CITY OF HALLETTSVILLE

CITY COUNCIL

Presented By: Denton, Navarro, Rodriguez, Bernal, Santee, & Zech P.C.

Amanda Padilla and Jon James, Principal Planners

ZONING ORDINANCE TIMELINE



TOOLS THE CITY USES TO GUIDE DEVELOPMENT



Comprehensive Plan → Vision/Guidance



Subdivision Regulations → Infrastructure & Layout



Zoning Regulations → What can be built and where

WHAT IS ZONING AND WHY DO WE NEED IT?



Zoning is the City's primary tool for managing land use and development.



Zoning is the division of land into distinct districts and the regulation of certain uses and development within those districts.



It is the process to legally control the use that may be made of property and the physical configuration of development



The power of a municipality to establish zones is a police power and the adoption or amendment of a zoning ordinance is a legislative function.

WHAT ZONING REGULATES

- Height, number of stories, and size of buildings and other structures;
- Percentage of a lot that may be occupied;
- Size of yards, courts, and other open spaces;
- Population density;
- The location and use of buildings, other structures, and land for business, industrial, residential, etc.;
- The bulk of buildings (if home rule)
- Construction in areas of historical, cultural, or architectural importance;

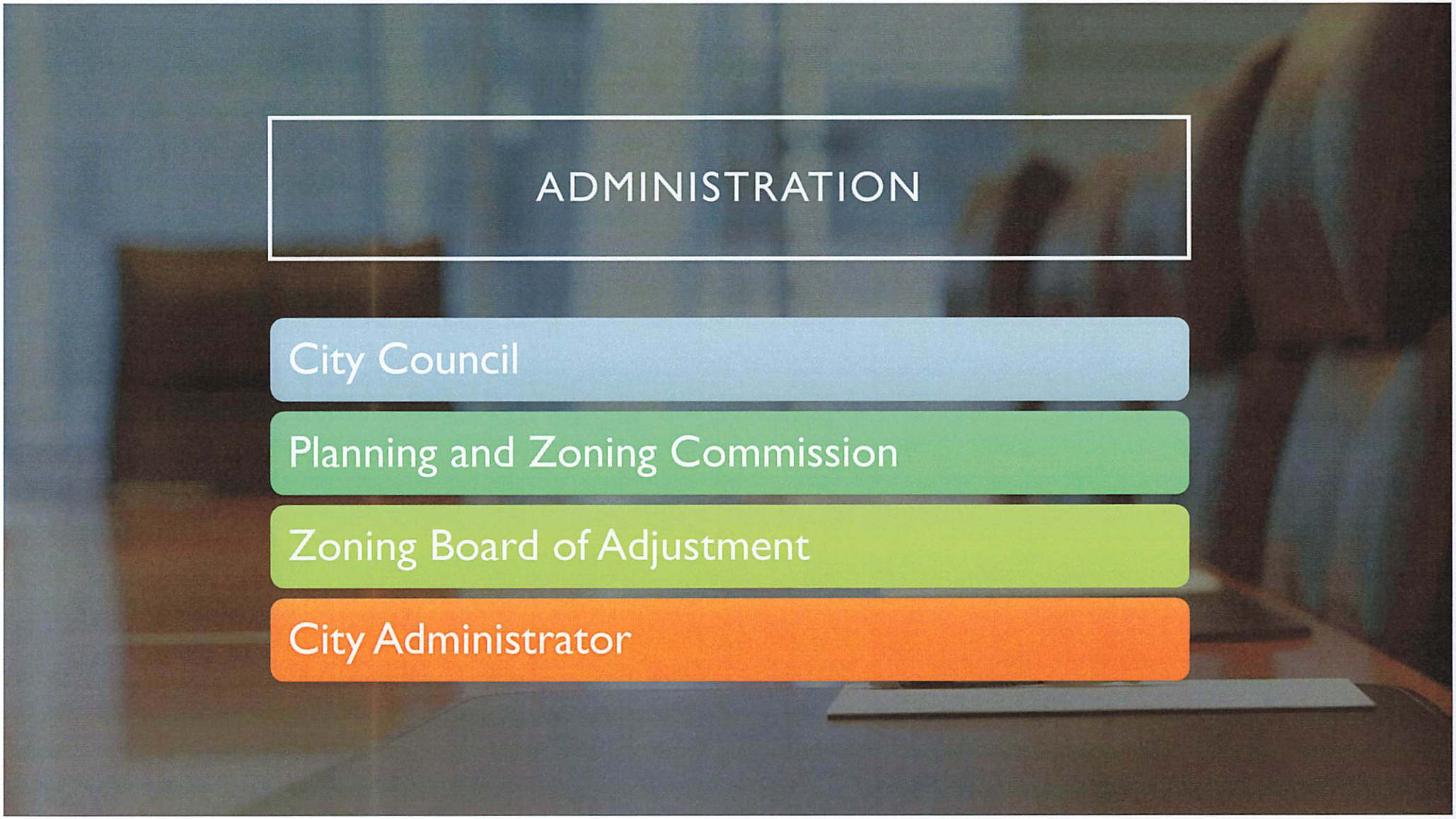


HALLETTSVILLE ZONING ORDINANCE

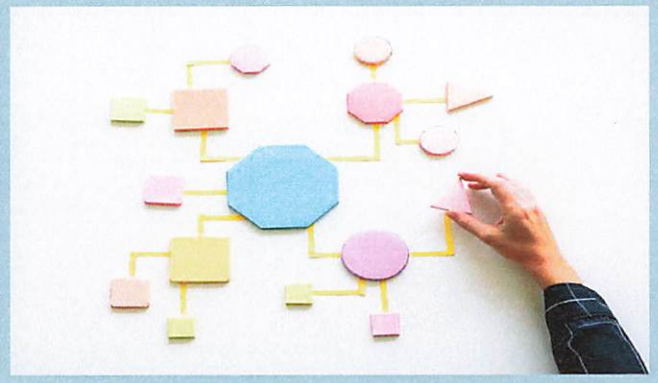
Overview of Procedures, Districts, and Standards

PURPOSE OF ZONING ORDINANCE

- Implements Comprehensive Plan
- Promotes:
  - Public health, safety, morals, general welfare
  - Compatible land use patterns
  - Predictable development
  - Applies to all land and development within city limits


ADMINISTRATION
City Council
Planning and Zoning Commission
Zoning Board of Adjustment
City Administrator

GENERAL DEVELOPMENT REVIEW PROCESS



- Pre-application meeting (encouraged)
- Application submittal + completeness review
- Staff review
- Public hearing and notice (if required)
- Decision (Council, ZBOA, or Administrator)

ZONING AMENDMENTS

- Types of Zoning Amendments
  - District Change – for example, changing zoning from residential to commercial
  - Text Change – Revisions to zoning district regulations, such as setbacks or building height
  - Conditional Uses - Uses that require specific conditions to ensure they are appropriate for the location
  - Planned Development Districts - Innovative designs that may not fit within the standard zoning ordinance framework.

SITE PLAN REVIEW



Required for most non-residential & expanded development



Reviewed by City Administrator



Evaluates:

Compliance with all applicable standards



Valid for 18 months (extensions allowed)

VARIANCES

- A variance is a waiver from a specific zoning regulation when strict enforcement would create unnecessary hardship.
- Process for a Variance:



- Eligible Variances: Dimensional Standards such as setbacks, building height, lot coverage, and parking
- Not Eligible variances: Procedural Requirements and changes to Conditional Uses or Planned Developments, Use Variance
- The board may approve a variance request upon finding that the request meets all required criteria

SPECIAL EXCEPTIONS

- A Special Exception provides flexibility to zoning regulations in specific cases.
- Process for a Special Exception:



- Eligible Special Exceptions :
  - Change or resume nonconforming uses,
  - expand nonconforming uses
  - Reconstruct damaged nonconforming structures
  - Any other special exceptions specifically authorized in the ordinance

APPEALS OF ADMINISTRATIVE DECISION

- Process for Administrative Appeal

Appellant Files appeal within 20 days of decision → Public Hearing and notice → Board Decision within 60 days

- The Zoning Board of Adjustment may affirm, reverse, or modify the administrative decision
- Filing an appeal may stay enforcement actions
- Decisions may be appeal to court within 10 days



NONCONFORMITIES

- Nonconformities are those uses, structures, or lots that do not meet current standards of the ordinance in the applicable zoning district and are considered contrary to the purposes of this ordinance
- Types of Nonconformities
  - Uses
  - Lots
  - Structures
- Nonconformities generally allowed to continue, but no expansion
- Careful consideration was given to ensure the proposed zoning ordinance does not result in nonconforming uses.

ZONING DISTRICTS


RESIDENTIAL DISTRICTS



Residential, Neighborhood (RN).

This district is intended primarily for detached single-family homes on individual lots to preserve the character of traditional neighborhoods.

Development Standards	
Minimum Front Setback	20 feet
Min. Side Setback (Interior/Exterior)	5 feet / 10 feet
Min. Rear Setback	5 feet
Min. Lot Area	6,000 sf
Min. Lot Frontage[2]	60 feet
Min. Lot Width	60 feet
Min. Lot Depth	100 feet
Maximum Building Height	35 feet or 2 stories, whichever is less
Maximum Impervious Cover	50%



EXAMPLES OF PERMITTED USES

✓ Permitted by Right
Subject to Applicable
Development Standards



Residential, Medium Density (RMD).

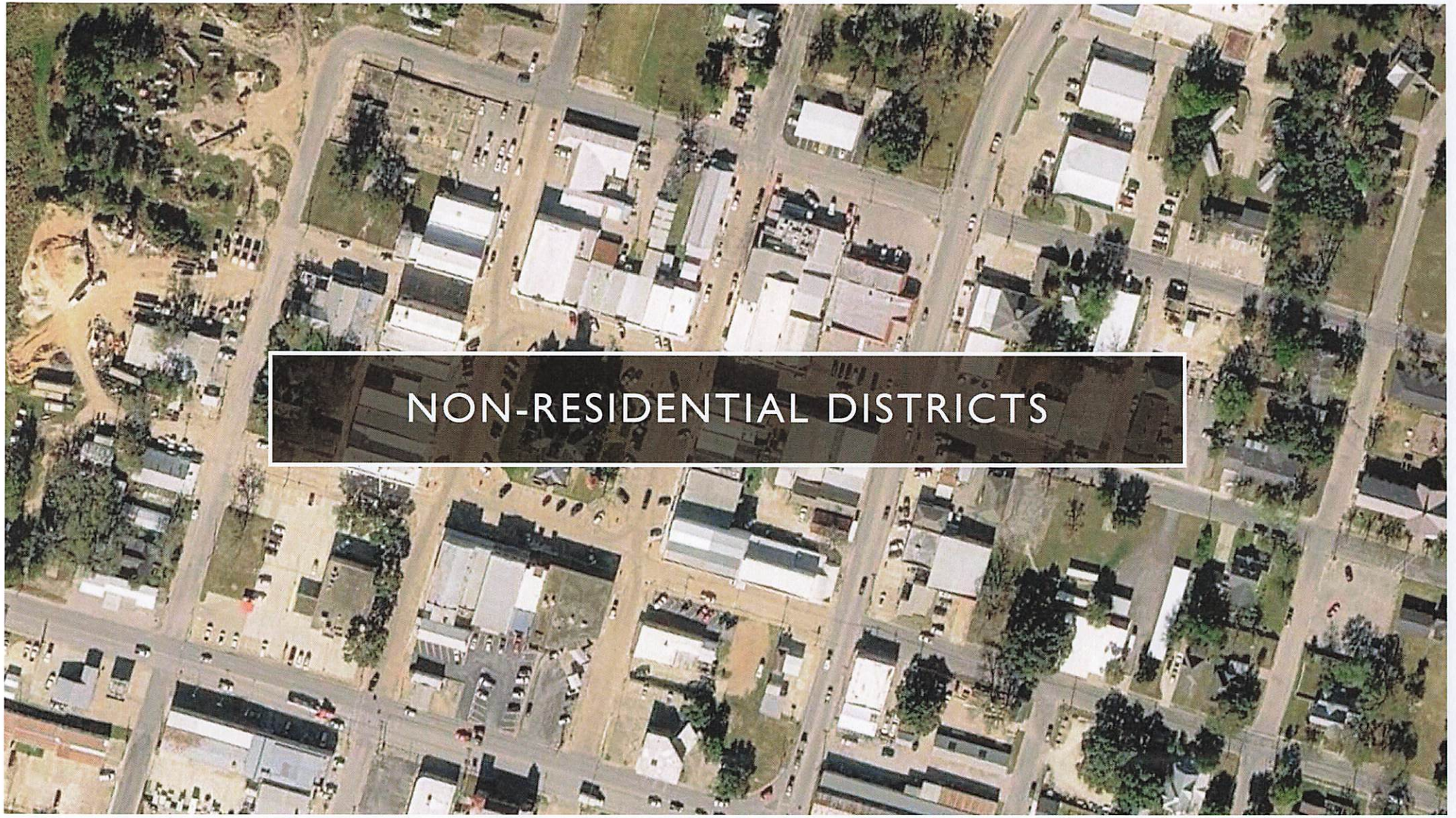
This district is intended for medium density residential, including duplexes, triplexes, quadplexes, townhomes, and small apartment buildings.

Development Standards	
Minimum Front Setback	20 feet
Min. Side Setback (Interior/Exterior)	5 feet / 10 feet
Min. Rear Setback	5 feet
Min. Lot Area	6,000 sf; 3,000 sf for townhouse
Min. Lot Frontage[2]	60 feet; 30 feet for townhouse
Min. Lot Width	60 feet; 30 feet for townhouse
Min. Lot Depth	100 feet
Maximum Building Height	35 feet or 2 stories, whichever is less
Maximum Impervious Cover	50%



EXAMPLES OF PERMITTED USES

✓ Permitted by Right
Subject to Applicable
Development Standards


NON-RESIDENTIAL DISTRICTS



Commercial (C) District.

Areas for a mix of retail, service, office, and lodging uses to meet community needs outside of the downtown area.

Include standards that promote compatibility with nearby residential uses.

Development Standards	
Minimum Front Setback	25 feet
Min. Side Setback (Interior/Exterior)	5 feet / 10 feet
Min. Rear Setback	10 feet
Min. Lot Area	10,000 sf
Min. Lot Frontage[2]	60 feet
Min. Lot Width	60
Min. Lot Depth	100
Maximum Building Height	35 feet
Maximum Impervious Cover	70%



EXAMPLES OF PERMITTED USES

✓ Permitted by Right
Subject to Applicable
Development Standards



Downtown (D) District.

Areas for pedestrian-oriented mix of commercial, residential, office, and civic uses.

Preserve downtown character, encourage reinvestment, and support the city's economic and cultural center.

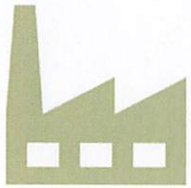
Development Standards	
Minimum Front Setback	0 feet[1]
Min. Side Setback (Interior/Exterior)	0 feet / 5 feet
Min. Rear Setback	0 feet
Min. Lot Area	N/A
Min. Lot Frontage[2]	N/A
Min. Lot Width	N/A
Min. Lot Depth	N/A
Maximum Building Height	45 feet
Maximum Impervious Cover	100%

[1]In the Downtown district for properties facing the courthouse square this is a build-to line requiring buildings to be between 0 feet and 5 feet from the property line.



EXAMPLES OF PERMITTED USES

✓ Permitted by Right
Subject to Applicable
Development Standards



Industrial (I).

Areas for manufacturing, warehousing, distribution, and related employment uses supporting the local and regional economy.

In appropriate locations.

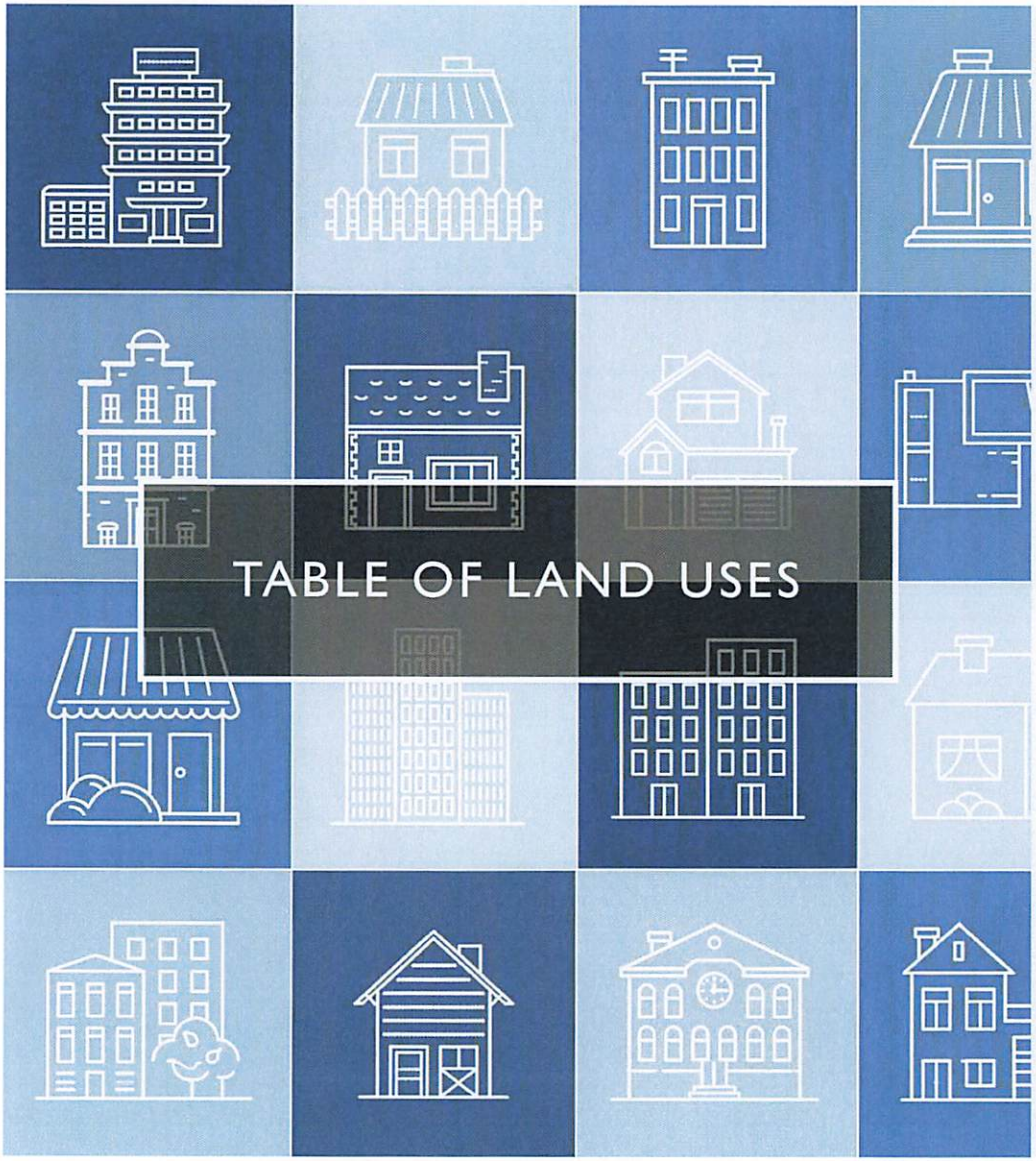
Minimize potential impacts on surrounding properties through performance standards, buffering, and site design requirements.

Development Standards	
Minimum Front Setback	25 feet
Min. Side Setback (Interior/Exterior)	15 feet / 25 feet
Min. Rear Setback	20 feet
Min. Lot Area	20,000 sf
Min. Lot Frontage[2]	60 feet
Min. Lot Width	60
Min. Lot Depth	100
Maximum Building Height	45 feet
Maximum Impervious Cover	70%



EXAMPLES OF PERMITTED USES

✓ Permitted by Right
Subject to Applicable
Development Standards



- Use Chart separated into categories:
  - Residential
  - Commercial, Office, Service, & Lodging
  - Civic, Institutional, Recreation, & Public
  - Industrial, Infrastructure & Environmental
  - Agricultural & Animal-Related Uses

REGULATIONS FOR CERTAIN USES

Supplemental Standards for Land Uses

- Examples include:
  - Alcohol Sales, Automobile Wash, Manufactured Housing, Mobile Food Vendors

Accessory Uses and Structures

- Examples Include:
  - Accessory Buildings, Drive Throughs, Fuel Sales

Temporary Uses

- Examples Include:
  - Outdoor Sales, Construction Offices, Shipping Containers

PARKING REQUIREMENTS

MINIMUM PARKING REQUIREMENTS ARE TIED TO HOW THE LAND IS USED.

Residential	Commercial	Institutional
Single-Family: 2/dwelling	Retail: 1/300 sf	Assembly: 1/5 seats
Multifamily: 1.5/dwelling	Office: 1/400 sf	Hospital: 1/2 beds
Retirement: 1/dwelling	Shopping Center: 1/250 sf	Schools: 1.5/classroom or a parking study

ZONING ORDINANCE

Defines where certain land uses can and cannot occur

Establishes minimum standards for development

Establishes predictable processes for development review and approvals

Provides protection for existing uses and certainty so neighbors can understand what may occur near them

Promotes compatible land use patterns and orderly growth

Implements the goals and vision of the Comprehensive Plan

Provides flexibility through established procedures such as conditional uses, variances, and special exceptions

Protects existing legal uses and structures while guiding future development

Was carefully drafted to avoid the creation of nonconforming uses

QUESTIONS?

ORDINANCE NO. 010-26

AN ORDINANCE OF THE CITY OF HALLETTSVILLE, TEXAS, AMENDING THE CITY'S CODE OF ORDINANCES CHAPTER 12 – PLANNING & ZONING, ARTICLE 12.300 ZONING ORDINANCE AND ARTICLE 12.500 ADMINISTRATION AND PROCEDURES; REPEALING ALL ORDINANCES TO THE EXTENT THEY ARE IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

****

WHEREAS, the City of Hallettsville ("City") is a general-law city of the State of Texas, and is empowered by the Chapter 211 of the Texas Local Government Code to establish zoning regulations; and

WHEREAS, the City has duly held public hearings and given proper notice, as necessary, pertaining to the amendment of the Code of Ordinances; and

WHEREAS, the Planning and Zoning Commission held a public hearing on **October 28, 2026,** on the proposed Zoning Ordinance; and

WHEREAS, the Planning and Zoning Commission, after consideration of the proposed Zoning Ordinance, made a recommendation to the City Council for approval on **October 28, 2026**; and

WHEREAS, the City Council held the required public hearing concerning the proposed Zoning Ordinance on **November 16, 2026**; and

WHEREAS, the City Council finds and determines that the proposed Zoning Ordinance promotes the health, safety, and general welfare of the public by promoting and encouraging quality development within the City and orderly, harmonious, and systematic growth in accordance with the Comprehensive Plan for the City; and

WHEREAS, the City recognizes that, upon the initial adoption of zoning regulations, existing lawful uses may not always be identified with complete certainty. Accordingly, it is the City Council's intent to ensure that lawful uses existing on the effective date of this Ordinance are not rendered nonconforming solely as a result of the initial adoption of zoning regulations.

WHEREAS, the City has complied with all conditions precedent necessary to take this action, has properly noticed and conducted all public hearings and public meetings pursuant to the Texas Local Government Code and Texas Government Code, as applicable; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HALLETTSVILLE, TEXAS:

Section 1. The foregoing recitals are found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes and findings of fact.

Section 2. Article 12.300 Zoning Ordinance and 12.500 Administration and Procedures of Chapter 12 Planning & Zoning of the City of Hallettsville Code of Ordinances are hereby repealed and replaced as set forth in **Exhibit A** attached hereto.

