por correo o correo electrónico deberán enviarse a:*

Dorothy Kennedy, EA

(Name of Early Voting Clerk)

*(Nombre del Secretario de la Votación Adelantada)*

P.O. Box 10536

(Address) *(Dirección)*

Lubbock, TX 79408

(City) *(Ciudad)* (Zip Code) *(Zona Postal)*

votelubbock@co.lubbock.tx.us

(Email address) *(Dirección de correo electrónico)*

Applications for ballots by mail must be received no later than the close of business on Tuesday, April 25<sup>th</sup>, 2023.

*Las solicitudes para boletas que se votarán en adelantado por correo deberán recibirse para el fin de las horas de negocio el martes, día 25 de abril, 2023.*

Issued this 7<sup>th</sup> day of February, 2023

*Emitada este día 7 de Febrero, 2023*

\_\_\_\_\_  
Signature of Mayor *(Firma del Alcalde)*

# **ACTION ITEM: #13**

## **Election Items**



**Exhibit A (Anexo A)**  
**May 6, 2023 Cities & Schools Elections**  
*(Elecciones de Ciudades y Escuelas el 6 de mayo)*  
**NOTICE OF EARLY VOTING**  
**AVISO DE VOTACIÓN ANTICIPADA**

Early voting by personal appearance for the May 6, 2023, Cities & Schools Elections will be conducted at  
ALL EARLY POLLING LOCATIONS ON THE DATES, HOURS, AND LOCATIONS LISTED BELOW:

(Votación Adelantada para las Elecciones de Ciudades y Escuelas el 6 de mayo,  
2023 serán conducidas en LAS FECHAS, HORARIOS Y SITIOS LISTADOS ABAJO:)

**EARLY VOTING DATES: Monday, April 24th – Tuesday, May 2, 2023**

**CLOSED SATURDAY & SUNDAY**

*(Fecha de Votación Adelantada: lunes, 24 de abril – martes, 2 de mayo, 2023*

*Cerrado sábado y domingo)*

**Main Early Voting Polling Place**

*Lugar principal de la votación anticipada*

**Lubbock County Elections Office**

*Oficina de Elecciones del Condado de Lubbock*

1308 Crickets Ave, Lubbock, TX 79401

1308 avenida Crickets

Room: Public Room

Sala: salón público

Dates: Mon, April 24 – Fri, April 28

Fechas: lunes, 24 de abril – viernes, 28 de abril

Hours: 8:00 AM - 5:00 PM

horas :

Dates: Mon, May 1 - Tues, May 2

Fechas: lunes, 1 de mayo - martes, 2 de mayo

Hours: 8:00 AM - 5:00 PM

horas :

**CLOSED SATURDAY & SUNDAY (Cerrado sábado y domingo)**

.....  
**Early Voting Branch Polling Places**  
.....

**Abernathy City Hall**

*Oficina Municipal de Abernathy*

811 Avenue D, Abernathy, TX 79311

811 avenida D

Room: Community Room

Sala: salón comunitario

Dates: Mon, April 24 – Fri, April 28

Fechas: lunes, 24 de abril – viernes, 28 de abril

Hours: 8:00 AM - 5:00 PM

horas :

Dates: Mon, May 1 - Tues, May 2

Fechas: lunes, 1 de mayo - martes, 2 de mayo

Hours: 8:00 AM - 5:00 PM

horas :

**CLOSED SATURDAY & SUNDAY (Cerrado sábado y domingo)**

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**Casey Administration Building**

*Edificio de Administración Casey*

501 7th Street, Wolfforth, TX 79382

501 calle 7

Room: Room No. 104

Sala: salón no. 104

Dates: Mon, April 24 – Fri, April 28

Fechas: lunes, 24 de abril – viernes, 28 de abril

Hours: 8:00 AM - 5:00 PM

horas :

Dates: Mon, May 1 - Tues, May 2

Fechas: lunes, 1 de mayo - martes, 2 de mayo

Hours: 8:00 AM - 5:00 PM

horas :

**CLOSED SATURDAY & SUNDAY (Cerrado sábado y domingo)**

**New Deal Community Clubhouse**

*Centro Social de New Deal*  
309 S. Monroe Avenue, New Deal, TX 79403  
309 avenida Monroe al sur

Room: Community Room  
Sala: salón comunitario

Dates: Mon, April 24 – Fri, April 28  
Fechas: lunes, 24 de abril – viernes, 28 de abril  
Hours: 8:00 AM - 5:00 PM  
horas :

Dates: Mon, May 1 - Tues, May 2  
Fechas: lunes, 1 de mayo - martes, 2 de mayo  
Hours: 8:00 AM - 5:00 PM  
horas :

**CLOSED SATURDAY & SUNDAY (Cerrado sábado y domingo)**

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**Ransom Canyon City Hall**

*Oficina Municipal de Ransom Canyon*  
24 Lee Kitchens Dr  
24 Lee Kitchens Dr

Room: Council Chamber  
Sala: cámara del consejo

Dates: Mon, April 24 – Fri, April 28  
Fechas: lunes, 24 de abril – viernes, 28 de abril  
Hours: 8:00 AM - 5:00 PM  
horas :