Section 3. If any provision of this Ordinance is illegal, invalid, or unenforceable under present or future laws, the remainder of this Ordinance will not be affected and, in lieu of each illegal, invalid, or unenforceable provision, a provision as similar in terms to the illegal, invalid, or unenforceable provision as is possible which is legal, valid, and enforceable will be added to this Ordinance.

Section 4. This Ordinance shall be cumulative of all provisions of ordinances of the City except where the provisions of the Ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

Section 5. This Ordinance shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 6. Whenever any provision of this Ordinance imposes a greater requirement or a higher standard than is required in any State or Federal statute or any other City ordinance or regulation, the provisions of this Ordinance shall govern. Whenever any provision of any State or Federal statute or other City ordinance or regulation imposes a greater requirement or a higher standard than is required by this Ordinance, the provision of such State or Federal statute or other City ordinance or regulation shall govern.

Section 7. It is officially found, determined, and declared that the meeting at which this Ordinance is adopted was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Texas Open Meetings Act, Chapter 551, Texas Government Code, as amended.

Section 8. This Ordinance will take effect upon its adoption by the City Council and any publication as required by law.

PASSED, APPROVED, AND ADOPTED this the **16th day of November, 2026.**

_____
Alice Jo Summers, Mayor

ATTEST:

_____
Grace Ward, City Secretary

EXHIBIT A

Zoning Ordinance
City of Hallettsville, Texas

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Subchapter 1. General

Sec. 12.301. Short title

A. This ordinance shall be known and may be cited as "The Zoning Ordinance of the City of Hallettsville, Texas" or the "Hallettsville Zoning Ordinance."

Sec. 12.302. Authority and applicability

A. This Chapter is adopted under the authority of the Constitution and laws of the State of Texas, including but not limited to Chapters 211 and 212 of the Texas Local Government Code.

B. This Chapter shall apply to all land, buildings, structures, and uses located within the corporate boundaries of the City of Hallettsville, unless otherwise provided under the terms of this Chapter.

1. No building or structure shall be erected and no existing building or structure shall be moved, altered, expanded, or extended, nor shall any land, building, or structure be used, designated to be used, or intended to be used for any purpose or in any manner other than as provided for in the regulations for the zoning district in which such land, building, or structure is located.
2. No lot that did not exist on the effective date of this Chapter shall be created, by subdivision or otherwise, that does not conform to the applicable regulations of this Chapter and other regulations of the City of Hallettsville, except as expressly exempted.

C. Annexation. A request for annexation must be accompanied by an application for zoning classification that will be considered concurrently with the annexation under the same process and procedures for a zoning map amendment. The final decision by the City Council on the rezoning must occur after the decision on the annexation, but may be at the same meeting.

D. To the extent allowed by law, this Chapter shall apply to all land, buildings, structures, and uses owned and/or controlled by any municipal, county, state, or federal government agencies within the City. Where the provisions of this Chapter do not legally control such land, buildings, structures, and uses, such agencies are encouraged to meet the provisions of this Chapter.

Sec. 12.303. Purpose and intent

A. It is the purpose of this ordinance to promote the public health, safety, and welfare of residents, visitors, and property owners of the City of Hallettsville. More specifically, this ordinance is intended to:

1. Provide for the division of the City into districts, within which regulations are generally consistent.

2. Promote the beneficial and appropriate development of land in accordance with a well-considered plan.
3. Protect the character and the established pattern of desirable development in each district, including the protection and preservation of places and areas of historical, cultural, or architectural importance and significance.
4. Prevent and minimize land use incompatibilities and conflicts among land uses, while encouraging appropriate mixtures of compatible uses.
5. Maintain property values by stabilizing expectations and ensuring predictability in development, land use, and urban design.
6. Establish a process that effectively and fairly applies the regulations and standards of this ordinance and respects the rights of property owners and citizens.
7. Promote resiliency by providing a clear, consistent, and predictable framework for development and land use.

B. This ordinance has been adopted in accordance with the City's comprehensive plan and is designed to:

1. lessen congestion in the streets;
2. secure safety from fire, panic, and other dangers;
3. promote health and the general welfare;
4. provide adequate light and air;
5. prevent the overcrowding of land;
6. avoid undue concentration of population; and
7. facilitate the adequate provision of transportation, water, sewers, schools, parks, and other public requirements.

C. The property owner, tenant, business, or other responsible entity shall be responsible for ongoing compliance with the provisions of this ordinance.

Sec. 12.304. Consistency with city comprehensive plan

This ordinance is intended to implement the policies and objectives contained in the City's Comprehensive Plan and other adopted City plans, as amended.

Sec. 12.305. Interpretation and conflicts between regulations

A. In the interpretation and application of the provisions of these regulations, it is the intention of the City Council that the principles, standards, and requirements provided for herein shall be minimum requirements for the use and development of land in the City, and where other ordinances or regulations of the City are more restrictive in their requirements, such other ordinances shall control.

B. The interpretation and application of the provisions of these regulations shall be held to be the minimum requirements for the promotion of public health, safety, and general welfare.

Sec. 12.306. Violations and penalties

A. Any person, firm, or corporation who shall violate any of the provisions of this ordinance, or fails to comply therewith, or who shall violate or fail to comply with any order or regulation made hereunder, or who shall build any project or facility in violation of any detailed statement of specification or plans submitted and approved hereunder, or any certificate or permit issued hereunder, shall, for each and every violation and noncompliance respectively be deemed guilty of a misdemeanor and upon conviction thereof shall be fined a sum not to exceed $2,000 or the appropriate legal maximum as determined by statute. Each and every day that such violation and/or noncompliance shall exist shall be deemed a separate offense. In case any person, firm, or corporation violates any of the provisions of this ordinance or fails to comply therewith, the City, in addition to imposing the penalties above provided may institute any appropriate action or proceedings in court to prevent, restrain, correct, or abate or to prevent any illegal act, conduct, business, or use in or about any land, and the definition of any violation of the terms of this ordinance as a misdemeanor shall not preclude the City from invoking the civil remedies given it by law in such cases, but same shall be cumulative of and in addition to the penalties prescribed for such violation.

Sec. 12.307. Enforcement

A. The City Administrator shall have the authority to administer and enforce the provisions of this ordinance.

B. A permit or certificate of occupancy may be revoked for violation of this ordinance.

C. The City Administrator may issue a Stop Work Order on a person(s) engaged in conducting work or an activity on a site in violation of this ordinance.

Sec. 12.308. Validity

A. The issuance or granting in error of a permit or approval of permits, plans, plats, site plans, or other such approvals shall not be construed to be a permit for, or an approval of, a violation of any provision of this ordinance or any other City ordinance.

Subchapter 2. Procedures & Administration

Sec. 12.310. Roles and Responsibilities

A. **City Council.** The City Council shall finally decide all types of legislative applications, including zoning text amendments, zoning map amendments, and other such decisions as defined within this ordinance. The City Council shall decide appeals on certain applications as defined within this ordinance.

B. **Planning & Zoning Commission.** The Planning and Zoning Commission, as established in Article 12.101, shall perform the duties authorized in accordance with the provisions of Section 211.007, Tex. Loc. Gov't Code. The word "commission" when used in this ordinance shall mean the Planning and Zoning Commission where appropriate.

C. **Zoning Board of Adjustment.** The Zoning Board of Adjustment, as established in Article 12.402, shall hear variances, special exceptions, and appeals in accordance with the provisions of Section 211.008, Tex. Loc. Gov't Code. The word "board" when used in this ordinance shall mean the Zoning Board of Adjustment where appropriate.

D. **City Administrator.** The City Administrator, or their designee, is the primary responsible official for implementing and enforcing the provisions of this ordinance, except where noted otherwise, including the following:

1. Accepting and processing applications and petitions;
2. Reviewing and making recommendations concerning such applications and petitions;
3. Seeking advice from City departments, staff, consultants, and others regarding applications and petitions;
4. Preparing reports and providing advice to boards and commissions related to such applications and petitions;
5. Promulgating policies, standards, administrative rules, and applications for procedures under this ordinance; and
6. Making interpretations of ordinance provisions; and
7. Interpretating the location of zoning district boundaries based on the official zoning map; and
8. Taking all other actions necessary for the administration and enforcement of the provisions of this ordinance.

E. **Other staff.** The City Engineer, Floodplain Administrator, and other City officials are authorized to take all actions necessary to carry out their responsibilities in accordance with the requirements of this ordinance.

Sec. 12.311. Procedures

A. **General procedures and notice requirements.**

1. Compliance with state and federal law. All requirements of this ordinance shall comply with the Texas Local Government Code and other applicable state or federal laws, rules, or regulations. Where the requirements of this ordinance conflict with the Texas Local Government Code, the Local Government Code requirements control.
2. Pre-application meeting. Pre-application meetings are encouraged to provide an opportunity for informal review of a proposal and for the applicant to become familiar with submittal requirements, development standards, and approval criteria.
3. Applications and completeness. All applications submitted under this ordinance shall comply with all submittal requirements of the ordinance. In addition, application submittals shall comply with applicable application forms, checklists, and application deadlines, as promulgated by the City Administrator. In addition, City staff may request additional information as needed to verify conformance and compliance with all applicable development standards and requirements. An application is not considered complete until all required information is submitted, including applicable fees.
4. Application review. Following a determination of a complete application, the City Administrator shall circulate the application to appropriate City staff and departments, and any other entities deemed advisable, for review.
5. Withdrawal and reapplication. An applicant may withdraw an application at any time, subject to the following:
    a. The withdrawal request must be in writing to the City Administrator or during the public hearing.
    b. Once withdrawn, the city will not take further action on the application.
    c. After withdrawal, reconsideration must be based on a new application and fee.
    d. If the application is withdrawn before notice is mailed or published, or before it is placed on the agenda for a public hearing if no notice is required, the City Administrator may authorize a refund of all or a portion of the application fee, except for any direct costs incurred by the City.
    e. If the application is withdrawn after notice is mailed or published, or after it is placed on the agenda for a public hearing if no notice is required, the applicant shall not be entitled to any refund of fees.

B. Zoning Amendments, Text or Map.

1. Purpose and applicability. The purpose of a zoning amendment is to revise the text of this zoning ordinance or to establish or amend the boundaries of a zoning district by amending the Official Zoning Map. The City Council, upon recommendation by the Planning and Zoning Commission and in accordance with applicable state law, may from time to time amend, supplement, or repeal the regulations, procedures, standards, or zoning district boundaries established by this ordinance.

2. Initiation of amendments. An amendment to this ordinance or the Official Zoning Map may be initiated by the City Administrator or other designated staff or by an action by the City Council or Planning and Zoning Commission. In addition, an amendment to the Official Zoning Map may be initiated upon application by the owner of the property subject to the request or the owner's designated agent.
3. Notice.
   a. Property owner notice.
      i. Written notice of the purpose, time, and place of all public hearings before the Planning and Zoning Commission on a proposed map amendment shall be sent to owners of real property, as indicated by the most recently approved municipal tax roll, within 200 feet of the property on which the change is proposed.
      ii. Such notice shall be given at least 11 days before the date of the public hearing by depositing such notice, properly addressed and postage paid, in the United States mail.
      iii. This subsection does not apply if the proposed change is considered a Comprehensive Zoning Change as defined in sec. 211.0011 of the Texas Local Government Code.
   b. If the proposed zoning amendment will result in a current conforming use of a property becoming a nonconforming use, written mailed notice of the time and place of each public hearing before the Planning and Zoning Commission and City Council shall be provided to each owner of property where the proposed nonconforming use is located, and each occupant of the property, not later than the tenth day before the hearing date, containing the time and place of the hearing and including the following text in bold 14-point type: "THE CITY OF HALLETTSVILLE IS HOLDING A HEARING THAT WILL DETERMINE WHETHER YOU MAY LOSE THE RIGHT TO CONTINUE USING YOUR PROPERTY FOR ITS CURRENT USE. PLEASE READ THIS NOTICE CAREFULLY."
   c. Published notice. Notice of the purpose, time, and place of the City Council public hearing regarding text amendments or map amendments shall be published in a newspaper of general circulation in the city, and on the city's website if the city maintains a website, at least 16 days before the hearing.
   d. School district notice. Notice of the time and place of the public hearings shall be given at least 11 days before the hearing on a proposed change affecting residential or multifamily zoning to each school district in which the subject property is located, if requested by the school district.
4. Criteria for approval. In determining whether to approve, approve with modifications, or deny a proposed zoning amendment, the Planning and Zoning Commission and City Council should consider the following factors:

a. Whether the proposed amendment is compatible and consistent with the City's Comprehensive Plan, including the Future Land Use Map. If the proposed amendment is not consistent with the Comprehensive Plan, a corresponding amendment to the Comprehensive Plan may be required and shall be considered in accordance with Chapter 213 of the Texas Local Government Code and any applicable City procedures.
b. Whether and the extent to which the proposed amendment is compatible with existing and planned uses neighboring the subject land.
c. Whether the tract is suitable for use as presently zoned, including consideration of whether the size, shape, or location of the land renders it unusable as presently zoned.
d. Whether the proposed amendment bears a substantial relationship to the public health, safety, and general welfare or protects and preserves historical and cultural places and areas.
e. Whether and the extent to which the proposed amendment addresses a substantial public need.
f. Whether and the extent to which the proposed amendment would result in a logical and orderly pattern of urban development in the community, including addressing substantially changed conditions, availability of necessary infrastructure and services, promotion of infill development, impact on the natural environment, appropriate timing of development, and long-term cost to taxpayers for maintaining and providing services to the area.

5. Action by Planning and Zoning Commission. The Planning and Zoning Commission shall hold a public hearing on any zoning amendment prior to making a report and recommendation to the City Council. The report from the Commission may be included within a staff report.
6. Action by City Council. The City Council shall hold a public hearing on any zoning amendment prior to consideration of the amendment.
   a. Majority vote of quorum required. Except as provided below, a zoning amendment must be approved by a majority of a quorum of members present and voting.
   b. Majority of the entire Council required. An affirmative vote of a majority of all members of the City Council is required to approve a proposed amendment if a written protest of the proposed amendment is signed by the owners of at least 60 percent of the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area if the proposed change has the effect of allowing more residential development than the existing zoning regulation or district boundary and does not have the effect of allowing additional commercial or industrial uses, unless the additional use is limited to the first floor of any residential development and does not exceed 35 percent of the overall development.

c. Supermajority vote required. An affirmative vote of three-fourths of all members of the City Council is required to approve a proposed amendment if a written protest of the proposed amendment is signed by the owners of:
   i. at least 20 percent of the area of the lots or land covered by the proposed change; or
   ii. at least 20 percent of the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area, except as provided in b., above.

d. Calculation of land area for a protest. In computing the percentage of land area for a protest:
   i. the area of streets and alleys shall be included; and
   ii. the land area is not calculated individually for each tract of land subject to a proposed change in a zoning regulation or district boundary but in the aggregate for all tracts of land subject to the change.

7. Consideration of previously denied amendments. If an application for an amendment to the Official Zoning Map is denied by the City Council, another application for the same or similar amendment, as determined by the City Administrator, may not be submitted for 180 days from the date of denial unless the applicant demonstrates a material change in circumstances, including new information not previously considered. This prohibition may be waived by action of the City Council upon finding that there are extenuating circumstances or new information that warrants reconsideration.

C. Conditional Uses.

1. Purpose and applicability.
   a. In addition to land uses permitted by right within a zoning district, certain uses may be allowed subject to individualized review and approval and may be subject to conditions of approval to address compatibility with adjacent or nearby uses.
   b. Approval of a Conditional Use follows the same procedures as a zoning map amendment, but does not alter the underlying zoning district for a property.
   c. A Conditional Use may only be approved if the subject land use is indicated as being eligible as a Conditional Use in the permitted uses chart.
   d. An approved Conditional Use is granted to the property until such time as it is revoked and may not be limited to a particular owner.
2. Application. A request for approval of a Conditional Use may be initiated upon application by the owner of the property subject to the request or the owner's designated agent. The application must include a concept plan or site plan, unless a determination is made by the City Administrator that the nature of the proposal does not require such a plan.

3. Review process and criteria. The Conditional Use review process shall be the same as the process for zoning map amendment, except that the Commission and the Council shall also consider the criteria as outlined below:
   a. The proposed use is compatible with the general purpose of the applicable zoning district;
   b. The proposed use promotes quality of life in the community and is compatible with and preserves the character of adjacent developments and neighborhoods, and includes improvements either on-site or within the public rights-of-way to mitigate development related adverse impacts, such as traffic, noise, visual nuisances, and similar adverse effects on adjacent development and neighborhoods.
4. Conditions. When approving a Conditional Use, the Planning and Zoning Commission may recommend, and the City Council may approve, conditions on the approval as deemed necessary to mitigate potential negative impacts and to carry out the spirit and intent of this ordinance. Conditions placed on the approval of a Conditional Use shall not be subject to a variance that otherwise could be granted by the Zoning Board of Adjustment.
5. Revocation, and amendment. Unless specified otherwise by the ordinance adopted by City Council approving the Conditional Use, an approval may be revoked or amended by the same process by which the Conditional Use was approved.
6. Consideration of previously denied amendments. If an application for approval of a Conditional Use is denied by the City Council, another application for the same or similar request, as determined by the City Administrator, may not be submitted for 180 days from the date of denial unless the applicant demonstrates a material change in circumstances, including new information not previously considered. This prohibition may be waived by action of the City Council upon finding that there are extenuating circumstances or new information that warrants reconsideration.
7. If a use lawfully occupying land or buildings immediately prior to the effective date of this zoning ordinance is classified as requiring a Conditional Use approval under the terms of this ordinance, such use shall be considered to have an approval as a Conditional Use and shall not be considered a nonconforming use.

D. Planned Development Districts

1. Pre-Application Conference. The prospective applicant is encouraged to request a preapplication conference with City staff prior to submission of a formal application. The prospective application should present a draft concept plan and any supporting information regarding the proposed development. City staff will review the presented information and provide comments, including identifying missing information and highlighting potential opportunities or modifications to ensure expedited review and approval of the project.

2. Application requirements. Applications for PD District approval shall include at least the following materials:
   a. PD District Plan in digital format;
   b. Completed application forms, as required;
   c. Payment of all applicable fees;
   d. Letter indicating the purpose and intent of the PD district, as well as a general statement citing the reason for the PD request; and
   e. Any attendant documents needed to supplement the information provided.
3. Review process and criteria. The PD District Zoning Application review process shall be the same as the process for zoning map amendment, except that the Commission and the Council shall also consider the criteria as outlined below:
   a. Compliance with the Planned Development District Standards;
   b. Proposed standards for land uses, maximum height, floor area ratios, density, minimum off-street parking and loading, setbacks, site coverage, building spacing, access, screening walls or landscaping, building area, open space, pedestrian ways, public or private streets, alleys; and
   c. Any other development and protective requirements necessary to protect the health, safety, and general welfare and to create a reasonable transition from property adjacent to a PD District.
   d. Conditions placed on the approval of a Planned Development District shall not be subject to a variance that otherwise could be granted by the Zoning Board of Adjustment.
4. Approval
   a. Any approval of a PD District by the Council shall be accomplished through the adoption of a Planned Development Ordinance. The ordinance shall include the approved PD District Plan, and a statement as to the purpose and intent of the PD District granted therein, as well as a general statement citing the reason for the PD request.
   b. The Planned Development Ordinance and approved PD District Plan shall indicate:
      i. The permitted uses along with any conditions or limitations deemed appropriate for the specified uses;
      ii. Proposed standards; and
      iii. Any special conditions for approval.

5. Consideration of previously denied amendments. If an application for approval of a Planned Development District is denied by the City Council, another application for the same or similar approval, as determined by the City Administrator, may not be submitted for 180 days from the date of denial unless the applicant demonstrates a material change in circumstances, including new information not previously considered. This prohibition may be waived by action of the City Council upon finding that there are extenuating circumstances or new information that warrants reconsideration.

E. Site Plan Review.

1. Purpose. The purpose of a Site Plan is to ensure that a development project is in compliance with all applicable City ordinances and requirements, including the requirement of this Zoning Ordinance and of the City's Subdivision Ordinance, prior to commencement of construction.
2. Applicability. This Section outlines when new development or expansion on an existing, developed property is required to submit a site plan for review.
   a. No permit for construction or expansion of a building or other structure shall be issued until a site plan, if required, including any required engineering or construction plans, has been submitted and approved in accordance with this Subsection.
   b. No certificate of occupancy, or other final approvals, shall be issued for such buildings or structures until all site improvements, as shown on the approved site plan or established in conditions of approval for the site plan, have been completed or otherwise guaranteed, as approved by the City Administrator.
   c. Unless otherwise excepted herein, nothing in this Subsection shall preclude a new development occurring on previously undeveloped property from having to comply with any applicable requirements within the Zoning Ordinance, Subdivision Ordinance, or any other City code, ordinance, or construction standard.
   d. Exemptions.
      i. The construction, reconstruction, alteration, or expansion of a single-family detached dwelling, duplex dwelling, or customary accessory structure shall be exempt from the site plan review and approval requirements of this Section.
      ii. Notwithstanding such exemption, an applicant shall submit a plot plan with any application for a building permit. The plot plan shall be reviewed by the City Administrator for compliance with all applicable zoning, subdivision, and development regulations, including, but not limited to, lot dimensions, setbacks, building height, lot coverage, easements, parking, and access requirements.
   e. Triggers. New construction or expansions on an existing property that meet any of the following criteria shall trigger the requirement for a site plan and all of the improvements outlined in this Subsection, unless otherwise specified:

i. Construction of a new building or structure;
ii. The conversion of a residential use or structure to a nonresidential use.
iii. Expansion of an existing principal structure or expansion in land area of a use.
iv. Any other development where the City's Zoning Ordinance or Subdivision Ordinance specifically requires site plan approval.

f. Required Improvements. Any development that triggers a site plan must comply with all relevant city ordinance, standards, and specifications, where required by ordinance.

3. Application. A complete application, fees, and any other required information for site plan review shall be submitted to the City Administrator.
   a. Area to be included on a site plan. When the overall development project is to be developed in phases, the site plan area shall include only the portion of the overall property that is to be developed/constructed. However, any excluded area must be separately developable as a stand-alone site in the future. This provision shall not be interpreted to allow portions of a property to be excluded so as to avoid development standards, other requirements, or otherwise required improvements to the site.
   b. Submittal and Timing. A Site Plan shall be submitted prior to or in conjunction with a building permit application.
   c. Submission and Contents. The purpose of site plan review is to ensure compliance with all relevant city ordinance, codes, and other requirements. To ensure the submission of adequate information, the City Administrator shall maintain and distribute a checklist of specific requirements for Site Plan review applications. All applications and related contents shall be submitted consistent with these requirements. The authorized reviewer may request additional information necessary to ensure compliance.
4. Review Criteria. The City Administrator, in consultation with relevant City staff in other City departments, shall review the Site Plan for compliance with all applicable City ordinances including the site plan's compliance with all provisions of the City's development ordinances, including this Zoning Ordinance, the Subdivision Ordinance, Sign Ordinance, and other applicable ordinances.
5. Review and Approval.
   a. The City Administrator shall be the responsible official for reviewing Site Plan applications and shall consult with relevant staff from City departments for review and comments on a proposed Site Plan. Based on the review from all relevant departments, the City Administrator shall make the final decision on Site Plan approval.
   b. The City Administrator, based on input from City staff, may reject review of a Site Plan until adequate information for its review is provided by the applicant. Resubmission of a Site Plan, in this instance, shall not require an additional application fee.

c. After completing the review of a Site Plan, the City Administrator may take one of the following actions:
   i. Approve the site plan;
   ii. Approve with conditions; in which case the site plan, along with a written list of conditions, together shall be considered the approved site plan; or
   iii. Disapprove the site plan.
d. The City Administrator may approve issuance of permits following conditional Site Plan approval when it is deemed that the required corrections to the Site Plan are minor in nature. However, no Certificate of Occupancy shall be issued until an amended site plan meeting all conditions has been submitted and approved.
e. Prior to the issuance of a Certificate of Occupancy, the City Administrator shall direct appropriate City staff to inspect the site to ensure compliance with the Site Plan and any conditions imposed with the approval.