Dates: Mon, May 1 - Tues, May 2  
Fechas: lunes, 1 de mayo - martes, 2 de mayo  
Hours: 8:00 AM - 5:00 PM  
horas :

**CLOSED SATURDAY & SUNDAY (Cerrado sábado y domingo)**

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**Roosevelt ISD Arena**

*Arena del Distrito Escolar Independiente de Roosevelt*  
1301 CR 3300, Lubbock, TX 79403

Room: West Concourse  
Sala: vestibulo oeste

Dates: Mon, April 24 – Fri, April 28  
Fechas: lunes, 24 de abril – viernes, 28 de abril  
Hours: 8:00 AM - 5:00 PM  
horas :

Dates: Mon, May 1 - Tues, May 2  
Fechas: lunes, 1 de mayo - martes, 2 de mayo  
Hours: 8:00 AM - 5:00 PM  
horas :

**CLOSED SATURDAY & SUNDAY (Cerrado sábado y domingo)**

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**Shallowater Community Center**

*Centro Social de Shallowater*  
900 Avenue H, Shallowater, TX 79363  
900 avenida H

Room: Community Room  
Sala: salón comunitario

Dates: Mon, April 24 – Fri, April 28  
Fechas: lunes, 24 de abril – viernes, 28 de abril  
Hours: 8:00 AM - 5:00 PM  
horas :

Dates: Mon, May 1 - Tues, May 2  
Fechas: lunes, 1 de mayo - martes, 2 de mayo  
Hours: 8:00 AM - 5:00 PM  
horas :

**CLOSED SATURDAY & SUNDAY (Cerrado sábado y domingo)**

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**Slaton Community Clubhouse**

*Centro Comunitario de Slaton*  
750 W Garza St, Slaton TX 79364  
750 oeste de la calle Garza

Room: Community Room  
Sala: salón comunitario

Dates: Mon, April 24 – Fri, April 28  
Fechas: lunes, 24 de abril – viernes, 28 de abril  
Hours: 8:00 AM - 5:00 PM  
horas :

Dates: Mon, May 1 - Tues, May 2  
Fechas: lunes, 1 de mayo - martes, 2 de mayo  
Hours: 8:00 AM - 5:00 PM  
horas :

**CLOSED SATURDAY & SUNDAY (Cerrado sábado y domingo)**



the 1990s, the number of people in the UK who are aged 65 and over has increased by 1.5 million (1990–2000) and is projected to increase by a further 1.5 million by 2020 (Office for National Statistics 2001). The number of people aged 65 and over is projected to increase from 10.5 million in 1990 to 12.5 million in 2020, with the number of people aged 75 and over increasing from 4.5 million to 6.5 million in the same period.

There is a growing awareness of the need to develop strategies to meet the needs of the ageing population. The Department of Health (2000) has identified the need to develop a 'new paradigm' for the care of the ageing population, one that is based on the principles of 'active ageing' and 'positive ageing'. The Department of Health (2000) has identified the need to develop a 'new paradigm' for the care of the ageing population, one that is based on the principles of 'active ageing' and 'positive ageing'.

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**Cities & Schools Elections**  
(Elecciones de Ciudades y Escuelas)

**Vote Center Locations**  
(Centros de Votación)

**Saturday, May 6, 2023**  
(sábado, 6 de mayo, 2023)

**7:00 A.M. – 7:00 P.M.**

**\*\*\*American Sign Language Interpreters available \*\*\*Intérpretes de Lenguaje de Señas disponible**

**Abernathy City Hall – 811 Avenue D (Community Room), Abernathy, 79311**  
(Municipalidad de Abernathy – 811 avenida D, Abernathy, salón comunitario, Abernathy)

**Casey Administration Building – 501 7th St (Room No. 104), Wolfforth, 79382**  
(Edificio de Administración Casey – 501 Calle 7, salón no. 104, Wolfforth)

**New Deal Community Clubhouse – 309 S Monroe Ave (Community Room), New Deal, 79350**  
(Centro Social de New Deal – 309 Avenida Monroe Sur, salón comunitario, New Deal)

**Ransom Canyon City Hall – 24 Lee Kitchens Dr, (Council Chamber), Ransom Canyon, 79366**  
(Oficina Municipal de Ransom Canyon – 24 Lee Kitchens Dr, Ransom Canyon, cámara del consejo)

**Roosevelt ISD Arena – 1301 CR 3300 (West Concourse), Lubbock, 79403**  
(Arena del Distrito Escolar Independiente de Roosevelt– 1301 camino rural 3300, vestíbulo oeste)

**Shallowater Community Center – 902 Avenue H (Community Room), Shallowater, 79363**  
(Centro Social de Shallowater – 902 Avenida H, salón comunitario, Shallowater)

**Slaton Community Clubhouse – 750 W Garza St (Community Room), Slaton, 79364**  
(Centro Comunitario de Slaton, 750 oeste de la calle Garza, salón comunitario, Slaton)