6. Revisions to an approved Site Plan.
   a. Minor Revisions/Amendments: It is recognized that final architectural and engineering design may necessitate minor changes in the approved Site Plan. In such cases, the City Administrator shall have the authority to approve minor revisions to an approved Site Plan. Such minor modifications shall be shown on an "amended Site Plan." If revisions are such that the City Administrator decides that the revisions should be reviewed through the normal review process, a new Site Plan application and review shall be required.
   b. Major Revisions/Amendments: In the event of revisions that do not constitute minor revisions as set out above, a new Site Plan application must be submitted, reviewed, and approved.
7. Expiration and Extension.
   a. An approved Site Plan shall be valid for a period of 18 months. An application for a building permit for the site, consistent with the site plan, will extend the validity of the site plan for 18 months from the date of the approved permit.
   b. Prior to the lapse of approval for a Site Plan, the applicant may petition the City Administrator in writing for an extension of up to one year. If no petition for extension of Site Plan approval is submitted and granted, then the Site Plan shall be deemed to have expired and shall become null and void. Any new request for Site Plan approval shall be submitted with a new application form, with a new filing fee, and with new plans and materials in accordance with the procedures set forth in this Subsection.
8. Compliance & Responsibilities.
   a. It shall be incumbent upon the City Administrator, or designees, to make all inspections and certifications necessary to ensure that structures are built in accordance with the approved Site Plan.

b. In the event that the City Administrator, or designees, finds that a condition or modification of the approved Site Plan or a provision of City Codes and Ordinances has not been met, they may issue a stop work order.
   i. It shall be incumbent upon the contractor or developer to correct those items that are in violation before construction may resume.
   ii. In the event that the structure has been completed, a Certificate of Occupancy shall not be issued by the City Administrator until the conditions of the Site Plan or City Codes and Ordinances, as applicable, have been substantially fulfilled.
   iii. All action required in order to bring a structure into compliance with the approved Site Plan shall be the responsibility of the property owner.
c. Following issuance of the Certificate of Occupancy, it shall be the continuing duty of the owner and occupant of the site, or their successors in interest, to maintain compliance with the approved Site Plan and amendments thereto. Failure to maintain compliance shall constitute a violation of this Zoning Ordinance and may result in revocation of the Certificate of Occupancy.
d. Site may not become less conforming. Any site that is not subject to an approved site plan, or is governed by a pre-existing site plan that does not conform to current standards, must maintain compliance with the standards within this Ordinance to the extent that the site currently complies with those standards.

F. Appeals.

1. Any of the following persons may appeal to the Zoning Board of Adjustment a decision made by an administrative official acting under the authority of this ordinance, that is not related to a specific application, address, or project:
   a. A person aggrieved by the decision; or
   b. Any officer, department or board of the city affected by the decision.
   c. A member of the City Council who serves on the Board may not bring an appeal.
2. Any of the following persons may appeal to the board of adjustment a decision made by an administrative official acting under the authority of this ordinance, that is related to a specific application, address, or project:
   a. A person who:
      i. filed the application that is the subject of the decision;
      ii. is the owner or representative of the owner of the property that is the subject of the decision; or
      iii. is aggrieved by the decision and is the owner of real property within 200 feet of the property that is the subject of the decision; or
   b. any officer, department, board, or bureau of the municipality affected by the decision.

c. A member of the City Council who serves on the Board may not bring an appeal.

3. The appellant must file with the City Administrator a properly completed notice of appeal, specifying the grounds for the appeal, within 20 days of the date of the decision.
4. Upon receiving the properly completed notice, the City Administrator will make all city records related to the appeal available to the Board.
5. An appeal stays all city enforcement proceedings that relate directly to the matter that is being appealed unless the City Administrator certifies in writing to the Board facts supporting the opinion that a stay would cause imminent peril to life or property. In that case, the proceedings may be stayed only by a restraining order granted by the Board or a court of record on application, after notice to the City Administrator, if due cause is shown.
6. The Board shall set a reasonable time for the appeal hearing and give public notice of the hearing and due notice to the parties in interest. A party may appear at the appeal hearing in person or by agent or attorney.
7. In exercising its authority under this ordinance, the Board may reverse or affirm, in whole or in part, or modify the administrative official's order, requirement, decision, or determination, and for that purpose the Board may exercise the same authority as the administrative official.
8. Judicial Review.
   a. Within 10 days of the decision by the Board, any of the following persons may present to a District Court, county court, or county court at law a verified petition stating that the decision of the Board is illegal in whole or in part and specifying the grounds of the illegality:
      i. A person aggrieved by the decision of the Board;
      ii. A taxpayer; or
      iii. An officer, department, board or bureau of the city.
   b. The procedures provided by Tex. Loc. Gov't Code, Section 211.011, as it may be amended from time to time, shall govern the judicial review of the Board's decision.

G. Variances.

1. A variance is a grant of relief from a specific requirement of this ordinance, where strict enforcement would result in unnecessary hardship. The Zoning Board of Adjustment may grant a variance upon making findings that the evidence submitted by the applicant demonstrates that all of the following conditions exist:
   a. The variance arises from the condition that is unique to the property in question, where the condition was not created by an action of the property owner, occupant, or applicant;

b. The particular physical surroundings, shape, or topographical condition within or adjacent to the property would result in a practical difficulty or unnecessary hardship or inequity upon or for the owner or occupant, as distinguished from a mere inconvenience, if the provision in question were literally enforced;
c. The request for a variance is not based exclusively upon a desire of the owner or occupant for increased financial gain from the use of the property, or to reduce a personal financial hardship, except that the Board may consider the following as grounds to determine whether compliance with the ordinance as applied to a structure that is the subject of the request would result in unnecessary hardship:
    i. the financial cost of compliance is greater than 50 percent of the appraised value of the structure as shown on the most recent appraisal roll certified to the assessor for the municipality under Section 26.01, Tax Code;
    ii. compliance would result in a loss to the lot on which the structure is located of at least 25 percent of the area on which development may physically occur;
    iii. compliance would result in the structure not being in compliance with a requirement of a municipal ordinance, building code, or other requirement;
    iv. compliance would result in the unreasonable encroachment on an adjacent property or easement; or
    v. the municipality considers the structure to be a nonconforming structure;
d. The variance will not alter the essential character of the zoning district within which the property is located, and is in harmony with the intent and purposes of this chapter;
e. The granting of the variance will not adversely affect the public health or safety, and will not substantially or permanently interfere with the appropriate use of adjacent conforming property in the same zoning district;
f. The degree of variance requested is the minimum amount necessary to allow a reasonable use of the property; and
g. The variance would not allow the establishment of a use not otherwise permitted in the applicable zoning district.

2. Variances may be granted for substantive requirements of this ordinance including, but not limited to, dimensional standards, setbacks requirements, lot coverage limitations, height limits, parking standards, and similar standards. Variances may not be granted for any of the following:
    a. Procedural requirement of the ordinance; or
    b. Modifications to conditions of approval for a Conditional Use or Planned Development District.
3. Procedures.

a. Application. An application for a variance, along with the required fee per the City fee schedule, shall be submitted to the City Administrator who shall review the application for completeness.
b. Review. Once the application is determined to be complete, the City Administrator may request a review and recommendation from any City department or consultant as deemed necessary and shall forward the application, along with a recommendation, to the Zoning Board of Adjustment.
c. Notice. Prior to consideration by the Board, the City Administrator shall prepare a list, based on the most recent municipal tax roll, of all owners of any portion of a tract of land within the city limits and within 200 feet of the property for which the variance is requested. A notice shall be mailed to these property owners at least 11 days prior to the hearing date. The notice shall include the address or location of the property subject to the request, the purpose of the request, and the time and place of the public hearing before the Board.
d. Burden. The applicant for a variance bears the burden to demonstrate that the required criteria for approval have been met.
e. Decision. Upon completion of the public hearing and after deliberation the Board shall make a decision to approve, approve with conditions, or deny the request.
f. Judicial review. Within 10 days of the decision by the Board, any of the following persons may present to a District Court, county court, or county court at law a verified petition stating that the decision of the Board is illegal in whole or in part and specifying the grounds of the illegality:
    i. A person aggrieved by the decision of the Board;
    ii. A taxpayer; or
    iii. An officer, department, board or bureau of the city.
g. Judicial review procedures. The procedures provided by Tex. Loc. Gov't Code, Section 211.011, as it may be amended from time to time, shall govern the judicial review of the Board's decision.
h. Reapplication. If the request is denied, or if the applicant rejects any of the conditions imposed on an approval of the request, another request for the same or similar variance on the same property may not be submitted for one year.
i. Expiration. If a granted variance is not acted upon within one year of approval, the variance becomes void.

H. Special Exceptions.

1. The purpose of a special exception is to provide flexibility in the zoning regulations by allowing an exception to otherwise applicable regulations as authorized below:

a. A change from one nonconforming use to another upon finding that the proposed nonconforming use is not more nonconforming than the previously existing nonconforming use;
b. To permit the resumption of a nonconforming use that has been discontinued for a period exceeding one year;
c. To allow the expansion of a nonconforming use, except that in the case of a residential use such expansion does not increase the number of dwelling units to more than the number existing when the use first became nonconforming;
d. To allow the reconstruction of a nonconforming structure that has been damaged beyond 50% of the replacement cost of the structure; or
e. To allow another special exception as specifically authorized elsewhere in this ordinance.

2. Criteria
   a. The Zoning Board of Adjustment may grant a special exception upon making findings that the evidence submitted by the applicant demonstrates that all of the following conditions exist:
      i. Will be compatible with the use and permitted development of adjacent property, either as requested or with conditions the Board finds necessary to protect adjacent properties;
      ii. The special exception will not alter the essential character of the zoning district within which the property is located, and is in harmony with the intent and purposes of this chapter; and
      iii. The granting of the variance will not adversely affect the public health or safety, and will not substantially or permanently interfere with the appropriate use of adjacent conforming property in the same zoning district.
3. Procedures.
   a. Application. An application for a special exception, along with the required fee per the City fee schedule, shall be submitted to the City Administrator who shall review the application for completeness.
   b. Review. Once the application is determined to be complete, the City Administrator may request a review and recommendation from any City department or consultant as deemed necessary and shall forward the application, along with a recommendation, to the Zoning Board of Adjustment.

c. Notice. Prior to consideration by the Board, the City Administrator shall prepare a list, based on the most recent municipal tax roll, of all owners of any portion of a tract of land within the city limits and within 200 feet of the property for which the special exception is requested. A notice shall be mailed to these property owners at least 11 days prior to the hearing date. The notice shall include the address or location of the property subject to the request, the purpose of the request, and the time and place of the public hearing before the Board.

d. Burden. The applicant for a special exception bears the burden to demonstrate that the required criteria for approval have been met.

e. Decision. Upon completion of the public hearing and after deliberation the Board shall make a decision to approve, approve with conditions, or deny the request.

f. Judicial review. Within 10 days of the decision by the Board, any of the following persons may present to a District Court, county court, or county court at law a verified petition stating that the decision of the Board is illegal in whole or in part and specifying the grounds of the illegality:
   i. A person aggrieved by the decision of the Board;
   ii. A taxpayer; or
   iii. An officer, department, board or bureau of the city.

g. Judicial review procedures. The procedures provided by Tex. Loc. Gov't Code, Section 211.011, as it may be amended from time to time, shall govern the judicial review of the Board's decision.

h. Reapplication. If the request is denied, or if the applicant rejects any of the conditions imposed on an approval of the request, another request for the same or similar special exception on the same property may not be submitted for one year.

i. Expiration. If a granted special exception is not acted upon within one year of approval, the special exception becomes void.

Sec. 12.312. Nonconformities

A. **Purpose.** This section governs the requirements for uses and structures that were established prior to the applicability of this ordinance on its effective date, or as amended, but do not comply with one or more requirements of this ordinance.

B. **Policy.** Nonconformities are deemed to be incompatible with permitted uses and structures in the applicable zoning district and are contrary to the purposes of this ordinance. It is intended that these nonconformities be eliminated and be required to conform to the regulations of this ordinance. However, such nonconformities may continue, subject to the conditions and limitations set forth below. The burden of establishing that a use or structure meets the criteria below rests with the property owner.

C. Nonconforming uses.

1. A nonconforming use is any use of land or structures that does not conform to the regulations and requirements prescribed in this ordinance, including subsequent amendments.
2. A legal nonconforming use is such a use that was lawful upon the effective date of this ordinance.
3. Continuation. Any legal nonconforming use of land may be continued, but may not be expanded or made more nonconforming except as specifically authorized by this ordinance.
4. Change of use. A nonconforming use may only be changed to a conforming use, except as authorized through a Special Exception by the Zoning Board of Adjustment to allow change to a use that, while nonconforming, is more conforming than the current nonconforming use.
5. Enlargement or expansion. A nonconforming use shall not be enlarged or expanded either within the structure or to occupy a greater area of land, except in compliance with the requirements of the zoning district within which it is located, except as authorized by this ordinance.
6. Abandonment of a nonconforming use. If a nonconforming use is abandoned, or no longer used, for a period of six months, the property may only be subsequently used for a conforming use.
7. Illegal use. An illegal nonconforming use shall not be entitled to continuation or protection under this section.
8. Existing Lawful Uses Upon Initial Adoption. Any lawful use of a property on the effective date of this Ordinance shall be deemed a conforming use and shall not be considered nonconforming solely as a result of the initial adoption of this Ordinance. Such conforming status shall be limited to the current tract or lot occupied by the use on the effective date of this Ordinance. This section applies only to the initial adoption of this Ordinance and shall not apply to subsequent amendments or rezonings. The property owner shall bear the burden of demonstrating that the use lawfully existed on the effective date of this Ordinance.

D. Nonconforming structures.

1. A nonconforming structure is any building or structure on a lot which does not conform to the required setbacks, lot coverage requirements, or any building or structure which does not conform to the height, size, parking, loading, building spacing or any other regulations or any requirements of this chapter.
2. Continuation. An existing nonconforming structure that was legally permitted and allowed on the effective date of this ordinance may continue to be used and occupied, subject to the requirements of this ordinance.

3. Enlargement or expansion. A legal nonconforming structure shall not be enlarged or expanded unless the enlargement or expansion is in compliance with all applicable requirements for such structure and does not become more nonconforming.
4. Damage or destruction of a nonconforming structure. If a nonconforming structure is destroyed, or damaged such that repair or reconstruction exceeds 50% of the appraised value of the structure prior to the damage, it may not be repaired or reconstructed except in conformance with all applicable requirements. Repair to damage beyond 50% of the value may be authorized through a Special Exception by the Zoning Board of Adjustment.
5. Illegal structures. A structure that was constructed in violation of this ordinance, or other city ordinances in place at the time of construction, or constructed without obtaining required building permits, shall not be entitled to continuation or protection under this section.

E. Nonconforming lots.

1. Legal nonconforming lots. A lot of record that was lawfully created and recorded prior to the effective date of this ordinance or any amendment thereto, and that does not meet the current minimum lot area, width, or dimensional requirements of the zoning district in which it is located, shall be deemed a legal nonconforming lot.
2. Use and Development. A legal nonconforming lot may be used for a permitted use within the applicable zoning district, provided that all other applicable requirements of this ordinance are met.
3. Limitations. No nonconforming lot shall be further reduced in area, width, or dimensional size so as to increase its nonconformity, nor shall any lot be created or altered in a manner that results in a new nonconforming lot, except as permitted by this ordinance.

Subchapter 3. Zoning Districts

Sec. 12.320. General

A. **Establishment of zoning districts.** The City is hereby divided into districts as described below.

B. **Official zoning map.** The location and boundaries of the districts shall be shown upon the official zoning map of the City, which is incorporated in and made a part of the ordinance for all purposes. An official copy of such map may be kept on file in the office of the City Secretary or as a digital map available on the City's website.

C. **Interpretation of district boundaries.** Where uncertainty exists regarding the boundaries of a zoning district as shown on the official zoning map, the following considerations shall be used:

   a. A boundary shown to coincide with a street, railroad, or utility right-of-way, or shown along a property line adjacent to a street, railroad, or utility right-of-way, shall be considered to follow the centerline of such right-of-way, unless clearly intended to be otherwise.
   b. Where a boundary line does not follow a property line, right-of-way line, or other identifiable feature or is not identified , the boundary shall be determined based on the scale of the map
   c. Where a boundary line is uncertain, the City Administrator shall make the final determination as to the boundary location.

Sec. 12.321. Residential Districts

A. Residential, Low Density (RLD). This district is intended primarily for detached single-family homes on individual lots to preserve the character of traditional neighborhoods.

B. Residential, Medium Density (RMD). This district is intended for medium density residential, including duplexes, triplexes, quadplexes, townhomes, and small apartment buildings.

Sec. 12.322. Non-residential Districts

A. Commercial (C) District. This district is intended for a mix of retail, service, office, and lodging uses to meet community needs outside of the downtown area, while including standards that promote compatibility with nearby residential uses.

B. Downtown (D) District. This district is intended to accommodate a pedestrian-oriented mix of commercial, residential, office, and civic uses that preserve downtown character, encourage reinvestment, and support the city's economic and cultural center.

C. Industrial (I). This district is intended to provide areas for manufacturing, warehousing, distribution, and related employment uses that support the local and regional economy. The district is established to accommodate these uses in locations with appropriate access and infrastructure while minimizing potential impacts on surrounding land uses through performance standards, buffering, and site design requirements.

Sec. 12.323. Planned Development Districts

A. Purpose. The Planned Development (PD) District is a zoning district that accommodates the creative master planning of developments often with a mixture of integrated land uses. A PD District may be used to permit new or innovative concepts in land use not permitted within standard zoning districts, to ensure the compatibility of land uses, and to allow for the adjustment of changing demands to meet the current needs of the community.

B. Permitted and Prohibited Uses

1. A PD District may be approved with any combination of uses allowed by this zoning ordinance. The uses permitted in any specific PD District shall be detailed in the ordinance establishing such district, along with any conditions or limitations deemed appropriate for the specified uses.
2. Any use deemed by the City Council as being detrimental to the health, safety, or general welfare of the citizens of the City for the proposed development site may be listed as prohibited within the PD District.

C. Site Layout and Project Design Standards

1. Each PD District shall establish regulations deemed necessary and appropriate for the development of the property within the district and the protection of neighboring properties. These regulations may include, but are not limited to, the following:
   a. Front, side, and rear yard requirements;
   b. Minimum lot width, depth, and area requirements;
   c. Maximum lot coverage;
   d. Maximum building size and/or height;
   e. Landscaping, open space, and screening requirements;
   f. Off-street parking and loading requirements; and
   g. Signage requirements.

Subchapter 4. Use Regulations

Sec. 12.330. Interpretation and unclassified uses

A. Applicability. When a proposed land use is not specifically listed as a permitted, conditional, or prohibited use within a zoning district, the use shall be classified in accordance with this section. The omission of a use from the zoning ordinance shall not be interpreted as permitting or prohibiting the use unless so determined under this section.

B. Similar Uses — Administrative Classification. If the proposed unlisted use is determined to be substantially similar in nature, function, operational characteristics, and land use impacts to a use expressly listed in the zoning ordinance, the City Administrator shall classify the proposed use as the most similar listed use. Upon classification, the proposed use shall be subject to all regulations, standards, and approval requirements applicable to the similar listed use within the zoning district.

C. New Uses. If the City Administrator determines that the proposed unlisted use is not substantially similar to any use expressly listed in the zoning ordinance, the use shall be deemed a new use and shall be considered a prohibited use unless or until the zoning ordinance is amended to classify the new use as a permitted use, conditional use, or prohibited use in each zoning district.

Sec. 12.331. Table of land uses

A. Land and buildings in each of the zoning districts may be used for any of the specified uses in this section. No land shall be used and no building or structure shall be erected, altered, or converted for any use other than those specified as a permitted use or an approved conditional use in the district in which it is located, as shown in the Use Chart.

B. Legend for Table

P	Use is permitted by-right
P(#)	Use is permitted by-right subject to additional standards set forth in Section 12.332
C	Use is permitted upon approval of a Conditional Use Permit
	Use is prohibited

C. INSERT PERMITTED USE CHART.

Sec. 12.332. Supplemental standards for land uses

A. Alcohol sales. The sale of alcohol is prohibited within 300 feet of a church, public or private school, day-care center and a child-care facility, or public hospital or 1,000 feet of a public school, if the governing body receives a request from the board of trustees of a school district under certain provisions in the education code.

B. Automobile wash. Requires approval as a Conditional Use if located within 100 feet of a property used or zoned for residential purposes.

C. Entertainment & Recreation (Outdoor). This use requires approval as a Conditional Use if located within 200 feet of a property used or zoned for residential purposes.

D. Industrialized housing

1. Industrialized homes in any residential zoning district must meet all of the following requirements:
    a. Have a value equal to or greater than the median taxable value for each single-family dwelling located within 500 feet of the lot on which the industrialized housing is proposed to be located as determined by the most recent certified tax appraisal roll;
    b. Have exterior siding, roofing, roofing pitch, foundation fascia, and fenestration compatible with any single-family dwelling located within 500 feet of the lot on which the industrialized housing is proposed to be located;
    c. Comply with aesthetic standards, building setbacks, side and rear yard offsets, subdivision standards, architectural requirements, landscaping, square footage, and other site requirements applicable to single-family dwellings in the zoning district in which the industrialized home is located; and
    d. Be securely affixed to a permanent foundation.

E. Manufactured Homes. All manufactured homes shall meet the following minimum design and installation standards:

1. Installation of a Mobile Home is not permitted, consistent with the City's authority under Texas Occupations Code Section 1201.008.
    a. Existing Mobile Homes may continue to be occupied if they were legally permitted at the time of installation.
    b. An existing mobile home may be replaced by a new manufactured home.
2. Used manufactured homes may be installed only if they are 5 years old or newer. Used manufactured homes more than 5 years old are prohibited. Manufactured homes that have never been occupied or used are not subject to the 5 year age limitation.

3. Notwithstanding any zoning or other law, in the event that a manufactured home occupies a lot in the City, the owner of the manufactured home may remove the manufactured home from its location and place another manufactured home on the same property, provided that the replacement is a newer manufactured home and is at least as large in living space as the prior manufactured home. Except in the case of a fire or natural disaster, the owner of the manufactured home is limited to a single replacement of the manufactured home on the same property.
4. Fire-resistant skirting with the necessary vents, screens, and/or openings shall be installed on each manufactured home within 30 days after its installation. Such skirting shall be of weather resistant materials typical for such use, which may include metal panels, siding, or masonry and be compliant with federal installation standards.
5. Manufactured home base. All manufactured homes must be installed on a base that complies with the home manufacturer's approved installation instructions or the state's generic installation standards, including required footers, piers, and anchoring systems. A foundation may alternatively follow a stabilization or foundation design approved and stamped by a Texas-licensed professional engineer or architect. All foundations must meet the minimum requirements of the federal Model Manufactured Home Installation Standards.

F. Mobile Food Vendors.

1. Distribution or sale of food from a mobile food vendor shall require approval of a mobile food vendor permit, issued by the State of Texas.
2. A Mobile Food Unit (MFU) located on a site for a period of more than 7 days shall comply with the following standards:
   a. The MFU shall be located on an all weather surface approved by the City Administrator.
   b. The MFU shall meet all building setbacks for the subject property and may not be located in required parking spaces, fire lanes, or drive aisles.
   c. The operator shall provide a restroom facility on-site or have an agreement for access to a commercial restroom facility within 300 feet that is available for use by employees and customers during the hours of operation of the MFU.
   d. Sufficient trash receptacles must be provided and adequately maintained for disposal of customer waste.
3. Mobile Food Vendors operating within a public right-of-way or on City-owned property shall be subject to any applicable permits, agreements, conditions, or requirements imposed by the City and shall not be governed by the standards of this subsection.

G. Smoke / Vape / CBD Shop. Smoke/Vape/CBD shops shall not be established or maintained within 1,000 feet of any school, child care center, or regular place of religious worship.

H. Subdivision Sales Office, Temporary. A sales office may be located within a residential subdivision until such time as 90% of the lots within the subdivision have been leased or sold, or when an associated temporary permit expires or is revoked.

I. Telecommunications towers.

1. Applicability. The subsection applies to telecommunication towers and related facilities that exceed 35 feet in height.
2. Conditional Use. Any proposed tower that exceeds 35 feet in height is only permitted in a non-residential district, or on a property used exclusively for agricultural uses, and must obtain approval as a Conditional Use.
3. Setbacks.
   a. Towers and related facilities must be setback from all property lines by a distance equal to the height of the tower.
   b. Guy wires or other peripheral supports may be located within this setback, but may not be located within a front or street-side yard and must not be located within five feet of a property line.
4. Separation from residential districts. In addition to the setbacks required above, no telecommunications tower exceeding 35 feet in height shall be located closer than 100 feet to a zoned or used for residential purposes.
5. Security fences or wall. With the exception of a tower located on top of a building, a fence or wall at least seven feet in height shall be constructed around the base of any tower, including enclosing of any related buildings or equipment.
6. Removal. Obsolete or unused telecommunication towers shall be removed within 12 months of cessation of use.

J. Vehicle repair and maintenance services.

1. Parking of disabled vehicles awaiting service must be located indoors or screened from view of a public right-of-way and any residential zoning district and in no case shall be parked within a public right-of-way.
2. Long-term storage of disabled vehicles, defined as storage for a period of 30 days or longer, is not allowed except as permitted as a Salvage, Junk, And Vehicle Impound Services use.

Sec. 12.333. Accessory uses and structures

A. Accessory buildings.

1. Accessory buildings, other than authorized carports or patio covers, may not be located within a front yard or street side yard setback and must be no closer than three feet to any other property line.

2. The lot must maintain compliance with all lot coverage and impervious coverage limits for the property.

B. Accessory Dwellings

1. One accessory dwelling is permitted on each lot containing a single-family dwelling.
2. An accessory dwelling shall not exceed one-half of the floor area of the principal dwelling or 600 square feet, whichever is greater.
3. The lot must maintain compliance with all lot coverage and impervious coverage limits for the property.

C. Drive throughs and drive-ins.

1. A business may only operate with drive-through service or as a drive-in where specifically permitted, either by right or by Conditional Use.
2. The City Administrator may require additional queuing spaces for particular uses based on anticipated demand for the particular use.
3. Drive through queuing lanes may not be located so as to impede traffic flow on the site, block required parking spaces, or cause queuing lines to extend into the public right-of-way.
4. Drive-through and drive-in uses shall be designed and operated so as not to create a nuisance for adjacent properties, including but not limited to excessive noise, light glare, traffic congestion, or other disturbances.

D. Fuel Sales / Gas Pumps

1. Fuel station pumps, and their associated canopy structures, shall be located at least 10 feet from any property line and at least 18 feet from any property line adjacent to a street. For pumps that are perpendicular or diagonal to a street, the minimum distance shall be 30 feet to prevent vehicles stacking into the street.

E. Garage Sales.

1. Garage sales may only include personal property. If other than personal property is offered for sale, the use will be considered a retail sales use.
2. No more than one garage sale shall be allowed on the same lot during any three-month period and the duration of any garage sale is limited to the daylight hours of three consecutive days.

F. Home based businesses. Home-based businesses are allowed on a property with a dwelling, subject to the following standards.

1. All home-based businesses must comply with the following:
   a. Must be in compliance with adopted fire and building codes, health and sanitation regulations, transportation or traffic control requirements, solid or hazardous waste regulations, and pollution and noise control regulations.

b. The use does not generate on-street parking or a substantial increase in traffic, including no commercial deliveries exceeding that which is typical for a residential dwelling.
c. No activities are visible from the street, including any specialty vehicles or equipment that is not typical for a residence.
d. Does not substantially increase noise or violate city noise regulations.
e. One non-illuminated sign is permitted advertising the business provided that it does not exceed four square feet.

G. Itinerant Business.

1. An itinerant business must be located on a property within a zoning district allowing such use.
2. The itinerant business must have the written permission of the property owner.
3. Any tent, trailer, or other vehicle or structure housing the itinerant business must be no closer than ten feet from all property line.
4. Nothing related to the itinerant business, including merchandise, signs, storage, vehicles, trailers, tents, or structures may be placed within fire lanes or sight triangles.
5. The following items may not be sold through an itinerant business: knives, firearms, or other weapons, live animals, alcoholic beverages, or tobacco, tobacco products, e-cigarettes, vaping devices, CBD or hemp-derived products, or tobacco paraphernalia or any similar use.

H. Parking Lots. A parking lot accessory to a principal use must be located within a zoning district where the principal use is permitted.

I. Shipping Containers, Permanent. The permanent or indefinite placement of a shipping container on a property is subject to the following:

1. No more than two shipping containers may be placed on a property zoned Industrial for use as storage only. No more than one shipping container may be placed on a property within any other zoning district.
2. A shipping container may not be placed within a front yard setback on any property.
3. The stacking of containers is prohibited.
4. No container may exceed 450 square feet.
5. Each container shall meet all requirements, including building setbacks, as an accessory building on the property, but may not be connected to electrical or plumbing unless meeting all building codes for an occupiable structure.

Sec. 12.334. Temporary uses

A. Construction Office, Temporary. A temporary construction office may be placed on the site of an active construction project, but shall be removed within three months of expiration or revocation of the building permit.

B. Shipping Containers, Temporary. The short term or temporary placement of a shipping container on a property is subject to the following:

1. No more than three shipping container may be placed on a tract of land, or adjacent tract of land under the same ownership, subject to an active building permit where the use of the container is used solely for the storage of construction materials and equipment related to the construction under the permit. Such container must be removed within 30 days of completion of construction or expiration of the building permit.
2. For temporary or short term purposes, such as moving, property cleanup, and similar purposes, one shipping container may be placed on a tract of land for a period not to exceed 30 days up to two times per calendar year. Such container shall not exceed 160 square feet on a property with a single-family residential use and shall not exceed 450 square feet on all other property.

Subchapter 5. Site Development, Design Standards, and Performance Standards

Sec. 12.340. Dimensional standards

A. Setbacks

1. Minimum or maximum setbacks are required per the dimensional standards table below.
2. In addition to the setbacks required in the table below, and any flood prevention standards, no building may be located within 100 feet from the Lavaca River, as measured horizontally from top of bank.
3. Where a lot, or portion of a lot, is used for a permitted use without a structure, such as outdoor storage or certain industrial or extractive uses, the outdoor activities related to the use must comply with the required setbacks as if the use were conducted within a structure.
4. Encroachments. Yard areas, as defined by required setbacks, must remain open and unobstructed, except for the following allowable encroachments:
   a. Ordinary projections of window sills and other ornamental feature projecting no more than 12 inches.
   b. Eaves and awnings on primary residential buildings projecting no more than two feet.
   c. Chimneys or flues projecting no more than three feet.
   d. Open fire escapes or fireproof exterior stairs, including balconies that open onto them, projecting no more than three and one-half feet.
   e. Open and unenclosed porches covered by a roof projecting no more than six feet.
   f. Uncovered porches, decks, and platforms that do not exceed more than three feet above ground level may project into required rear or side yards, but may not extend closer than two feet to any lot line.
   g. Carports and detached accessory buildings may extend into required yards in accordance with exceptions identified within this ordinance.

B. Lot Area, Width, Depth, and Frontage. Minimum lot area, lot width, lot depth, and street frontage are required per the dimensional standards table below.

C. Height. Maximum building height shall not exceed those heights shown in the dimensional standards table below. Building features such as chimneys, mechanical equipment, elevator overruns, parapet walls, rooftop screening, antennas, and similar appurtenances may exceed the maximum building height, but may not exceed an additional 15 feet without a Special Exception. Such projections shall not be used for habitable space.

D. Impervious Cover. Impervious coverage of a lot shall not exceed that listed in the dimensional standards table below. Impervious coverage does not include landscaped areas, natural ground, swimming pools, or other pervious surfaces as determined by the City Administrator. Roof eaves, or similar projections with pervious surfaces underneath, that do not exceed 18 inches will not be considered in computing coverage.

E. Visibility. On any corner lot, a visibility triangle shall be maintained at the intersection of street right-of-way lines, formed by measuring 25 feet along each frontage and connecting those points. Within this triangle, no fence, wall, structure, sign, berm, landscaping, or other obstruction between 30 inches and 8 feet in height above the closest adjacent roadway grade shall be permitted. A similar visibility triangle of 15 feet shall be preserved where a driveway or alley intersects a street.

F. Dimensional Standards Table:

Dimensional Standards Table					
	Residential		Commercial		Industrial
Zoning Districts:	RLD	RMD	C	D	I
Minimum Front Setback	20 feet	20 feet	25 feet	0 feet[1]	25 feet
Min. Side Setback (Interior/Exterior)	5 feet / 10 feet	5 feet / 10 feet	5 feet / 10 feet	0 feet / 5 feet	15 feet / 25 feet
Min. Rear Setback	5 feet	5 feet	10 feet	0 feet	20 feet
Min. Lot Area	6,000 sf	6,000 sf; 3,000 sf for townhouse	10,000 sf	N/A	20,000 sf
Min. Lot Frontage[2]	60 feet	60 feet; 30 feet for townhouse	60 feet	N/A	60 feet
Min. Lot Width	60 feet	60 feet; 30 feet for townhouse	60	N/A	60
Min. Lot Depth	100 feet	100 feet	100	N/A	100
Maximum Building Height	35 feet or 2 stories, whichever is less	35 feet or 2 stories, whichever is less	35 feet	45 feet	45 feet
Maximum Impervious Cover	50%	50%	70%	100%	70%

[1]In the Downtown district for properties facing the courthouse square this is a build-to line requiring buildings to be between 0 feet and 5 feet from the property line.

[2]The minimum lot frontage for a cul-de-sac or curved lot is 35 feet chord length.

Sec. 12.341. Fencing, screening, and buffering

A. Applicability. The purpose of this section is to regulate the location, height, materials, and maintenance of fences, walls, and landscape screening in order to prevent the creation of nuisances and to promote the aesthetic standards of the community.

B. Fences, walls, or hedges within a residential zoning district that are not adjacent to a street or within a front yard shall not exceed 7 feet in height between the property line and the building setback line.

C. Fences, walls or hedges within a residential zoning district that are within a front yard adjacent to a street may not exceed 4 feet in height for a non-opaque fence, or 2½ feet in height for an opaque fence, between the property line and the building setback line.

D. Fences, walls, or hedges within a non-residential zoning district may not exceed 10 feet in height.

E. Decorative columns or similar treatments may exceed the maximum height by no more than two feet at intervals no closer than 10 feet.

F. Gates. Gates for vehicular access that are adjacent to a street must be set back from the curb or edge of pavement of the adjacent street by at least 20 feet.

G. Any commercial or industrial use, including parking areas for such use, that has a lot line adjacent to any residential use or district shall be screened to a height of at least six feet by an opaque wall, fence, or landscaping for the purpose of mitigating negative impacts such as noise, light, trash, and visual appearance.

H. Design and materials.

1. Required masonry walls shall be constructed of brick, stone, stucco, concrete block, tile, or other similar materials and supported by a continuous concrete footing.
2. Fencing or walls shall be constructed of standard materials customarily used for such purposes, including but not limited to wood, vinyl, chain-link, ornamental metal, masonry, or similar materials. Fencing constructed of scrap materials, barrels, pallets, scrap metal, or similar materials not designed for fence construction is prohibited.
3. Where a fence is adjacent to or visible from the public right-of-way, except an alley, the "finished" side of the fence should face the right-of-way.
4. Razor wire, barbed wire, or similar materials are prohibited with the exception of agricultural and industrial uses.

I. Maintenance. Fences shall be maintained in good and structurally sound condition.

Sec. 12.342. Outdoor storage and display

A. Outdoor storage or display may not be located within required fire lanes, landscape areas, or required parking spaces, and may not impede vehicular or pedestrian traffic or visibility.

Sec. 12.343. Parking, loading, and circulation standards

A. Purpose. These standards for parking, loading, and on-site circulation apply to off-street parking areas and drive-through facilities that are provided and are intended to promote safe and efficient vehicle circulation, adequate stacking, proper construction and maintenance, and compatibility with nearby land uses.

B. Required parking.

1. Applicability. No building or structure, with the exception of those within the Downtown District, shall be designed, erected, altered, used, or occupied, and no use shall be operated, unless the following on-site parking requirements are satisfied.
2. Enlarging, expanding or changing the structures or uses of a property after the execution of this chapter shall require conformity of all new additions, expansions, or changes to the onsite parking requirements of this chapter, as if the expansion, addition or change were a separate tract, structure, or use.
3. Responsibility for provision of facilities. The provision for and maintenance of on-site parking facilities shall be the joint and several responsibility of the operator and owner of the land, building, structure or use for which the on-site parking facilities are required.
4. Parking spaces required.
   a. The calculation of the number of parking spaces will be based on the table below.
   b. Fractional parking spaces will be rounded up to a full parking space.
   c. For a mixed use building or development, calculations shall be made for each individual use and combined for a total for the building or site.
   d. Parking for unlisted uses shall be determined by the City Administrator based on the closest listed use.

Use	Minimum Parking Spaces Required
Dwelling, Single-Family	2 spaces per dwelling
Dwelling, Multifamily	1.5 spaces per dwelling
Assembly use, such as church, auditorium, gym, etc.	1 space per 5 seats
Auto repair & service uses	2 spaces per service bay plus 1 per employee on largest shift Vehicles awaiting repair, service, or maintenance may not be parked in required spaces and must be stored on site and shall not use on-street parking areas
Clinic/Medical Office	1 space for 300 square feet of gross floor area (GFA)
Daycare, Center-based	1 space per employee on duty on largest shift plus 1 space per 3 children
Entertainment & Recreation facilities	1 space per 800 square feet of GFA and outdoor recreation area
Fuel sales	1 space per fuel pump
Hospital	1 space per 2 beds
Hotel or other lodging	1 space per guest room plus 1 per each 2 employees on duty on largest shift
Long-term care facility	1 space per 4 beds
Manufacturing, processing, wholesaling, or warehousing	1 space per 1000 square feet of GFA
Mobile Food Vendor	a) 3 spaces or b) 1 space per 4 seats plus 1 per employee on the largest shift, whichever is greater
Office/Personal Service/Civic Uses	1 space per 400 square feet of GFA
Residential care facility	1 space for each care provider on duty on largest shift plus 1 per bedroom
Restaurant/Bar	a) 1 space per 100 square feet of GFA or b) 1 space per 4 seats and 1 per employee on the largest shift, whichever is less
Retail, business, or other commercial use not listed	1 space per 300 square feet of GFA
Retirement Community/Group Living	1 space per dwelling
Schools, Elementary & Middle	1.5 spaces per classroom or per a parking study provided by the school

Schools, High School/ Trade School	9 spaces per classroom or per a parking study provided by the school
Shopping Center	1 space per 250 square feet of GFA

C. Loading standards. Every building erected or occupied for retail or wholesale service, manufacturing, storage, warehouse, hotel, or any other use similarly involving the receipt or distribution of materials or merchandise, with the exception of those within the Downtown District, shall provide and maintain, on the same premises, loading space in accordance with the following regulations:

1. Review. Proposed parking areas shall be reviewed for compliance with these standards as part of the site plan review process or prior to issuance of a certificate of occupancy for a site that does not require a site plan review.
2. Types. Based on the business need there shall be two sizes of off-street truck loading spaces designated "large" and "small."
    a. Large spaces. Each "large" space shall have an overhead clearance of at least 14 feet, shall be at least 12 feet wide, and shall be at least 50 feet long, exclusive of access or maneuvering area, platform, and other appurtenances.
    b. Small spaces. Each "small" space shall have an overhead clearance of at least ten feet, shall be at least eight feet wide and shall be at least 20 feet long, exclusive of access or maneuvering area, platform, and other appurtenances.
3. Location. Off-street truck loading spaces shall be located such that:
    a. Trucks will not extend into a public street while positioning to or parking at the loading space; and
    b. Trucks will not block any fire lane while parked at the loading space.
4. Development and maintenance of off-street loading areas. Off-street truck loading facilities shall be constructed, maintained, and operated in accordance with the following specifications:
    a. Drainage, surfacing, and maintenance. Areas shall be properly graded for drainage, surfaced with concrete or asphalt, and maintained in good condition, free of weeds, dust, trash, and debris.
    b. Screening. Large loading spaces must be located on the side or rear of the building and screened from streets and residentially zoned property by a landscape buffer or by an opaque fence or wall at least 7 feet in height.
    c. Protective screening. Loading areas shall be provided with a landscape buffer, fence, wall, or other screening such that occupants of adjacent structures are not unreasonably disturbed during the night by vehicle lights.
5. Minimum loading spaces required. The number of loading spaces shall be:
    a. At least one large or small loading space for structures with a gross floor area of 0 to 15,000 square feet.
    b. At least two large or small loading spaces for structures with a gross floor area of 15,001 to 30,000 square feet.

c. Two large loading spaces for structures with a gross floor area of 30,001 to 50,000 square feet.
d. Three large loading spaces for structures with a gross floor area of 50,001 to 100,000 square feet.
e. One additional large loading space for each 50,000 square feet over 100,000 square feet.

D. Design and maintenance standards. Areas on a property used for parking, loading, vehicle maneuvering, including sales lots for automobiles and other vehicles or equipment, shall be developed and maintained in accordance with the following requirements:

1. Maintenance for parking, loading, and maneuvering areas.
   a. For agricultural or single-family residential uses, shall be surfaced with an all-weather surface, including concrete, asphalt, gravel, caliche, or similar surfacing as approved by the City Administrator.
   b. For all other uses, shall be surfaced with concrete or asphalt, unless through an approved Special Exception.
   c. Shall be maintained in good repair, free of potholes, rutting, or surface failure, and free of weeds, dust, trash, and debris.
2. Perimeter protection. Parking area boundaries shall include curbs, wheel stops, or bumper guards located to prevent any portion of a parked vehicle from extending beyond the property line or encroaching into sidewalks or designated accessible routes.
3. Lighting. Lighting shall be so arranged that it neither unreasonably disturbs occupants of adjacent properties nor interferes with traffic.
4. Fire lanes. Parking and loading spaces shall be designed so as not to interfere with required fire lanes.
5. No more than two off-street parking spaces may utilize the public right-of-way for maneuvering, such as "head-in parking", but in no case shall such parking be allowed from an arterial street or state highway.

E. Dimensions of parking spaces. Each off-street parking space shall meet the following standards

1. Except for parallel parking spaces, a parking space shall have a minimum width of 9 feet and minimum length of 18 feet, exclusive of access or maneuvering area, ramps and other appurtenances.
2. For parallel parking spaces, a parking space shall have a minimum width of 9 feet and minimum length of 23 feet, exclusive of access or maneuvering area, ramps and other appurtenances.

3. The maneuvering aisle between parking spaces shall have a minimum width of 24 feet for 90-degree parking spaces, 20 feet for 45-degree parking spaces, and 12 feet for parallel parking spaces if one-way traffic or 24 feet if two-way traffic. For unique circumstances, the City Administrator will make a determination using the above measurements as a guide.

F. Vehicle queuing and stacking. A minimum number of off-street stacking spaces shall be provided as follows for vehicle drive through facilities:

1. Automated Teller Machines (ATM), banks, pharmacies, or similar uses
   a. 4 spaces, measured from teller or window.
2. Carwash, quick lube, or similar uses
   a. One lane, 4 spaces, measured from entrance
   b. Multiple lanes, 2 spaces per lane, measured from entrance
3. Restaurant or other food service drive-through
   a. 4 spaces per lane, measured from pickup window to ordering location
   b. 4 spaces per lane, measured from ordering location

G. Prohibition of other uses. Required parking areas shall not be used for the storage, display, repair, dismantling, or servicing of any vehicle, equipment, materials, or supplies.

H. Alternative parking. The City Council may approve an Alternative Parking Plan to allow for shared parking, parking provided off-site, or provision of fewer parking, loading, or stacking spaces than otherwise required based on the unique characteristics of the use, subject to the following standards.

1. Shared Parking. Developments or uses with different operating hours or peak business periods may share off-street parking spaces if approved as part of an Alternative Parking Plan and if the shared parking complies with the all of following standards.
   a. Shared parking spaces must be located within 500 feet of the primary entrance of all uses served, measured along the shortest legal, practical walking route.
   b. An analysis demonstrating the feasibility of the proposed shared parking plan, including the proposed uses, estimated parking needs, and location and layout of shared parking.
   c. A shared parking plan shall be enforced through written agreement among all owners of record. A shared parking agreement may be rescinded only if all required off-street parking spaces are otherwise provided.
   d. Adequate accessible pedestrian connections are provided connecting the shared parking area and the served uses, including on-street improvements where necessary.

2. Off-site Parking. Developments that wish to utilize parking not provided on the development site may provide required parking off-site if such parking complies with all of the following standards.
   a. Off-site parking spaces must be located within 500 feet of the primary entrance of all uses served, measured along the shortest legal, practical walking route.
   b. Off-site parking shall be allowed through written agreement among all owners of record in a form approved by the City Administrator. A shared parking agreement may be rescinded only if all required off-street parking spaces are otherwise provided.
   c. Adequate accessible pedestrian connections are provided connecting the off-site parking area and the subject development, including on-street improvements where necessary.
3. On-Street Parking. On-street parking immediately adjacent to the subject property may be allowed to satisfy up to 50 percent of the required parking for a site.
4. Reduced Parking. Developments which show a reduced need for parking based on the unique characteristics of a particular use or location, including shared parking, high percentage of non-motorized customer traffic, or as part of pedestrian-oriented mixed-use development, may be allowed to provide fewer parking spaces than otherwise required herein based upon sufficient evidence provided to the Board in an Alternative Parking Plan.

Subchapter 6. Definitions

Sec. 12.350. Rules of Construction

For the purposes of this ordinance the following terms, phrases, words, and their derivations shall have the meaning given in this section. When not inconsistent with the context, words used in the present tense include the future; words used in the singular number include the plural number; and words in the plural number include the singular number. The words "shall" and "will" are always mandatory, while the word "may" is merely discretionary. The words "may not" and "shall not" are both prohibitive.

Any term not expressly defined in this section shall be defined by a relevant definition from a common dictionary as determined by the City Administrator.

Sec. 12.351. Measurements

- **Building Height:** The vertical distance from the finished grade adjacent to a building to the top of the roof for a flat roof, to the deck lines for a mansard roof, and the midpoint between the lowest eave and highest ridge for a gable, hip, or gambrel roof.
- **Days:** Unless specified otherwise, reference to a "day" within this ordinance shall mean a

calendar day.

- **Fence Height:** The greatest vertical distance between the top of the fence and the immediately adjacent ground surface on both sides of the fence.
- **Lot Area:** The area of a lot bounded by lot lines, including any portion of easements which may exist within such lot lines.
- **Lot Depth:** The horizontal distance from the midpoint of the front lot line to the midpoint of the rear lot line, or the rear most point of the lot where there is no rear lot line
- **Lot Width:** The horizontal distance between the side lot lines measured at the required building setback line.
- **Seats:** The seating capacity of a building or site. In the event individual seats are not provided, each 20 inches of benches or similar seating accommodations shall be considered as one seat.
- **Story:** That portion of a building between the upper surface of any floor, excluding a basement, and the upper surface of the floor immediately above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above.

Sec. 12.352. General Definitions

- **Adjacent/Abutting/Adjoining:** Unless otherwise defined elsewhere in this Zoning Ordinance, the terms adjacent, abutting, and adjoining shall mean lying immediately next to one another, or having a common boundary.
- **All Weather Surface:** A durable, dust-free surface suitable for vehicle travel and parking in all weather conditions, constructed of concrete, asphalt, or other stabilized material capable of supporting vehicular loads and preventing rutting or erosion, such as caliche, gravel, or similar surface, as determined by the City Administrator.
- **Applicant:** A person applying for a permit, zoning amendment, or other development approval under this ordinance.
- **Awning:** A roof-like cover, often of fabric, metal, or glass, designed and intended for protection from the weather or as a decorative embellishment, and which projects from a wall or roof of a structure over a window, walk, door, or the like and that does not have posts, columns, or other supports that connect to the ground.
- **Basement:** The portion of a structure which between the floor and ceiling has more than one half of its height below grade.
- **Berm:** A mound or wall of earthen materials raised up intended to separate two areas from one another, often used for screening, buffering, or other aesthetic purposes.
- **Board:** The Zoning Board of Adjustment of the City of Hallettsville, Texas.
- **Buffer:** A strip of land with vegetation or screening to mitigate visual, noise, or light impacts.
- **Buildable Area:** The portion of a lot remaining after required yards, buffers, and easements are excluded.
- **Building:** Any structure designed or built for the enclosure, support, shelter, or protection of persons, animals, chattels, or property.
- **Build-to-line:** A line, generally parallel to the front lot line, along which the facade of a

building is required to be constructed establishing a maximum permitted building setback.

- **Carport:** A roof-covered structure intended for the purpose of storing vehicles and remaining substantially open on at least two of its sides.
- **City Council:** The City Council of the City of Hallettsville, Texas.
- **City Engineer:** A registered professional engineer employed or designated by the City to provide professional engineering services for and on behalf of the City.
- **City Administrator:** The City Administrator of the City of Hallettsville, Texas, or their designee.
- **City:** The City of Hallettsville, Texas.
- **Commission:** The Planning and Zoning Commission of the City of Hallettsville, Texas.
- **Conditional Use:** A use that may be authorized on a property through a zoning process that requires separate discretionary approval to ensure compatibility of the proposed use and which may include conditions of approval.
- **Council:** The City Council of the City of Hallettsville, Texas.
- **Development:** Any change to improved and unimproved land, including, but not limited to, construction of buildings or other structures, paving, parking areas, outdoor storage, or similar changes to unimproved land.
- **Encroachment:** Any building, other structure, or object extending into a required yard, easement, right-of-way, or sight triangle.
- **Family:** A collective number of individuals living together in one dwelling whose relationship is of a continuing non-transient domestic character and who are cooking and living as a single nonprofit housekeeping unit. This definition shall not include any society, club, fraternity, sorority, association, lodge, organization, or a group of more than four students or other individuals whose domestic relationship is of a transitory or seasonal nature or for an anticipated limited duration of a school term or other similar determinable period.
- **Floor Area:** The sum of the horizontal areas of each floor of a building, measured from the interior faces of the exterior walls or from the centerline of walls separating two buildings. The floor area measurement is exclusive of areas of basements, unfinished attics, attached garages or space used for off-street parking or loading, breezeways, unenclosed porches, and accessory structures.
- **Frontage or Lot Frontage:** The length of a lot line abutting a street right-of-way.
- **Grade:** The average level of the finished surface of the ground adjacent to the exterior walls of the building.
- **Impervious Cover:** The percentage of a lot covered by impervious surface.
- **Impervious Surface:** A hard surface that prevents water infiltration and increases runoff, including buildings, paved areas, patios, all weather surfaces, and the like.
- **Lot:** A parcel of land that is identified on a duly approved and properly recorded subdivision plat. Requirements for a "lot" are also applicable to a "tract".
- **Lot Coverage:** The percentage of lot area covered by building footprints.
- **Lot Line, Front:** For an interior lot, a front lot line is the lot line adjacent to the street right-of-way. For a corner lot, the front lot line is a lot line adjacent to a street right-of-way on the primary frontage, which is the frontage that the principal building faces or

takes access from, as determined by the City Administrator.

- **Lot Line, Interior Side:** A side lot line not adjacent to a street right-of-way.
- **Lot Line, Rear:** A lot line that is parallel to the front lot line or within 45 degrees of being parallel to the front lot line. For an irregular or triangle lot, the rear lot line is a line at least 10 feet long and parallel to and most distant from the front lot line.
- **Lot Line, Side:** A side lot line is any lot line which is not a front lot line or a rear lot line.
- **Lot Line, Street Side:** A side lot line adjacent to a street right-of-way.
- **Lot, Corner:** A lot situated at the intersection of two or more streets, which streets have an angle of intersection of not more than 135 degrees.
- **Lot, Double Frontage:** Any lot, not a corner lot, with frontage on two non-intersecting streets.
- **Lot, Flag:** A lot that abuts the street by a narrow strip of land that does not meet the minimum lot width requirements of this Chapter. A flag lot is made up of two components, the flag portion that is the developable part of the lot and the flagpole, which is the narrow strip connecting the flag portion to the street.
- **Lot, Interior:** A lot other than a corner lot.
- **Nonconforming Lot:** A lot that complied with all applicable standards when created but does not meet current standards.
- **Nonconforming Structure:** A structure that does not conform to the current zoning regulations, or other city regulations, for the property.
- **Nonconforming Use:** A use of a property that does not conform to the current zoning regulations, or other city regulations, for the property.
- **Nonconforming Use, Illegal:** An existing use, lot, or structure that was not permitted under the zoning regulations in place when the use, lot, or structure was established.
- **Nonconforming Use, Legal:** A use, lot, or structure that was lawful when established but is no longer permitted under current regulations.
- **Parcel:** An undivided legally described piece of land, which may be a lot or tract.
- **Paving or Paved Surface:** The covering of a surface, generally for driving or parking of vehicles, with concrete, asphalt, brick or stone pavers, or similar treatment that creates a level, impervious surface, as determined by the City Administrator.
- **Permit:** An official document or certificate issued by the authority having jurisdiction authorizing performance of a specified activity.
- **Premises:** A parcel or parcels of land together with all buildings and structures thereon.
- **Principal Building:** The building or buildings on a lot which are occupied by a principal use.
- **Rezoning:** A legislative action amending the zoning map to change the zoning district applied to a particular area of land.
- **Right-of-Way, External:** The portion of the right-of-way outside the street surface; often used for sidewalks, utilities, and landscaping.
- **Right-of-Way:** Land reserved or dedicated for transportation or utilities, such as streets or alleys, pedestrian ways, or similar purposes.
- **Setback:** The minimum distance between a building or structure and a lot line, excepting allowable encroachments.
- **Sight Triangle:** A triangular area near intersections that must remain free of obstructions.

- **Site Plan:** A scaled drawing showing proposed development on a site for the purpose of ensuring compliance with the zoning ordinance and other requirements.
- **Site:** An area of land developed, or to be developed, as a cohesive unit, which may include one or more lots or tracts of land.
- **Street:** The area within the right-of-way intended for use as a means of vehicular and pedestrian circulation and to provide access to adjacent lots.
- **Temporary Use:** A use established for a limited duration that is intended to terminate and not remain indefinitely.
- **Tract:** A parcel of land that has not been identified on an approved and recorded subdivision plat. Requirements for a "lot" are also applicable to a "tract".
- **Use:** The purpose or activity for which land or buildings are designed, arranged, or intended, or for which land or buildings are occupied or maintained.
- **Variance:** A discretionary waiver from specific zoning standards due to hardship.
- **Yard, Front:** The area extending the full width of a lot between the street right-of-way line and the front line of the principal building(s) extended to the side property lines.
- **Yard, Rear:** The area extending the full width of a lot between the rear line of the principal building(s) and the rear lot line.
- **Yard, Side:** The area adjoining the sides of the principal building(s) and between the front and rear yards.
- **Yard:** An open area between a lot line and a setback, unobstructed and unoccupied from the ground upward, except for projections permitted by this Zoning Ordinance.
- **Zoning District:** An area of the City designated on the Zoning Map where regulations of this ordinance generally apply uniformly.
- **Zoning Map:** The official map depicting zoning district boundaries.

Sec. 12.353. Land Use Definitions

- **Accessory Building or Structure:** A building or structure subordinate to the principal building on a lot, the use of which is customarily incidental to that of the principal building or to the principal use of the land.
- **Accessory Dwelling:** A type of accessory building that is a subordinate dwelling located on the same lot as a principal dwelling and providing complete independent living facilities, including provisions for cooking, sleeping, and sanitation, whether a part of the same structure as the principal dwelling unit or a detached dwelling unit on the same lot.
- **Accessory Use:** A use that is customarily incidental and subordinate to the principal use of the land or buildings on the same lot or site.
- **Agricultural Use:** An area used for (1) the cultivation and production of farm crops or vegetation for food, feed, seed, or fiber; (2) aquaculture, floriculture, viticulture, horticulture, or silviculture; (3) wildlife management; (4) raising or keeping of typical farm animals such as livestock and poultry; (5) participation in crop rotation programs; or (6) the commercial sale of animals; and including related accessory uses and structures, which includes roadside stands.

- **Airport:** An area reserved or improved for the landing or take-off of aircraft, including rotary wing aircraft, which may include fueling or servicing facilities for such craft.
- **Alcohol Sales:** Establishments that sell alcohol in compliance with the Texas Alcoholic Beverage Code, as amended, and any applicable local option elections.
- **Ambulance Service:** Provision of private (not operated by a governmental entity or through contract with a governmental entity) emergency transportation which may include mobile medical care, and the storage and maintenance of vehicles.
- **Automobile Parking Lot or Structure (Commercial):** An area, enclosed or unenclosed, used for the parking or storage of motor vehicles for a fee independent from parking for a particular business or businesses.
- **Automobile Wash:** Washing, waxing, or cleaning of automobiles or light duty trucks, including full service where the employees of the establishment wash, dry, wax and/or detail vehicles for a fee or self-service where the owner of the vehicle causes the vehicle to become washed, including automated or drive through washes or self-service wash bays.
- **Banking Services:** An establishment for the custody, loan, exchange and/or issue of money, the extension of credit, and/or facilitating the transmission of funds, examples of which include banks, saving and loans, and credit unions.
- **Bed & Breakfast:** An establishment used for dwelling purposes for a period of less than 30 consecutive days in which less than the entire dwelling is offered to transient guests for compensation.
- **Boarding or Rooming House:** A residential building, or portion thereof, in which lodging is provided for long-term or semi-permanent occupancy, typically 30 days or more, with (Boarding House) or without (Rooming House) the provision of meals, and where separate cooking facilities for individual residents are not provided. Boarding or Rooming Houses are not considered short-term lodging establishments and do not include hotels, motels, or short-term rentals.
- **Cemetery, Crematorium, And Mausoleum:** Land used or intended to be used for the care or burial of the dead and dedicated for such purposes including columbariums, crematoriums, mausoleums, and funeral establishments, or any combination thereof.
- **Community and Cultural Facilities:** A facility used for civic, social, cultural, or community activities, operated by a public, nonprofit, or membership-based organization. Examples include community centers, meeting halls, social or fraternal organizations, art galleries, live theaters for performing arts, museums, art studios, libraries, and similar uses.
- **Contractor Services:** A business that constructs and repairs buildings, paves roads, installs landscaping, fences, swimming pools, and other structures, including subcontractors do installation, service, and repair, such as electrical, plumbing, and mechanical. This use is typified by outdoor storage yards for vehicles, materials, and equipment and does not include any such use that only provides office-related services for the business.
- **Convenience Store:** A small retail establishment, generally 5,000 square feet or less of floor area, offering a limited selection of frequently purchased goods, including snacks, beverages, tobacco products, over-the-counter medicines, lottery tickets, and household convenience items, generally for quick, stop-in transactions. Fuel sales, if provided, shall

be considered a separate, accessory use where permitted.

- **Data Center:** A building or group of buildings primarily designed and used for the housing, operation, and maintenance of computer servers, data storage systems, network equipment, and associated infrastructure for the purpose of storing, processing, transferring, or managing digital data. Data centers do not include general office uses, call centers, or facilities where computing equipment is incidental to the primary activity.
- **Daycare:** A use that includes the care, supervision, training, or education of an unrelated child or children under 14 years old for less than 24 hours per day that occurs in a place other than the child's own home. This definition includes care provided to school-age children before and/or after the customary school day.
- **Daycare, Center-Based:** A daycare operation providing care at a location other than the caregivers' or permit holder's home.
- **Daycare, Home-Based:** A daycare operation providing care at the caregiver's home.
- **Drive-Through/Drive-In:** A use that provides services, products, food, or beverages to customers remaining in motorized vehicles in a parking space, lane, or lanes dedicated for that purpose, including but not limited to those associated with restaurants, ATMs, banks, dry cleaners, coffee shops, pharmacies, and liquor stores. A drive-through or drive-in shall at all times be considered accessory to the principal use it serves.
- **Dwelling:** A building or portion thereof designed or used for residential occupancy, including one-family, two-family, multifamily dwellings, or mobile or manufactured housing, but not including boarding or rooming houses, hotels, motels, or recreational vehicles.
- **Dwelling, Duplex:** Any building or portion thereof which is designed to be occupied as two dwellings or apartments, or which is occupied as a home or place of residence by two families living independently of each other and each having a separate entrance and maintaining separate cooking facilities. A duplex may be one building on one lot or each unit may be on its own lot sharing a common wall along a lot line.
- **Dwelling, Multiple-Family:** A residential building containing three or more dwellings, or multiple detached single family dwellings on a single lot, that are designed for occupancy by three or more families, each living independently of one another, with the number of families not to exceed the number of dwellings. The term includes cooperative apartments, condominiums, and the like. Any multifamily dwelling in which units are available for rental periods less than one week shall be considered a hotel or motel.
- **Dwelling, Single Family:** A building designed and arranged exclusively for the use and occupancy of one family which is not attached to any other dwelling.
- **Dwelling, Townhouse or Townhome:** A building constructed in a group of three or more attached dwellings separated by property lines in which each dwelling extends from the foundation to the roof with access to a front and back yard.
- **Entertainment & Recreation (Indoor):** Commercial entertainment or recreational activities conducted entirely within an enclosed building. Examples include bowling, arcades, skating rinks, theaters, escape rooms, fitness/training studios, and similar uses, but excluding amusement redemption machines.
- **Entertainment & Recreation (Outdoor):** Commercial entertainment or recreational

activities where any portion occurs outdoors. Examples include miniature golf, batting cages, golf driving range, go-karts, drive-in theaters, outdoor performance venues, amusement parks, fairgrounds, rodeo facilities, and similar uses.

- **Extractive and Heavy Materials Processing:** A land use category that includes industrial operations involving the extraction, processing, handling, or storage of raw earth materials, and other heavy industrial activities with significant outdoor components or environmental impacts. Examples include, but are not limited to, mining, quarrying, borrow pits, sand and gravel extraction, rock crushing, concrete or asphalt batch plants, soil processing, materials stockpiling, and similar operations in which natural materials are removed from the ground or processed into construction or industrial products. These activities typically involve heavy truck traffic, outdoor processing equipment, dust and noise-generating machinery, blasting, crushing, screening, or mixing activities. This category does not include light manufacturing, recycling facilities, or construction contractor yards unless such uses involve the extraction or industrial-scale processing of raw materials.
- **Fuel Sales:** The retail sale of flammable liquids, combustible liquids, liquid flammable gas, or flammable gas, where such fuel is dispensed into tanks for motor vehicles.
- **Funeral Home or Mortuary:** A place for the temporary storage of human bodies prior to their burial or cremation, which may also be used for the preparation of the deceased for burial and the display of the deceased and ceremonies connected therewith before burial or cremation.
- **Garage Sale:** The sale of items at a private residence for the purpose of disposing of personal property, and includes the terms yard sale, rummage sale, and similar references.
- **Governmental Facilities:** A building, structure, land area, or use owned, leased, or operated by a local, state, or federal government agency, or by a political subdivision or public authority, for the purpose of providing administrative, civic, judicial, legislative, protective, regulatory, or public service functions. Governmental facilities include, but are not limited to, city halls, courthouses, administrative offices, public safety facilities (police, fire, EMS), public works yards, utility service facilities, maintenance facilities, and other operations providing governmental or public services. This use category does not include correctional or detention facilities, schools, or utility facilities that are separately defined.
- **Grocery Store:** A retail establishment, typically over 5,000 square feet in floor area, primarily engaged in the sale of a broad range of food and household goods, including fresh produce, meats, dairy products, baked goods, packaged foods, and typical household staples. A grocery store may include specialty departments such as a pharmacy, delicatessen, coffee counter, prepared foods area, or other ancillary services provided these uses are incidental to the principal grocery operation.
- **Group Living:** Use of a site for institutional residential occupancy by multiple unrelated persons in a shared living arrangement with sleeping rooms and shared facilities, which may include on-site supervision or care. Group living is intended for permanent housing as compared to short term housing provided by shelters.
- **Group Living, Residential:** Group living for individuals with no on-site supervision or care

provided. Examples include residence halls, dormitories, fraternity and sorority houses, and similar uses.

- **Group Living, Community Residential Facility:** Group living with on-site supervision and non-medical treatment. Examples include group homes, halfway houses, rehabilitation facilities, and transitional homes, but excluding community homes.
- **Group Living, Community Home:** A residential facility meeting the definition and requirements of Texas Human Resources Code, Chapter 123, providing residence to no more than six persons with disabilities and up to two caregivers.
- **Group Living, Personal Care Facility:** An establishment that furnishes food, shelter, and medical care or treatment for medical, behavioral, mental health, or similar personal care services. Examples include nursing homes, assisted living, memory care facilities, residential treatment centers, and similar uses.
- **Group Living, Punitive:** A secure, full-time residential facility operated by a governmental agency, or private entity under contract with a governmental agency, used for the incarceration, detention, or long-term custody of individuals as part of the criminal justice or juvenile justice system. Examples include prisons, penitentiaries, jails, juvenile detention centers, detention camps, correctional institutions, and similar facilities where residents are involuntarily housed under legal order. This use does not include halfway houses, probation or parole residential programs, residential treatment centers, or other non-secure community-based group living arrangements.
- **Home-Based Business:** A business that is operated from a residential property, by the owner or tenant of the property, and for the purpose of manufacturing, providing, or selling a lawful good, or providing a lawful service.
- **Home-Based Business, No-Impact:** A home-based business that has at any time on the property where the business is operated a total number of employees and clients or patrons of the business that does not exceed the municipal occupancy limit for the property; does not generate on-street parking or a substantial increase in traffic through the area; operates in a manner in which none of its activities are visible from a street; and does not substantially increase noise in the area or violate a municipal noise ordinance, regulation, or rule.
- **Hospital:** A facility licensed to provide medical, surgical, psychiatric, or emergency treatment to patients with illnesses, injuries, or health conditions, where care is provided by physicians, nurses, and other licensed health-care professionals. A hospital typically includes inpatient beds, operating rooms, diagnostic imaging, laboratories, emergency departments, and ancillary support services. A hospital may also include outpatient clinics, rehabilitation services, pharmacies, cafeterias, administrative offices, and other customary accessory uses. This use does not include standalone medical offices, urgent care clinics without inpatient beds, or long-term nursing or assisted-living facilities.
- **Hotel/Motel:** A building or group of buildings offering transient lodging to guests for periods of less than 30 consecutive days, typically on a daily rate, and which may include accessory services such as restaurants, meeting rooms, lounges, retail services, and recreational facilities. Hotels provide private rooms or suites with individual bathrooms, and may offer housekeeping or other guest services.

- **Industrial, Heavy:** A category of high-intensity industrial operations involving large-scale production, processing, assembly, treatment, or storage of materials, products, or equipment. Heavy industrial uses may include activities that generate significant noise, vibration, odors, emissions, truck or rail traffic, or outdoor operations. This category includes, but is not limited to: heavy manufacturing; foundries; metal or wood fabrication plants; chemical or petrochemical production; energy generation; large-scale food processing; waste handling or recycling facilities; outdoor storage yards associated with manufacturing; and other operations requiring state or federal environmental permits due to their potential impacts.
- **Industrial, Light:** A category of low- to moderate-intensity industrial uses conducted primarily within enclosed buildings and characterized by minimal off-site impacts. Light industrial uses include the fabrication, assembly, processing, packaging, repair, or finishing of products using small-scale machinery or hand tools; research and development laboratories; prototype manufacturing; technology or electronics assembly; industrial laundry facilities; alcohol manufacturing, wholesaling, or distribution; warehousing; distribution; and similar operations where noise, vibration, odor, emissions, truck traffic, or outdoor activity are limited in scale and not detectable beyond the property line in a manner that would create nuisances. Light industrial uses do not include heavy manufacturing, large-scale materials processing, extractive industries, chemical production, outdoor-intensive industrial operations, or uses requiring state or federal air, wastewater, or hazardous-material permits beyond laboratory or light-industrial thresholds.
- **Industrialized Housing:** Industrialized housing is a structure that is: (1) designed for the occupancy of one or more families; (2) constructed in one or more modules or constructed using one or more modular components built at a location other than the permanent sites; and (3) designed to be used as a permanent residential structure when the module or modular component is transported to the permanent site and erected or installed on a permanent foundation system. Industrialized housing includes the structure's plumbing, heating, air conditioning, and electrical systems. Industrialized housing does not include: (1) housing constructed of a sectional or panelized system that does not use a modular component; or (2) a ready-built home constructed in a manner in which the entire living area is contained in a single unit or section at a temporary location for the purpose of selling and moving the home to another location.
- **Itinerant Business:** An establishment of any business on a temporary basis where the business does not occur in a permanent structure, in a structure for which a temporary permit has been obtained, or in association with another temporary use such as a carnival, fair, parade or festival. The term further does not apply to garage sales, businesses that are operated or owned by the same person or entity that owns the property, or businesses that hold a lease term on the property of at least one year.
- **Kennel:** Any lot or premises on which five or more dogs, cats, or other domestic animals, at least four months of age, are housed or accepted for boarding, training, grooming, bathing, or otherwise keeping or caring for.
- **Kennel (Outdoor):** A kennel that includes outdoor pens, yards, or play areas where animals

can be outside without direct supervision.

- **Kennel (Indoor):** A kennel that does not include outdoor pens, yards, or play areas, except for areas where individual animals are on a leash and directly supervised by establishment personnel.
- **Landfill:** The disposal and burial of non-hazardous and non-medical, farm, residential, commercial, institutional, or industrial waste.
- **Livestock Sales And Transport Facility:** A commercial establishment engaged in the receiving, temporary holding, sorting, loading, unloading, weighing, sale, or auction of livestock, and may include associated activities such as on-site veterinary inspection, livestock pens, barns, loading chutes, trailer parking, and the staging or dispatching of trucks used for the transport of livestock. This use includes livestock auction barns, livestock markets, livestock shipping or hauling businesses, and combined sale-and-haul operations. Facilities often generate significant truck traffic, noise, and odors and may involve outdoor pens or covered holding structures. This use does not include small-scale agricultural operations conducted as an accessory use to a farm or ranch, nor does it include slaughterhouses or meat-processing facilities.
- **Manufactured Home:** A type of single-family dwelling as defined by Section 1201.003 of the Texas Occupations Code.
- **Manufactured Home, New:** A manufactured home that is not a used manufactured home, regardless of its age.
- **Manufactured Home, Used:** A manufactured home which has been occupied for any use or for which a statement of ownership has been issued.
- **Manufactured/Mobile Home Park:** Any tract of land where accommodation is provided for non-transient manufactured/mobile home use.
- **Mobile Food Unit (MFU):** (As defined by 25 TAC 228.2, as may be amended) A vehicle-mounted, self- or otherwise propelled, self-contained food service operation designed to be readily movable (including catering trucks, trailers, push carts, and roadside vendors) and used to store, prepare, display, serve or sell food. An MFU must completely retain its mobility at all times. An MFU does not include a stand or a booth. A roadside food vendor is classified as an MFU.
- **Mobile Food Vendor:** Any business which sells edible goods from a Mobile Food Unit (MFU) within the city.
- **Mobile Home:** A type of single-family dwelling produced prior to June 15, 1976, as defined by Section 1201.003 of the Texas Occupations Code.
- **Office:** A commercial or professional establishment in which business, administrative, clerical, financial, professional, or technical services are conducted primarily within an enclosed building. Activities typically include the handling of paperwork, data processing, design work, meetings, consultations, or similar functions that do not involve the sale of physical goods, on-site manufacturing, or customer-oriented retail transactions. Offices may include services such as accounting, architecture, engineering, real estate, insurance, consulting, legal services, corporate administration, and similar professions. The term does not include medical offices.
- **Office, Construction (Temporary):** A building used to provide on-site office space at an

active construction site.

- **Office, Medical:** A facility where health care professionals, including doctors, nurses, dentists, orthodontists, optometrists, and similar professionals, provide outpatient health care services, examinations, or consultations, but excluding surgical centers or other overnight care; and facilities that perform medical or dental laboratory testing or processing having a direct relationship to the provision of health services, but excluding industrial scale laboratory processes.
- **Outdoor Display:** The display of goods, materials, or other merchandise for sale to customers, outside of a building, as part of a principal commercial or retail business on the site and does not include storage of materials, equipment, or retail inventory not intended for direct sale, inoperable vehicles, construction supplies, or bulk materials.
- **Outdoor Storage:** The keeping, displaying, or storing, outside a building, of any goods, materials, merchandise, vehicles, or equipment that does not meet the definition of outdoor display.
- **Pawnshop:** A commercial establishment licensed under Texas state law to engage in pawn transactions, in which a pawnbroker makes pawn loans to customers and receives personal property as pledged collateral. A pawnshop includes any business where customers may pledge, sell, or otherwise convey personal property to secure a loan, and where the pledged property may later be redeemed by the customer. The term does not include secondhand goods stores, thrift shops, consignment stores, or other retail establishments that do not make pawn loans.
- **Place of Worship:** A tax-exempt organization, such as a church, temple, or similar religious facility, used as a place of assembly for religious purposes, including accessory uses and activities customarily associated with such use.
- **Recreation, Outdoors:** Recreational activities that take place outdoors, including hiking/biking trails, picnic areas and shelters, athletic fields, play courts (such as tennis courts), swimming pools, golf courses, campgrounds, and similar uses. These may include accessory structures for restrooms, concessions, dressing, offices, and associated ticket/equipment purchase or rental.
- **Recreational Vehicle (RV):** A motorized or towable vehicle designed and constructed to provide temporary living quarters for recreational, camping, travel, or seasonal use, including motorhomes, travel trailers, fifth-wheel trailers, truck campers, and similar units.
- **Recreational Vehicle (RV) Park:** An area where accommodation is provided for transient residence for two or more recreational vehicles.
- **Recycling Collection And Processing Center:** A facility that is not a salvage yard and in which recoverable resources, such as newspapers, glass, plastic, and metal cans, are collected, stored, flattened, crushed or bundled.
- **Recycling Collection Point:** A use that serves as a drop-off point for the temporary storage of recoverable resources where there is no processing of such items.
- **Repair And Maintenance Services (Indoor):** A commercial establishment where repair and maintenance services are performed and where all operations are contained entirely within an enclosed building. This definition shall not include maintenance and repair of

motor vehicles.

- **Repair And Maintenance Services (Outdoor):** A commercial establishment where repair and maintenance services are performed and where all or any portion of the operations are located outside of an enclosed building. This definition shall not include maintenance and repair of motor vehicles.
- **Restaurant/Bars:** A commercial establishment where food and/or beverages are prepared and sold for on-premises or off-premises consumption that may offer counter service, table service, self-service, take-out, or delivery. Examples include bars, cafes, coffee shops, retail bakeries, fast food, full service dining, and similar establishments. Such uses may include drive-in or drive-through service where permitted as an accessory use or alcohol sales where permitted.
- **Retail Sales & Service:** Establishments engaged in the sale or rental of goods and the provision of consumer services. Examples include sales of apparel, electronics and other goods, hardware stores, home improvement stores, laundries (retail or self-service), pharmacies, bakeries (retail), copy/print shops, specialty retail, personal services, such as barber shops, beauty shops, and tattoo parlors, and other similar uses.
- **Retail Sales/Rental (Automobiles, Trucks, And Other Large Vehicles And Equipment):** A business establishment for the display for sale, rental, or lease of automobiles, trucks, manufactured homes, RVs, boats, and motorized heavy equipment accompanied by an on-site office with staffing during normal business hours, which may include the service of vehicles on-site.
- **Roadside Stand:** A temporary structure without foundation and intended to be used solely by the owner or tenant of the property on which it is located for the sale of agricultural produce where 50 percent or more of the gross income received is derived from produce raised on farms owned or operated by the operator in a normal crop year.
- **Salvage, Junk, And Vehicle Impound Services:** A land use category that includes facilities engaged in the outdoor storage, collection, towing, dismantling, recovery, or recycling of vehicles, metals, equipment, or discarded materials. Examples include scrap yards, junkyards, auto salvage operations, wrecker services, towing and impound lots, and similar activities involving the processing or storage of materials or inoperable, abandoned, or wrecked vehicles.
- **School, Primary And Secondary:** A public, charter, or private educational facility providing instruction to students from kindergarten through grade 12, including elementary, intermediate, middle, junior high, and high schools; includes common accessory facilities such as athletic fields, auditoriums, cafeterias, and administrative offices.
- **School, Post-Secondary:** A public or private educational institution that provides academic, professional, technical, or vocational instruction beyond the high-school level. Examples include colleges, universities, community colleges, vocational and trade schools, technical institutes, and other adult education or certificate-granting programs. Facilities may include classrooms, lecture halls, laboratories, administrative offices, student centers, libraries, on-site dining, and typical accessory uses such as student housing, recreation facilities, and parking areas.
- **School, Specialty:** A facility providing specialized instruction, training, or practice in a

focused discipline or skill. Specialty schools may include, but are not limited to, dance studios, music schools, art schools, martial arts academies, gymnastics studios, performance training centers, tutoring or enrichment centers, craft or creative arts programs, and similar instructional uses. Such facilities typically offer lessons, classes, workshops, or rehearsals for individuals or small groups, and do not confer academic degrees or provide K–12 or post-secondary education. Accessory uses may include retail sales of related supplies, offices, and small performance or exhibition areas.

- **Sexually Oriented Business (SOB):** A business as defined in Chapter 243 of the Texas Local Government Code.
- **Shelter & Transitional Housing:** A residential use providing temporary or time-limited lodging, which may or may not include supportive services, for individuals and/or households. Services may include meals, counseling, case management, safety/protective assistance, and housing navigation. Examples include homeless shelters, protective shelters for victims of abuse, youth shelters, and other similar uses.
- **Shipping Container:** Any structure or storage receptacle designed or built and generally intended for the shipment or transportation of products or goods; however, shall not include trucks, trailers, or rail cars.
- **Shopping Center:** A group of retail and commercial establishments planned, constructed, and managed as a single property.
- **Short-Term Rental:** An establishment used for dwelling purposes for a period of less than 30 consecutive days in which the entire dwelling is offered to transient guests for compensation. This is not intended to include a rental of a dwelling that is part of a contract for sale of the dwelling.
- **Smoke / Vape / CBD Shop:** A retail establishment primarily engaged in the display, sale, distribution, delivery, offering, or marketing of tobacco, tobacco products, e-cigarettes, vaping devices, CBD or hemp-derived products, or tobacco paraphernalia or any similar use. This does not include (1) pharmacies selling FDA-approved cannabis or cannabis derived products, (2) grocery stores, supermarkets, convenience stores, or similar retailers where the display and storage of such products constitute no more than 2% or 200 square feet of gross floor area, whichever is less, or for stores less than 250 square feet in total floor area, no more than 5 square feet.
- **Social Service Facility:** A nonprofit facility intended to provide basic needs to individuals and families including training, food, counseling, and health care, but not including permanent or temporary housing.
- **Storage, Self-Service:** Small individual storage units for rent or lease, restricted solely to the storage of items, such as motor vehicles, trailers, boats, bulky household goods, and other personal property with no on-site residential or business activity, except for the sales office for the storage facility.
- **Surgical Center:** A facility not within a hospital, providing surgical services requiring anesthesia and/or a period of post-operative observation for patients whose admission for overnight stay is not anticipated to be medically necessary. Generally excluded are surgical services ordinarily performed by physicians in their private offices or within a hospital's outpatient or emergency department.

- **Swimming Pool, Private:** A swimming pool constructed for the exclusive use of the residents of a dwelling or dwellings. A private swimming pool is not operated as a business or for remuneration of any kind.
- **Swimming Pool, Public:** A swimming pool constructed for use by the general public, including those operated by the City or other public entity, operated as a business, or operated in conjunction with another public use, such as a hotel, recreation facility, or similar use.
- **Urgent Care Clinic:** A medical facility that provides walk-in, outpatient diagnosis and treatment of illnesses, injuries, and health conditions that require prompt attention but are not severe enough to necessitate emergency room care. Urgent care clinics typically offer extended hours, accept unscheduled patients, and provide services such as minor injury treatment, diagnostic imaging, laboratory testing, and basic medical procedures. Patients are treated on an outpatient basis, and the facility does not provide inpatient beds, surgical suites requiring anesthesia beyond minor procedures, or overnight care. This use is distinct from a hospital emergency department and may be accessory to or separate from a medical office or clinic.
- **Utility Facility:** A structure or facility used by a public or quasi-public utility agency to store, distribute, or pump a utility service such as electricity, natural gas, telecommunications, water, or sewer. This use does not include facilities to generate, treat, or produce such utilities.
- **Utility Generation, Production, Treatment:** A structure or facility used by a public or quasi-public utility agency to generate, treat, or produce a utility such as electricity, natural gas, water, or sanitary sewer.
- **Vehicle Repair And Maintenance Services:** Repair, maintenance, or service of vehicles, light trucks, large trucks, buses, RVs, and other vehicles, including oil changes, tires, diagnostics, emergency road service, washing and detailing, inspections, and general repair or reconditioning of engines, air-conditioning systems, and transmissions for motor vehicles; wrecker service; collision repair services including body, frame, or fender straightening or repair; customizing; painting; undercoating and rustproofing; and other similar uses.
- **Veterinary Service:** A place where a veterinarian maintains treatment facilities for the medical or surgical treatment of diseased or injured animals, including boarding facilities.
- **Wholesaling And Storage:** An establishment or place of business primarily engaged in the storage or warehousing of items; and/or engaged in selling or distributing of merchandise in quantity to retailers, industrial, commercial, institutional, professional business users, or other wholesalers; engaged in acting as agents or brokers buying merchandise for, or selling merchandise to, such individuals or companies; or where merchandise is transferred from one mode of transportation to another.

ORDINANCE NO. 011-26

AN ORDINANCE OF THE CITY OF HALLETTSVILLE, TEXAS, ADOPTING AN OFFICIAL ZONING MAP; REPEALING ALL ORDINANCES TO THE EXTENT THEY ARE IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

****

WHEREAS, the City of Hallettsville ("City") is a general-law city of the State of Texas, and is empowered by the Chapter 211 of the Texas Local Government Code to establish zoning regulations; and

WHEREAS, the City has duly held public hearings and given proper notice, as necessary, pertaining to the adoption of an Official Zoning Map; and

WHEREAS, the Planning and Zoning Commission held a public hearing on **October 28, 2026,** on the proposed Official Zoning Map; and

WHEREAS, the Planning and Zoning Commission, after consideration of the proposed Official Zoning Map, made a recommendation to the City Council for approval on **October 28, 2026**; and

WHEREAS, the City Council held the required public hearing concerning the proposed Official Zoning Map on **November 16, 2026**; and

WHEREAS, the City Council finds and determines that the proposed Official Zoning Map promotes the health, safety, and general welfare of the public by promoting and encouraging quality development within the City and orderly, harmonious, and systematic growth in accordance with the Comprehensive Plan for the City; and

WHEREAS, the City recognizes that, upon the initial adoption of zoning regulations, existing lawful uses may not always be identified with complete certainty. Accordingly, it is the City Council's intent to ensure that lawful uses existing on the effective date of this Ordinance are not rendered nonconforming solely as a result of the initial adoption of zoning regulations.

WHEREAS, the City has complied with all conditions precedent necessary to take this action, has properly noticed and conducted all public hearings and public meetings pursuant to the Texas Local Government Code and Texas Government Code, as applicable; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HALLETTSVILLE, TEXAS:

Section 1. The foregoing recitals are found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes and findings of fact.

Section 2. Official Map. The map, attached by reference hereto and fully incorporated herein as Exhibit A and marked and labeled "City of Hallettsville Zoning Map", is hereby adopted as the official zoning map of the City. The zoning districts and boundaries indicated upon this map are hereby declared to be the official zoning district boundaries for the City. All properties shown on the map as within a particular zoning category are hereby declared to be within that zoning district and zoned accordingly

to comply with the requirements of this Ordinance. Any zoning maps adopted prior to the adoption date of this Ordinance are hereby repealed.

Section 3. If any provision of this Ordinance is illegal, invalid, or unenforceable under present or future laws, the remainder of this Ordinance will not be affected and, in lieu of each illegal, invalid, or unenforceable provision, a provision as similar in terms to the illegal, invalid, or unenforceable provision as is possible which is legal, valid, and enforceable will be added to this Ordinance.

Section 4. This Ordinance shall be cumulative of all provisions of ordinances of the City except where the provisions of the Ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

Section 5. This Ordinance shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 7. Whenever any provision of this Ordinance imposes a greater requirement or a higher standard than is required in any State or Federal statute or any other City ordinance or regulation, the provisions of this Ordinance shall govern. Whenever any provision of any State or Federal statute or other City ordinance or regulation imposes a greater requirement or a higher standard than is required by this Ordinance, the provision of such State or Federal statute or other City ordinance or regulation shall govern.

Section 7. It is officially found, determined, and declared that the meeting at which this Ordinance is adopted was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Texas Open Meetings Act, Chapter 551, Texas Government Code, as amended.

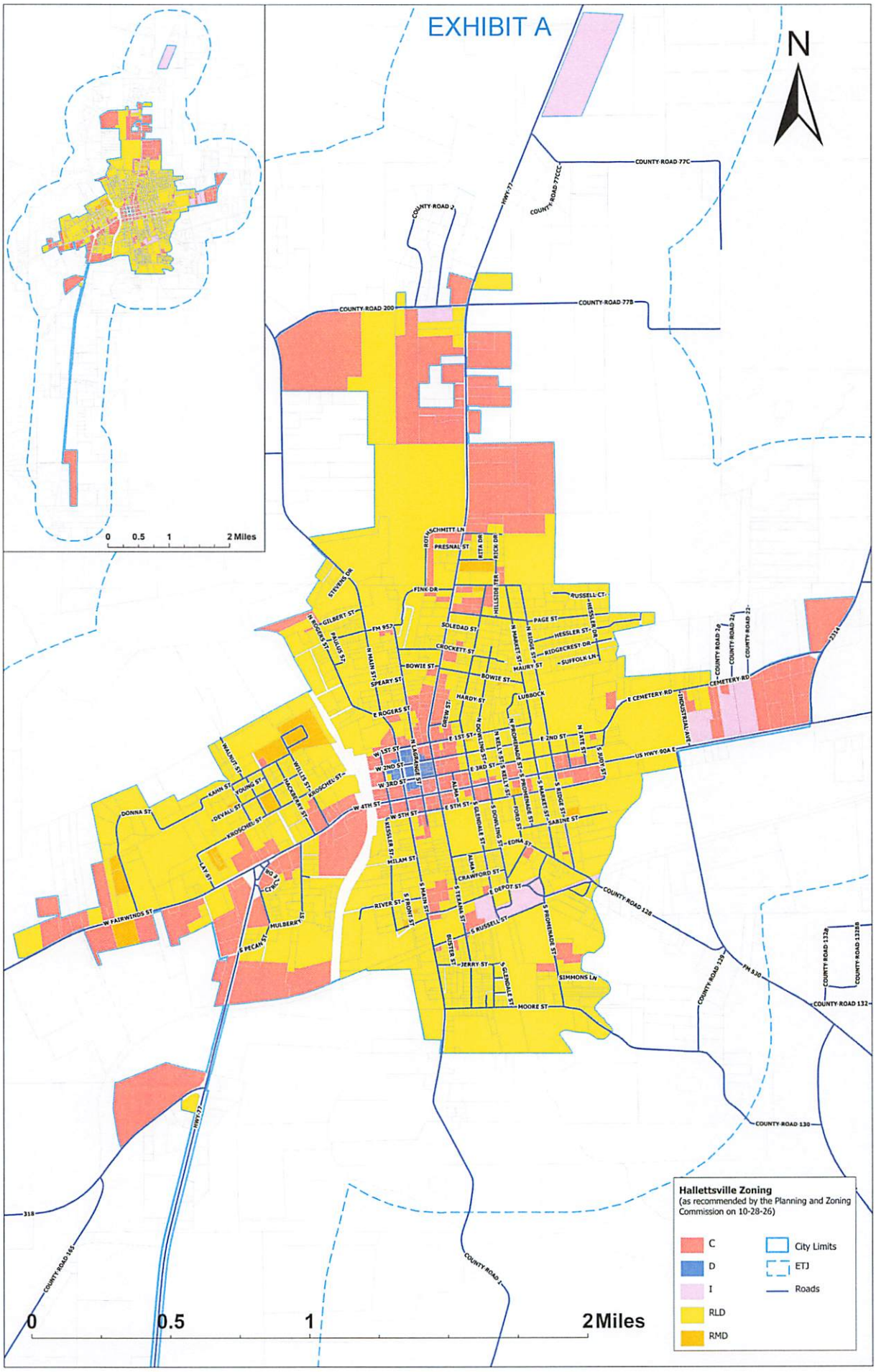
Section 8. This Ordinance will take effect upon its adoption by the City Council and any publication as required by law.

PASSED, APPROVED, AND ADOPTED this the **16th day of November, 2026.**

_____
Alice Jo Summers, Mayor

ATTEST:

_____
Grace Ward, City Secretary


EXHIBIT A
N
0 0.5 1 2 Miles
COUNTY ROAD 77C
COUNTY ROAD 77CCC
HWY 77
COUNTY ROAD 2
COUNTY ROAD 200
COUNTY ROAD 77B
ROTH SCHMITT LN
PRESNAL ST
ETTA DR
RICK DR
STEVENS DR
FINK DR
HILLSTOP TER
RUSSELL CT
GILBERT ST
FM 957
PAGE ST
HESSLER DR
SOLEDAD ST
CROCKETT ST
BIDGECREST DR
SUFFOLK LN
BOWIE ST
MAURY ST
SPEARY ST
HARDY ST
LUBBOCK
E ROGERS ST
CEMETERY RD
INDUSTRIAL AVE
COUNTY ROAD 22
COUNTY ROAD 22A
COUNTY ROAD 2314
E 1ST ST
E 2ND ST
W 1ST ST
W 2ND ST
W 3RD ST
E 3RD ST
W 4TH ST
E 4TH ST
W 5TH ST
E 5TH ST
US HWY 90A E
S JUDY ST
S RIDGE ST
SABINE ST
EDNA ST
FORD ST
S MARKET ST
S PROMENADE ST
S KELL ST
S DOWLING ST
GLENDALE ST
CRAWFORD ST
E DEPOT ST
S RUSSELL ST
S MAIN ST
S STEARNS ST
RIVER ST
MILAM ST
WALNUT ST
KARN ST
YOUNG ST
DEVALL ST
KROSCHEL ST
WILLIS ST
MCCREARY ST
DONNA ST
W FAIRWINDS ST
LAY ST
CR 1243
S PECAN ST
MULBERRY ST
HWY 77
318
COUNTY ROAD 161
COUNTY ROAD 1
BUSTER ST
JERRY ST
S GLENDALE ST
SIMMONS LN
MOORE ST
COUNTY ROAD 128
COUNTY ROAD 129
FM 530
COUNTY ROAD 132
COUNTY ROAD 132A
COUNTY ROAD 132B
COUNTY ROAD 130
0 0.5 1 2 Miles
Hallettsville Zoning
(as recommended by the Planning and Zoning Commission on 10-28-26)
C
D
I
RLD
RMD
City Limits
ETJ
Roads

ORDINANCE NO. 013-26

AN ORDINANCE OF THE CITY OF HALLETTSVILLE, TEXAS, AMENDING APPENDIX A, FEE SCHEDULE, OF THE CITY CODE OF ORDINANCES; AMENDING CHAPTER 9, SUBDIVISIONS, EXHIBIT 9A, SECTIONS 13.5A AND 15.2C, TO REVISE SUBDIVISION APPLICATION FEES; REVISING AND ESTABLISHING CERTAIN FEES AND CHARGES; PROVIDING FOR SEVERABILITY; REPEALING CONFLICTING ORDINANCES; AND PROVIDING AN EFFECTIVE DATE

****

WHEREAS, the City of Hallettsville ("City") is a general-law city of the State of Texas; and

WHEREAS, the City has established by ordinance certain fees for applications, licenses, permits, and services provided by the City; and

WHEREAS, the City has conducted a review of the fees charged for applications, licenses, permits, and services provided by the City and desires to revise such fees;

WHEREAS, the fees, costs, and charges assessed by the City should be amended, updated, organized, and consolidated; and

WHEREAS, the revised Fee Schedule attached hereto as Exhibit A reflects revisions to certain fees, restates certain existing fees, and consolidates fees into a single schedule;

WHEREAS, the City Council further finds it necessary to amend Chapter 9, Subdivisions, Exhibit 9A, Sections 13.5a and 15.2c, to remove specific subdivision application fees from the subdivision regulations and instead reference the City's adopted Fee Schedule; and

WHEREAS, the City finds that this Ordinance was passed and approved at a meeting of the City Council of the City of Hallettsville's held in strict compliance with the Texas Open Meetings Act at which a quorum of the City Council Members was present and voting.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HALLETTSVILLE, TEXAS, THAT:

Section 1. The facts and recitations set forth in the preamble of this Ordinance are hereby found to be true and correct.

Section 2. The City Council of Hallettsville hereby amends Appendix A, Fee Schedule, of the City Code of Ordinances as reflected in Exhibit A attached hereto and incorporated herein for all purposes and further amends Chapter 9, Subdivisions, Exhibit 9A, Sections 13.5a and 15.2c, as reflected in Exhibit B attached hereto and incorporated herein for all purposes

Section 3. All persons, firms, or corporations applying for licenses, permits, approvals, or

receiving other City services described in the Fee Schedule as provided for in the attached Exhibit A that require the payment of a fee incident to such application or service shall pay the fees as prescribed in the Fee Schedule attached hereto as Exhibit A which is hereby made a part of Ordinance as if fully set forth herein. It shall be a violation of this Ordinance to conduct any activity or commence any use or receive any service for which payment of a fee described within the Fee Schedule is required until such fee has been paid (if required to be paid in advance) or to fail to pay such fee when properly billed.

Section 4. If any clause or provision of this Ordinance shall be deemed to be unenforceable for any reason, such unenforceable clause or provision shall be severed from the remaining portion of the Ordinance, which shall continue to have full force and effect.

Section 5. This Ordinance shall be and is hereby cumulative of all other ordinances of the City of Hallettsville, Texas, and this Ordinance shall not operate to repeal or affect any of such other ordinances except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this Ordinance, in which event such conflicting provisions, if any, in such other Ordinances, are hereby repealed.

Section 6. This Ordinance shall take effect immediately after its final passage and any publication in accordance with the requirements of the City of Hallettsville and the laws of the State of Texas.

PASSED & APPROVED by the City Council of the City of Hallettsville, on this, the 16th day of November, 2026.

_____
Alice Jo Summers, Mayor

ATTEST:

_____
Grace Ward, City Secretary

Exhibit A

All text underlined represents proposed additions. All text ~~struck~~ through represents proposed deletions. Any sections or subsections not included in this document have been omitted because no revisions are proposed to those provisions, and they remain unchanged.

APPENDIX A FEE SCHEDULE

ARTICLE 10.000 UTILITY RELATED FEE

10.500 Due Date for Utility Bills

(c) Notices of delinquencies will be given on the 11th day of the month and services shall be discontinued and disconnected on the 18th day of the month; unless however the due date falls on any postal holiday, the due date will be extended an extra day to cover such holiday. On or after the 18th, a late fee of $450.00 in addition to payment of all delinquencies must be paid before services will continue or be reconnected. Seven days notice shall be given of the anticipated action to terminate upon default in payment.

10.600 Electric Rates

(c) Payment. Bill is due and payable on the 10th day of each month. Late payment shall incur a 10% penalty with a minimum charge of $5.00.
~~(d) Delinquencies. Service will be disconnected on the 18th day of the month. On or after the 18th, a fee of $50.00 in addition to payment of all delinquencies must be paid before services will continue or be reconnected. Seven days' notice will be given of this anticipated action.~~
(de) Service Outside of City Limits. Add 15% on the connection, base monthly charge and wires charge.
(e~~f~~) Electric Rate - Residential. Single-family residential customers for all domestic usage.

(1) Base monthly charge: $15.38 per meter.
(2) Generation charge:
    (A) Generation charge includes all fuel charges from supplier.
    (B) The city administrator shall adjust the generation charge monthly to equal the total cost of generation supplied to the city.
(3) Wires charge: $0.0559/kWh.
    (A) Wires charge includes transmission, transformation, and distribution charges.
    (B) The city council shall adjust the wires charge annually, or as needed, by an amount equal to the PUC's transmission payment matrix.
    (C) The city council shall review the wires charge annually, or as needed, and adjust to meet distribution costs.

(fg) Electric Rate - Business. Nonresidential customers and multiple dwelling unit

customers where all electricity is taken through a single meter with average monthly usage less than 5,000 kWh.

(1) Base monthly charge: $22.82 per meter.

(2) Generation charge:

(A) Generation charge includes all fuel charges from supplier.

(B) The city administrator shall adjust the generation charge monthly to equal the total cost of generation supplied to the city.

(3) Wires charge: $0.0638/kWh.

(A) Wires charge includes transmission, transformation, and distribution charges.

(B) The city council shall adjust the wires charge annually, or as needed, by an amount equal to the PUC's transmission payment matrix.

(C) The city council shall review the wires charge annually, or as needed, and adjust to meet distribution costs.

(gh) Electric Rate - Commercial. Nonresidential customers and multiple dwelling unit customers where all electricity is taken through a single meter with average monthly usage greater than 5,000 kWh and demand, calculated or metered, is less than 100 kW.

(1) Base monthly charge: $74.45 per meter.

(2) Generation charge:

(A) Generation charge includes all fuel charges from supplier.

(B) The city administrator shall adjust the generation charge monthly to equal the total cost of generation supplied to the city.

(3) Wires charge: $0.0601/kWh.

(A) Wires charge includes transmission, transformation, and distribution charges.

(B) The city council shall adjust the wires charge annually, or as needed, by an amount equal to the PUC's transmission payment matrix.

(C) The city council shall review the wires charge annually, or as needed, and adjust to meet distribution costs.

(hi) Electric Rate - Industrial. Nonresidential customers and multiple dwelling unit customers where all electricity is taken through a single meter with demand, calculated or metered, greater than 100 kW.

(1) Base monthly charge: $279.51 per meter.

(2) Generation charge:

(A) Generation charge includes all fuel charges from supplier.

(B) The city administrator shall adjust the generation charge monthly to equal the total cost of generation supplied to the city.

(3) Wires charge: $0.0805/kWh.

(A) Wires charge includes transmission, transformation, and distribution charges.

(B) The city council shall adjust the wires charge annually, or as needed, by an amount equal to the PUC's transmission payment matrix.

(C) The city council shall review the wires charge annually, or as needed, and adjust to meet distribution costs.

(~~ij~~) Electric Rate - Hi Load Factor. Nonresidential customers and multiple dwelling unit customers where all electricity is taken through a single meter with an average load factor equal to, or greater than, 50%.

Before qualifying for hi load factor rate customer shall pay for twelve months of additional metering services. If customer qualifies for hi load factor rate, wires charges the previous twelve months of use will be adjusted to the hi load factor rate.

(1) Base monthly charge: $53.34 per meter.

(2) Generation charge:

(A) Generation charge includes all fuel charges from supplier.

(B) The city administrator shall adjust the generation charge monthly to equal the total cost of generation supplied to the city.

(3) Wires charge $0.0509/kWh.

(A) Wires charge includes transmission, transformation, and distribution charges.

(B) The city council shall adjust the wires charge annually, or as needed, by an amount equal to the PUC's transmission payment matrix.

(C) The city council shall review the wires charge annually, or as needed, and adjust to meet distribution costs.

(~~jk~~) Lighting Rates. Un-metered dusk to dawn lighting installed by city on an existing pole or structure. Base monthly charge includes installation, fixture, luminary, electricity, and maintenance.

(1)100W - Base monthly charge: $8.84.

(2)250W - base monthly charge: $15.00.

(~~kl~~) Ball Field Lighting.

(1) Lighting at the four (4) little league fields is metered and billed to Hallettsville Little League.

(2) Others wishing to utilize the lighting at the little league fields will be billed as follows:

(A) Base fee: $5.00.

(B) Per hour: $12.50.

(3) Per-hour fees billed to other lighting users will be credited to Hallettsville Little League.

ARTICLE 15.000 ZONING, COMPREHENSIVE PLAN, & ANNEXATION FEES

15.100 Zoning Fees.

(a) Zoning Applications Fee:

(1) Zoning Map Amendment: $350

(2) Conditional Use Permit: $350

(3) Planned Development District: $350

(4) Planned Development District Amendment: $350

(5) Zoning Variance: $350

(6) Special Exception: $250

(7) Zoning Determination Letter: $50.00 per parcel
(8) Zoning Text Amendment: $350
(9) Appeal to the Board of Adjustment: $250

(b) Annexation: $500

(c) Comprehensive Plan Amendment: $250

(d) City Professional Fees: A deposit of $500.00 shall be required for applications requiring review by the City Engineer, City Attorney, Planner, or other professional consultant. Any unused portion of the deposit shall be refunded to the applicant. Costs exceeding the deposit amount shall be invoiced to the applicant and shall be paid prior to final action on the application.

(e) Notices: All application fees include the cost of the initial public hearing notice. If additional notices are required due to continuances, revisions, applicant requests, or other circumstances necessitating re-notification, the applicant shall reimburse the City for the actual cost of preparing and mailing such notices.

ARTICLE 16.000 SITE DEVELOPMENT FEES

16.100 Site Plan Fees.

(a) Site Plan: $250

(b) Minor Site Plan Amendment: $100

(c) City Professional Fees: A deposit of $500.00 shall be required for applications requiring review by the City Engineer, City Attorney, Planner, or other professional consultant. Any unused portion of the deposit shall be refunded to the applicant. Costs exceeding the deposit amount shall be invoiced to the applicant and shall be paid prior to final action on the application.

ARTICLE 17.000 SUBDIVISION FEES

17.100 Subdivision Fees.

(a) Subdivision Applications, Major (Prelim Plat, Final Plat, Replat, Subdivision Master Plan): $350

(b) Subdivision Applications, Minor (Short Form Plat, Amending Plat, Vacating, Plat, Variance): $250

Exhibit B

All text underlined represents proposed additions. All text ~~struck~~ through represents proposed deletions. Any sections or subsections not included in this document have been omitted because no revisions are proposed to those provisions, and they remain unchanged.

CHAPTER 9 SUBDIVISIONS
EXHIBIT 9A

Section 13 Replatting - Short Form

5. Processing of Short Form Plat

a. Each subdivision application shall be accompanied by a processing fee as indicated in the City's Fee Schedule ~~of Fifty and no/100 Dollars ($50.00)~~.

Section 15 Preliminary Plat and Accompanying Data

2.Filing and Fees

c. Each subdivision application shall be accompanied by a processing fee as indicated in the City's Fee Schedule.~~of twenty-five ($25.00) dollars.~~

TEXAS DISPOSAL SYSTEMS

TEXAS DISPOSAL SYSTEMS, INC. TEXAS DISPOSAL SYSTEMS LANDFILL, INC.

P.O. Box 17126
Austin, TX 78760-7126
512.421.1300
512.421.1325 (FAX)
www.texasdisposal.com

FIFTH AMENDMENT TO CONTRACT FOR MUNICIPAL SOLID COLLECITON AND DISPOSALBLE SERVICES

THIS FIFTH AMENDMENT TO CONTRACT, is made and entered into on this _____ day of November, 2026, by and between The City of Hallettsville, Texas, (hereinafter called the "City"), and Texas Disposal Systems, Inc. (hereinafter called the "Contractor").

WITNESSETH:

WHEREAS, the City and Contractor entered into a Contract for Municipal Solid Waste Collection and Disposal Services effective April 1, 2017 ("Agreement"), as amended on September 1, 2017, June 1, 2021, February 22, 2022, and May 1, 2025.

NOW, THEREFORE, in consideration of the following mutual agreements and covenants, it is understood and agreed by and between the parties hereto as follows:

1. Contractor shall cease operating the Transfer Station at 11:59 p.m. on December 31, 2026;

2. Contractor shall remove all of its equipment and personnel from the Transfer Station within a reasonable time following cessation of operation;

3. Effective January 1, 2027, Section 5.8 (Transfer Station) of the Agreement is hereby deleted in its entirety;

4. Effective January 1, 2027, the Convivence/Transfer Station – Labor charge is hereby deleted from the Attachment A-3 Rate Sheet to the Agreement; and

5. All other terms and conditions of the Contract shall remain in full force and effect.

IN WITNESS WHEREOF, this Amendment has been executed as of the date first set forth above.

THE CITY OF HALLETTSVILLE, TEXAS

By:_____

Date:_____

TEXAS DISPOSAL SYSTEMS, INC.

By:_____

Date:_____

ORDINANCE 012-26

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HALLETTSVILLE, TEXAS, AMENDING THE CITY OF HALLETTSVILLE'S TEXAS MUNICIPAL RETIREMENT SYSTEM BENEFITS AND AUTHORIZING 20-YEAR RETIREMENT ELIGIBILITY EFFECTIVE JANUARY 1, 2027; AMENDING ARTICLE 8.700, "TEXAS MUNICIPAL RETIREMENT SYSTEM," OF THE CITY CODE BY ADDING SECTION 8.735; PROVIDING FOR CODIFICATION; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR COMPLIANCE WITH THE OPEN MEETINGS ACT; AND PROVIDING AN EFFECTIVE DATE.

****

Whereas, the City of Hallettsville, Texas (the "City"), elected to participate in the Texas Municipal Retirement System (the "System" or "TMRS") pursuant to Subtitle G of Title 8, Texas Government Code, as amended (which subtitle is referred to as the "TMRS Act"); and

Whereas, each person who is or becomes an employee of the City on or after the effective date of the City's participation in the System in a position that normally requires services of 1,000 hours or more per year ("Employee") shall be a member of the System ("Member") as a condition of their employment; and

Whereas, TMRS Act §854.202 authorizes a participating municipality, by ordinance adopted after an actuarial analysis has been prepared and a public hearing has been held, to provide that a Member is eligible to retire and receive a service retirement annuity upon completing at least twenty (20) years of credited service, regardless of age; and

Whereas, TMRS has prepared for the City a 2027 Plan Change Study dated October 27, 2026, which includes an actuarial analysis of twenty (20) year retirement eligibility and reflects that, if this Ordinance is adopted, the City's total contribution rate will increase from 12.97% to 13.97% of covered payroll beginning January 1, 2027; and

Whereas, on the 16th day of November, 2026, the City Council held a public hearing on this Ordinance, notice of which was given in accordance with the Texas Open Meetings Act, Chapter 551, Texas Government Code; and

Whereas, the City Council finds that it is in the public interest to adopt twenty-year retirement eligibility; effective January 1, 2027;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HALLETTSVILLE, TEXAS:

Section 1. Findings. The recitals set forth above are found to be true and correct and are incorporated into this Ordinance for all purposes as legislative findings of the City Council.

Section 2. Amendment of City Code. Article 8.700, "Texas Municipal Retirement System," of the City Code of the City of Hallettsville, Texas, is hereby amended by adding a new Section 8.735, which shall read as follows:

"§ 8.735. Authorization of Twenty (20) Year Retirement Eligibility – 2027.

(a) Pursuant to TMRS Act §854.202(g), the City authorizes any Member of the System who is or was an Employee of the City to retire and receive a service retirement benefit if the Member has at least twenty (20) years of credited service in the System performed for one or more municipalities, including the City, that have adopted a like provision under TMRS Act §854.202(g).

(b) Prior to adopting this Ordinance, the City has: (1) prepared an actuarial analysis of Member retirement annuities at twenty (20) years of service; and (2) held a public hearing pursuant to the notice provisions of the Texas Open Meetings Act (Chapter 551, Texas Government Code).

(c) The retirement eligibility authorized in this Ordinance shall be in addition to the plan provisions previously adopted by the City and in force at the effective date of this Section pursuant to the TMRS Act.

(d) The retirement eligibility authorized by this Section shall be effective on the first day of the month of January, 2027."

Section 3. Codification. The City Secretary is authorized and directed to codify Section 2 of this Ordinance as Section 8.735 of the City Code and may make non-substantive formatting, numbering, and typographical corrections in doing so.

Section 4. Repealer. All ordinances or parts of ordinances in conflict with this Ordinance are repealed to the extent of such conflict only; provided, however, that nothing in this Ordinance repeals or diminishes any plan provision previously adopted by the City under the TMRS Act, all of which remain in full force and effect.

Section 5. Severability. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held invalid, such holding shall not affect the validity of the remaining portions of this Ordinance, and the City Council declares that it would have adopted the remaining portions notwithstanding such invalidity.

Section 6. Open Meetings. It is hereby found and determined that the meeting at which this Ordinance was adopted, and the public hearing required by the TMRS Act, were open to the public, and that public notice of the time, place, and subject matter thereof was given, as required by the Texas Open Meetings Act, Chapter 551, Texas Government Code.

Section 7. Effective Date. This Ordinance shall take effect on January 1, 2027. The City Secretary is directed to send a copy of this Ordinance, as adopted and signed, to the Texas Municipal Retirement System, City Services, at cityservices@tmrs.com prior to the effective date.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Hallettsville, Texas, on this the 16th day of November, 2026.

ATTEST:

Alice Jo Summers, Mayor

Grace Ward, City Secretary

Plan Change Study

FOR CITIES

2027 Rates • Hallettsville (00570)

October 27, 2026

Plan Provisions	Current	Option 1
Employee Contribution Rate	5%	5%
City Matching Ratio	2 to 1	2 to 1
Updated Service Credit (USC)	100% (Repeating)	100% (Repeating)
Transfer USC *	Yes	Yes
COLA	70% (Repeating)	70% (Repeating)
Retroactive COLA	Yes	Yes
Retirement Eligibility	25 years	20 years
Vesting	5 years	5 years
Supplemental Death Benefit	Actives + Retirees	Actives + Retirees
City Contribution Rates	**2027**	**2027**
Normal Cost Rate	7.27%	8.08%
Prior Service Rate	5.32%	5.51%
Retirement Rate	**12.59%**	**13.59%**
Supplemental Death Rate	0.38%	0.38%
Total Contribution Rate	**12.97%**	**13.97%**
Unfunded Actuarial Liability	$714,065	$760,269
Funded Ratio	93.5%	93.1%
Benefit Increase Amortization Period	20 years	20 years

* As of the December 31, 2025 valuation date, there were 3 employees with service in other TMRS cities eligible for transfer USC.

Chapter 6

HEALTH & SANITATION

ARTICLE 6.100

GENERAL PROVISIONS

§ 6.101. Definitions.

ARTICLE 6.200

MINIMUM HOUSING STANDARDS

§ 6.201~~101~~. Purpose and Intent.

~~§ 6.102. Definitions.~~

§ 6.202~~103~~. General Minimum Standards Established.

§ 6.203~~104~~. Occupancy Standards.

§ 6.204~~105~~. Inspections.

§ 6.205~~106~~. Enforcement.

§ 6.206~~107~~. Operating License Requirements.

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§ 6.208~~109~~. Notice of Violations.

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§ 6.210~~111~~. Repairs and other Corrective Action.

§ 6.211~~112~~. Designation of Unfit Dwellings, Dwelling Units, and Rooming Units.

§ 6.212~~113~~. Demolition of Dwellings, Dwelling Units, or Rooming Units Designated as Unfit for Human Habitation.

§ 6.213~~114~~. Revolving Fund.

§ 6.214~~115~~. Dissemination of Information.

§ 6.215~~116~~. Application for Reconsideration.

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ARTICLE 6.3200

WEEDS, LITTER, BRUSH, TRASH AND GARBAGE

§ 6.3201. Lots to be Kept Clear.

§ 6.3202. Inspection.

§ 6.3203. Notice to Remove or Remedy Conditions.

§ 6.3204. Failure to Take Required Action.

§ 6.3205. Statement of Lien.

§ 6.3206. Penalties.

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ARTICLE 6.100
~~MINIMUM HOUSING STANDARDS~~
GENERAL PROVISIONS

§ 6.101. ~~Purpose and Intent.~~

~~It is hereby found that there exists and may in the future exist, within the corporate limits of the City of Hallettsville, Texas, premises, dwellings, dwelling units, rooming units, or parts thereof, which by reason of their structure, equipment, sanitation, maintenance, use, or occupancy affect or are likely to affect adversely the public health, safety, and general welfare. To correct and prevent the existence of such adverse conditions, and to achieve and maintain such levels of residential environmental quality as will protect and promote public health, safety, and general welfare, it is further found that the establishment and enforcement of minimum housing standards are required.~~

~~It is hereby declared that the purpose of this article is to protect, preserve, and promote the physical and mental health and social well-being of the people, to prevent and control incidence of communicable diseases, to regulate privately and publicly owned dwellings for the purpose of maintaining adequate sanitation and public health, and to promote the safety of the people and to promote the general welfare by municipal legislation which shall be applicable to all dwellings now in existence or hereafter constructed. It is hereby further declared that the purpose of this article is to insure that the quality of housing is adequate for protection of public health, safety, and general welfare, including establishment of minimum standards for basic equipment and facilities for light, ventilation, and thermal conditions, safety from fire and accidents, for the use and location and amount of space for human occupancy, and for an adequate level of maintenance; determination of the responsibilities of owners, operators and occupants of dwellings, and provisions for the administration and enforcement thereof.~~

~~This article shall be known and may be cited as the Housing Maintenance and Occupancy Code of the City of Hallettsville, Texas.~~

~~(Ordinance 193, adopted 8/2/71, Section I, 1.01 – 1.03)~~

§ ~~6.~~102. Definitions.

The following definitions shall apply in the interpretation and enforcement of this article:

Accessory Structure. Shall mean a detached structure which is not used or not intended to be used for living or sleeping by human occupants and which is located on or partially on any premise.

Appropriate Authority. Shall mean that person within the governmental structure of the corporate unit charged with the administration of the appropriate code.

Approved. Shall mean approved by the local or state authority having such administrative authority.

Ashes. Shall mean the residue from the burning of combustible materials.

Attic. Shall mean any story situated wholly or partly within the roof, so designed, arranged or built as to be used for business, storage, or habitation.

Central Heating System. Shall mean a single system supplying heat to one (1) or more dwelling unit (s) or more than one (1) rooming unit.

Chimney. Shall mean a vertical masonry shaft of reinforced concrete, or other approved noncombustible, heat resisting material enclosing one (1) or more flues, for the purpose of removing products of combustion from solid, liquid or gaseous fuel.

Dilapidated. Shall mean fallen into partial ruin or decay.

Dormitory. Shall mean a room or group of rooms in any dwelling used for lying and sleeping purposes by four (4) or more persons.

Dwelling. Shall mean any enclosed space which is wholly or partly used or intended to be used for living or sleeping by human occupants; provided that temporary housing as hereinafter defined shall not be regarded as a dwelling.

Dwelling Unit. Shall mean any room or group of rooms located within a dwelling and forming a single habitable unit with facilities which are used or intended to be used for living, sleeping, cooking, and eating.

Egress. Shall mean a place or means of going out.

Extermination. Shall mean the control and elimination of insects, rodents, or other pests by eliminating their harborage places; by removing or making inaccessible materials that may serve as their food; by poisoning, spraying, fumigating, trapping, or by any other recognized and legal pest elimination methods approved by the local or State authority having such administrative authority.

Fair Market Value. Shall mean a price at which both buyers and sellers are willing to do business.

Family. Shall mean one (1) adult person plus one (1) or more persons who are legally related to said person and residing in the same dwelling unit with said person.

Flush Water Closet. Shall mean a toilet bowl flushed with water under pressure with a water sealed trap above the floor level.

Garbage. Shall mean the animal and vegetable waste resulting from the handling, preparation, cooking, serving, and nonconsumption of food.

Guest. Shall mean any person who shares a dwelling unit in a nonpermanent status for not more than thirty (30) days.

Habitable Room. Shall mean a room or enclosed floor space used or intended to be used for living, sleeping, cooking, or eating purposes, excluding bathrooms, water closet compartments, laundries, furnace rooms, pantries, kitchenettes and utility rooms of less than fifty (50) square feet of floor space, foyers, or communicating corridors, stairways, closets, storage spaces, and workshops, hobby and recreation areas in unheated or uninsulated parts of structure below ground level or in attics.

Health Officer. Shall mean the legally designated health authority of the City of Hallettsville, Texas, or his authorized representative.

Heated Water. Shall mean water heated to a temperature of not less that 120° F at the outlet.

Household. Shall mean a family and/or one (1) or more unrelated persons, including servants, who share the same dwelling and use some or all of its cooking and eating facilities.

Infestation. Shall mean the presence within or around a dwelling of any insects, rodents, or other pests.

Kitchen. Shall mean any room containing any or all of the following equipment, or any area of a room within three (3) feet of such equipment: sink and/or other device for dishwashing, stove or other device for cooking, refrigerator or other device for cool storage of food, cabinets and/or shelves for storage of equipment and utensils, and counter or table for food preparation.

Kitchenette. Shall mean a small kitchen or an alcove containing cooking facilities.

Meaning of Certain Words. Whenever the words "dwelling", "dwelling unit", "rooming house", "rooming units", "premises", "structure" are used in the article they shall be construed as though they

were followed by the words "or any part thereof". Words used in the singular include the plural, and the plural the singular, the masculine gender includes the feminine and the feminine the masculine.

Multiple Dwelling. Shall mean any dwelling containing more than two (2) dwelling units and/or rooming units.

Occupant. Shall mean any person, over one (1) year of age, living, sleeping, cooking, or eating in, or actually having possession of, a dwelling unit or a rooming unit; except that in dwelling units a guest will not be considered an occupant.

Operator. Shall mean any person who has charge, care, control, or management of a building, or part thereof, in which dwelling units or rooming units are let.

Ordinary Summer Conditions. Shall mean a temperature 10° F below the highest recorded temperature in the locality for the prior ten (10) year period.

Ordinary Winter Conditions. Shall mean a temperature 15° F above the lowest recorded temperature in the locality for the prior ten (10) year period.

Owner. Shall mean any person who, alone or jointly or severally with others:

(1) shall have legal title to any premise, dwelling or dwelling unit, with or without accompanying actual possession thereof, or

(2) shall have charge, care, or control of any premise, dwelling or dwelling unit, as owner or agent of the owner, or an executor, administrator, trustee, or guardian of the estate of the owner. Any such person thus representing the actual owner shall be bound to comply with the provisions of this article and of rules and regulations adopted pursuant thereto, to the same extent as if he were the owner.

Permissible Occupancy. Shall mean the maximum number of persons permitted to reside in a dwelling unit or rooming unit.

Person. Shall mean and include any individual, firm, corporation, association, or partnership.

Plumbing. Shall mean and include all of the following supplied facilities and equipment: gas, pipes, gas burning equipment, water pipes, garbage disposal units, waste pipes, water closets, sinks, installed dishwashers, lavatories, bathtubs, shower baths, installed clothes washing machines, catch basins, drains, vents, and any other similar supplied fixtures, and the installation thereof, together with all connections to water, sewer, or gas lines.

Premises. Shall mean a platted lot or part thereof or unplatted lot or parcel of land or plot of land, either occupied or unoccupied by any dwelling or nondwelling structure and includes any such building, accessory structure or other structure thereon.

Privacy. Shall mean the existence of conditions which will permit a person or persons to carry out an activity commenced without interruption or interference, either by sight or sound, by unwanted persons.

Rat Harborage. Shall mean any place where rats can live, nest, or seek shelter.

Ratproofing. Shall mean a form of construction which will prevent the ingress or egress of rats to or from a given space or building, or gaining access to food, water, or harborage. It consists of the closing and keeping closed of every opening in foundations, basements, cellars, exterior and interior walls, ground or first floors, roofs, sidewalk gratings, sidewalk openings, and other places that may be reached and entered by rats by climbing, burrowing or other methods, by the use of materials impervious to rat gnawing and other methods approved by the appropriate authority.

Refuse. Shall mean all putrescible and non-putrescible solids (except body wastes) including garbage, rubbish, ashes and dead animals.

Refuse Container. Shall mean a water-tight container that is constructed of metal, or other durable material impervious to rodents, that is capable of being serviced without creating insanitary conditions, or such other containers approved by the appropriate authority. Openings into the container such as covers and doors shall be tight-fitting.

Rooming House. Shall mean any dwelling or that part of any dwelling containing one (1) or more rooming units, and/or one (1) or more dormitory rooms.

Rooming Unit. Shall mean any room or group of rooms forming a single habitable unit used or intended to be used for living and sleeping, but not for cooking purposes.

Rubbish. Shall mean nonputrescible solid wastes (excluding ashes) consisting of either:

(1) combustible wastes such as paper, cardboard, plastic containers, yard clippings, and wood; or

(2) noncombustible wastes such as tin cans, glass and crockery.

Safety. Shall mean the condition of being free from danger and hazards which may cause accidents or disease.

Space Heater. Shall mean a self-contained, heating appliance of either the circulating type or the radiant type and intended primarily to heat only one (1) room.

Supplied. Shall mean paid for, furnished by, provided by, or under the control of the owner, operator, or agent.

Temporary Housing. Shall mean any tent, trailer, mobile home, or any other structure used for human shelter which is designed to be transportable and which is not attached to the ground, to another structure, or to any utility system on the same premises for more than thirty (30) consecutive days. (Ordinance 193, adopted 8/2/71, Section II, 2.01 - 2.48)

ARTICLE 6.200
MINIMUM HOUSING STANDARDS

§ 6.201. Purpose and Intent.

(a) It is hereby found that there exists and may in the future exist, within the corporate limits of the City of Hallettsville, Texas, premises, dwellings, dwelling units, rooming units, or parts thereof, which by reason of their structure, equipment, sanitation, maintenance, use, or occupancy affect or are likely to affect adversely the public health, safety, and general welfare. To correct and prevent the existence of such adverse conditions, and to achieve and maintain such levels of residential environmental quality as will protect and promote public health, safety, and general welfare, it is further found that the establishment and enforcement of minimum housing standards are required.

(b) It is hereby declared that the purpose of this article is to protect, preserve, and promote the physical and mental health and social well-being of the people, to prevent and control incidence of communicable diseases, to regulate privately and publicly owned dwellings for the purpose of maintaining adequate sanitation and public health, and to promote the safety of the people and to promote the general welfare by municipal legislation which shall be applicable to all dwellings now in existence or hereafter constructed. It is hereby further declared that the purpose of this article is to insure that the quality of housing is adequate for protection of public health, safety, and general welfare, including establishment of minimum standards for basic equipment and

facilities for light, ventilation, and thermal conditions, safety from fire and accidents, for the use and location and amount of space for human occupancy, and for an adequate level of maintenance; determination of the responsibilities of owners, operators and occupants of dwellings, and provisions for the administration and enforcement thereof.

(c) This article shall be known and may be cited as the Housing Maintenance and Occupancy Code of the City of Hallettsville, Texas.

(Ordinance 193, adopted 8/2/71, Section I, 1.01 - 1.03)

§ 6.2~~1~~023. General Minimum Standards Established.

(a) No owner or other person shall occupy or let to another person any dwelling or dwelling unit unless it and the premises are clean, sanitary, fit for human occupancy, and comply with all applicable legal requirements of the State of Texas and the City of Hallettsville, Texas.

(b) Every owner of a dwelling containing two (2) or more dwelling units shall maintain in a clean and sanitary condition the shared or public areas of the dwelling and premises thereof.

(c) Every occupant of a dwelling or dwelling unit shall maintain in a clean and sanitary condition that part or those parts of the dwelling, dwelling unit and premises thereof that he occupies and controls.

(d) Every occupant of a dwelling or dwelling unit shall store and dispose of all his rubbish in a clean, sanitary and safe manner.

(e) Every occupant of a dwelling or dwelling unit shall store and dispose of all his garbage and any other organic waste which might provide food for insects and/or rats, in a clean, sanitary and safe manner. Ratproof, insect-proof, water-tight refuse containers shall be used for storage pending collection.

(f) Every owner of a dwelling containing three (3) or more dwelling units shall supply facilities or

refuse containers for the sanitary and safe storage and/or disposal of rubbish and garbage. In the case of single or two (2) family dwellings it shall be the responsibility of the occupant to furnish such facilities or refuse containers.

(g) Every occupant of a dwelling containing a single dwelling unit shall be responsible for the extermination of insects, and/or rats, on the premises; and every occupant of a dwelling unit in a dwelling containing more than one (1) dwelling unit shall be responsible for such extermination whenever his dwelling unit is the only one infested. Notwithstanding, the foregoing provisions of this subsection, whenever infestation is caused by failure of the owner to maintain a dwelling in a ratproof or reasonable insect proof condition, extermination shall be the responsibility of the owner. Whenever infestation exists in two (2) or more of the dwelling units in any dwelling, or in the shared or public parts of any dwelling containing two (2) or more dwelling units, extermination thereof shall be the responsibility of the owner.

(h) No occupant of a dwelling or dwelling unit shall accumulate rubbish, boxes, lumber, scrap metal, or any other materials in such a manner that may provide a rat harborage in or about any dwelling or dwelling unit. Stored materials shall be stacked neatly in piles elevated at least eighteen (18) inches above the ground or floor.

(i) No owner of a dwelling containing three (3) or more dwelling units shall accumulate or permit the accumulation of rubbish, boxes, lumber, scrap metal, or any other materials in such a manner that may provide a rat harborage in or about the shared or public areas of a dwelling or its premises. Materials stored by the owner or permitted to be stored by the owner shall be stacked neatly in piles elevated at least eighteen (18) inches above the ground or floor.

(j) No owner or occupant of a dwelling or dwelling unit shall store, place, or allow to accumulate any materials that may serve as food for rats in a site accessible to rats.

(k) Every occupant of a dwelling unit shall keep all supplied fixtures and facilities therein in a clean, sanitary, and operable condition and shall be responsible for the exercise of reasonable care in the proper use and operation thereof.

(l) In every dwelling unit and/or rooming unit when the control of the supplied heat is the responsibility of a person other than the occupant, a temperature of at least 68° F. shall be maintained in all habitable rooms, bathrooms, and water closet compartments at a distance of eighteen (18) inches above the floor level.

(Ordinance 193, adopted 8/2/71, Section III, 3.01 - 3.12)

§ 6.203~~104~~. Occupancy Standards.

(a) No person shall occupy as owner, occupant or let to another for occupancy any dwelling or dwelling unit, for the purpose of living, sleeping, cooking or eating therein, which does not comply with the following requirements:

(1) A kitchen sink in good working condition and properly connected to a water supply system which is approved by the appropriate authority and which provides at all times an adequate amount of heated and unheated running water under pressure, and which is connected to a sewer system approved by the appropriate authority.

(2) Cabinets and/or shelves for the storage of eating, drinking, and cooking equipment and utensils and of food that does not under ordinary summer conditions require refrigeration for safe keeping; and a counter or table for food preparation; said cabinets and/or shelves

and counter or table shall be adequate for the permissible occupancy of the dwelling unit and shall be of sound construction furnished with surfaces that are easily cleanable and that will not impart any toxic or deleterious effect to food.

(3) A stove or similar device for cooking food, and a refrigerator, or similar device, for the safe storage of food at temperatures less than 50° F but more than 32° F under ordinary maximum summer conditions, which are properly installed with all necessary connections for safe, sanitary and efficient operation; provided that such stove, refrigerator, and/or similar devices need not be installed when a dwelling unit is not occupied and when the occupant is expected to provide same on occupancy, and that sufficient space and adequate connections for the safe and efficient installation and operation of said stove, refrigerator and/or similar devices are provided.

(b) Within every dwelling unit there shall be a nonhabitable room which affords privacy to a person within said room and which is equipped with a flush water closet in good working condition. Said flush water closet shall be equipped with easily cleanable surfaces, be connected to a water system that at all times provides an adequate amount of running water under pressure to cause the water closet to be operated properly, and shall be connected to a sewer system which is approved by the appropriate authority.

(c) Within every dwelling unit there shall be a lavatory sink. Said lavatory sink may be in the same room as the flush water closet, or, if located in another room the lavatory sink shall be located in close proximity to the door leading directly into the room in which said water closet is located. The lavatory sink shall be in good working condition and properly connected to a water supply system which is approved by the appropriate authority and which provides at all times an adequate amount of heated and unheated running water under pressure, and which is connected to a sewer system approved by the appropriate authority.

(d) Within every dwelling unit there shall be a room which affords privacy to a person within said room and which is equipped with a bathtub or shower in good working condition. Said bathtub or shower may be in the same room as the flush water closet or in another room and shall be properly connected to a water supply system which is approved by the appropriate authority and which provides at all times an adequate amount of heated and unheated water under pressure, and which is connected to a sewer system approved by the appropriate authority.

(e) Every dwelling unit shall have approved dual means of egress, with minimum head room of six (6) feet six (6) inches, leading to safe and open space at ground level. Every dwelling unit in a multiple dwelling shall have immediate access to two (2) or more approved means of egress with minimum head room of six (6) feet six (6) inches, leading to safe and open space at ground level, or as required by the laws of this State and the City of Hallettsville, Texas.

(f) Structurally sound hand rails shall be provided on any steps containing five (5) risers or more. If steps are not enclosed, hand rails and balusters spaced no more than six (6) inches apart shall be provided. Porches and/or balconies located more than three (3) feet higher than the adjacent area shall have structurally sound protective hand rails (thirty (30) to thirty-six (36) inches high) and, if unenclosed, balusters spaced no less than six (6) inches apart shall also be provided. Alternate systems providing at least the same degree of protection, if approved by the appropriate authority, shall be acceptable.

(g) Each dwelling unit shall have suitable facilities for the safe storage of drugs and household poisons.

(h) Access to or egress from each dwelling unit shall be provided without passing through any other dwelling or dwelling unit.

(i) No person shall let to another for occupancy any dwelling or dwelling unit unless all exterior doors of the dwelling or dwelling unit are equipped with safe, functioning locking devices.

(j) No person shall occupy as owner, occupant or let to another for occupancy any dwelling or dwelling unit, for the purpose of living therein, which does not comply with the requirements of this section:

(1) Every habitable room shall have at least one window or skylight facing outdoors provided that if connected to a room or area used seasonally (e.g. porch) then adequate daylight must be possible thru this inter-connection. The minimum total window ox skylight area, measured between stops, for every habitable room shall be at least ten per cent of the floor area of such room but if light-obstruction structures are located less than three feet from the window and extend to a level above that of the ceiling of the room, such window shall not be deemed to face directly to the outdoors and shall not be included as contributing to the required minimum total window area.

(2) Every habitable room shall have at least one (1) window or skylight facing directly outdoors which can be opened easily, or such other device as will ventilate the room adequately, provided that if connected to a room or area used seasonally then adequate ventilation must be possible thru this inter-connection. The total of openable window or skylight area in every habitable room shall be equal to at least forty-five (45) percent of the minimum window area size or minimum skylight type window size, as required in Section 6.104(j)(1) of this article, except where there is supplied some other device affording adequate ventilation and approved by the appropriate authority.

(3) Every bathroom and water closet compartment, and non-habitable room used for food preparation, shall comply with the light and ventilation requirement for habitable rooms contained in Sections 6.104(j)(1) and 6.104(j)(2), except that no window or skylight shall be required in such rooms if they are equipped with a ventilation system in working condition, which is approved by the appropriate authority.

(4) Where there is usable electric service available from power lines which are not more than three hundred (300) feet away from a dwelling, every dwelling unit and all public and common areas shall be supplied with electric service, outlets, and fixtures which shall be properly installed, shall be maintained in good and safe working condition, and shall be connected to a source of electric power in a manner prescribed by the ordinances, rules and regulations of the City of Hallettsville, Texas. The minimum capacity of such services and the minimum number of outlets and fixtures shall be as follows:

(A) Every habitable room shall have an electric service and outlets and/or fixtures capable of providing at least three (3) watts per square foot of total floor area.

(B) Every habitable room, and non-habitable room used for food preparation, shall have at least one (1) floor or wall-type electric convenience outlet for each sixty (60) square feet or fraction thereof of total floor area, and in no case less than two (2) such outlets.

(C) Every water closet compartment, bathroom, and kitchen or kitchenette, laundry room, furnace room, and public hall shall contain at least one (1) supplied ceiling or wall-type electric light fixture.

(D) Convenient switches or equivalent devices for turning on one light in each room or passageway shall be located so as to permit the area ahead to be lighted.

(5) Every public hall and stairway in every multiple dwelling shall be adequately lighted by natural or electric light at all times, so as to provide in all parts thereof at least ten (10) footcandles of light at the tread or floor level. Every public hall and stairway in structures containing not more than two (2) dwelling units may be supplied with conveniently located light switches controlling an adequate lighting system which may be turned on when needed, instead of full-time lighting.

(k) No person shall occupy as owner, occupant or let to another for occupancy any dwelling or dwelling unit, for the purpose of living therein, which does not comply with the following requirements:

(1) Every dwelling shall have heating facilities which are properly installed, and are maintained in safe and good working condition, and are capable of safely and adequately heating all habitable rooms, bathrooms and water closet compartments in every dwelling unit located therein to a temperature of at least 68° F at a distance of eighteen (18) inches above floor level under ordinary winter conditions.

(2) No owner or occupant shall install, operate or use a space heater employing a flame that is not vented outside the structure in an approved manner.

(l) No person shall occupy as owner, occupant or let to another for occupancy any dwelling or dwelling unit, for the purpose of living therein, which does not comply with the following requirements:

(1) Every foundation, roof and exterior wall, door, sky-light and window shall be reasonably weather-tight, water-tight, and damp-free, and shall be kept in sound condition and good repair. Floors, interior walls and ceilings shall be sound and in good repair. All exterior wood surfaces, other than decay resistant woods, shall be protected from the elements and decay by paint or other protective covering or treatment. Toxic paint and materials will not be used where readily accessible to children. Walls shall be capable of affording privacy for the occupants. Every premises shall be graded, drained, free of standing water, and maintained in a clean, sanitary and safe condition.

(2) Every window, exterior door and hatchway or similar devices, shall be rodentproof and reasonably water tight and weathertight, and shall be kept in working condition and good repair.

(A) During that portion of the year when there is a need for protection against mosquitoes, flies and other flying insects, every door opening directly from a dwelling unit to outside space shall have supplied properly fitting screens having at least sixteen (16) mesh and self-closing device; and every window or other device with openings to outdoor space, used or intended to be used for ventilation, shall likewise be supplied with screens: except that such screens shall not be required during such period (a) in rooms deemed by the health officer to be located high enough in the upper stories of a building as to be free from such insects, (b) in rooms located in areas of this City of Hallettsville, Texas, which are deemed by the health officer to have so few insects as to render screens unnecessary.

(B) Every window located at or near ground level used or intended to be used for

ventilation, and every other opening located at or near ground level which might provide an entry for rodents, shall be supplied with adequate screen or such other devices as will effectively prevent their entrance.

(3) Every dwelling, multiple dwelling, rooming house or accessory structure and the premises on which located shall be maintained in a rat-free and rat-proof condition.

(A) All openings in the exterior walls, foundations, basements, ground or first floors and roofs which have a half-inch-diameter or more opening shall be rat proofed in an approved manner if they are within forty-eight (48) inches of the existing exterior ground level immediately below such openings, or if they may be reached by rats from the ground by climbing unguarded pipes, wires, cornices, stairs, roofs, and other items such as trees or vines or by burrowing.

(B) Skirting, lattice, or other non-rat-proofed enclosure creating a possible rat harborage under a porch or any portions of a building shall be rat proofed at all locations where a rat could find, burrow, or gnaw an access opening.

(C) In the event that occupancy usages would result in stacking or piling materials, the materials shall be so arranged as to prohibit the creation of a harborage area. This can be accomplished by orderly stacking and elevating so that there will be at least a twelve-inch (12-inch) opening between the material and the ground level. No stacking or piling of material shall take place against the exterior walls of the structure.

(D) All doors, including swinging, sliding, and folding types, shall be constructed so that the space between the lower edge of the door and the threshold shall not exceed three-eights (3/8) inch; provided further that the space between sections of folding and sliding doors when closed shall not exceed three-eights (3/8) inch.

(E) Interior floors of basements, cellars and other areas in contact with the soil shall be paved with concrete or other rat impervious material.

(F) In areas of heavy rat infestation, the health officer (or appropriate authority) shall require that the lower eight (8) inches of wooden exterior doors be covered with sheet metal. Metal shall be formed into a "cuff and channel" so that no wood edges are exposed and so that all exposed metal edges are rolled or folded to eliminate any hazard; an alternate method shall be acceptable if it is equally ratproof. Bolts for attaching sheet metal to the door shall not project more than one-sixteenth (1/16) inch beyond the fastening nuts.

(G) In areas of heavy rat infestation, the health officer shall require that every exterior door be equipped with an automatic closing device, or with a screen door which shall be equipped with such a device and shall be fitted as specified in Section 6.104(l)(3)(D).

(H) All window openings or other lighting or ventilating openings below grade, or within forty-eight (48) inches above ground level, or otherwise accessible to rats, shall be ratproofed in approved manner by grilles, expanded metal, or hardware cloth attached to sturdy frames and so fabricated that no exposed wood is accessible for gnawing.

(I) Openings for outside stairways, elevator shafts, coal holes, etc., below grade shall be provided with tight fitting metal covers and frames flashed with twenty-four-gage (24-gage) galvanized sheet metal or other approved materials unless they are of the

open type, and, in this case, they shall have the door or window opening in the foundation protected as required above for doors or window openings. Walls of all such portions of any structure shall be of ratproof material.

(J) All sewers, pipes, drains or conduits through which rats may pass shall be closed with a perforated metal cover properly secured. Perforations in the cover shall not exceed one-half (1/2) inch in diameter.

(K) All openings for pipes, conduits, and other utility services accessible to rats shall be closed solidly for the full thickness of the wall, floor, roof, etc., with an approved ratproof material or fitted with a collar or shield, securely fastened to the wall or floor, of not less than twenty-four-gage (24-gage) galvanized sheet metal or other approved materials, extending at least three (3) inches beyond all sides of the opening.

(L) Skylights accessible to rats shall be designed to fit tightly and shall be constructed of approved ratproof materials. Adjustable skylights which may be opened shall be screened with hardware cloth or expanded metal.

(M) Roof ventilators, chimneys, pipe vents, downspouts, etc., permitting entry of rats into the interior of the structure shall be protected against entry by grilles, hardware cloth caps, expanded metal covers, or other acceptable ratproof material.

(N) The following specifications shall apply to the installation of all ratproof walls:

(i) Ratproof walls of concrete construction shall be required beneath the exterior wall of every building or enclosed part thereof and every enclosed shed, porch, bay, or other enclosed structure which is not supported on a continuous masonry foundation wall.

(ii) All ratproof walls shall be at least four (4) inches thick and extend at least twelve (12) inches above grade and to a depth of twenty-four (24) inches below grade at all points.

(iii) The concrete used in ratproof walls shall not be inferior to a mixture of one (1) part cement to six (6) parts of combined aggregate (sand and gravel) by volume. This is approximately equivalent to the commercial "5-bag-per-cubic-yard" mix. Nothing shall be put into the trenches except fresh concrete of this quality, and each section of the wall must be placed in one (1) "pour" without interruption.

(O) If the space between two (2) buildings is too small to permit inspection of the exterior walls of such building, such space shall be sealed so as to prevent the entrance of rats. Provisions shall be made in the ratproofing in such cases that drainage is not obstructed.

(P) After extermination, all of the rat holes or burrows in the ground shall be eliminated or filled with earth or other suitable material.

(Q) Any materials used for ratproofing shall be acceptable to the appropriate authority.

(4) All fences provided by the owner or agent on the premises and/or all fences erected or caused to be erected by an occupant shall be constructed of manufactured metal fencing material, wood, masonry, or other inert material. Such fences shall be maintained in good condition. Wood materials shall be protected against decay by use of paint or other

preservative. The permissible height and other characteristics of all fences shall conform to the appropriate statutes, ordinances, and regulations of this City of Hallettsville and the State of Texas. Wherever any egress from the dwelling opens into the fenced area, there shall be a means of egress from the premises to any public way adjacent thereto.

(5) Accessory structures present or provided by the owner, agent, or tenant occupant on the premises of a dwelling shall be structurally sound, and be maintained in good repair and free of insects and rats, or such structures shall be removed from the premises. The exterior of such structures shall be made weather resistant through the use of decay-resistant materials or the use of paint or other preservatives.

(6) Every foundation, roof, floor, exterior and interior wall, ceiling, inside and outside stair, every porch, and every appurtenance thereto, shall be safe to use and capable of supporting the loads that normal use may cause to be placed thereon; and shall be kept in sound condition and good repair. Every inside and outside stair or step shall have uniform risers and uniform treads.

(7) Every plumbing fixture and all water and waste pipes shall be properly installed and maintained in good sanitary working condition.

(8) Every water closet compartment, bathroom and kitchen floor surface shall be constructed and maintained so as to be reasonably impervious to water and so as to permit such floor to be easily kept in a clean and sanitary condition.

(9) Every plumbing fixture and pipe, every chimney, flue, and smoke pipe, and every other facility, piece of equipment, or utility which is present in a dwelling or dwelling unit, or which is required under this article, shall be constructed and installed in conformance with the appropriate statutes, ordinances and regulations of this City of Hallettsville and the State of Texas.

(10) No owner, operator, or occupant shall cause any service, facility, equipment or utility which is required under this article to be removed from or shut off from or discontinued for any occupied dwelling or dwelling unit let or occupied by him; except for such temporary interruption as may be necessary while actual repairs or alterations are in process, or during temporary emergencies when discontinuance of service is approved by the appropriate authority.

(11) All construction and materials, ways and means of egress, and installation and use of equipment shall conform with the appropriate statutes, ordinances, and regulations dealing with fire protection of this City of Hallettsville and State of Texas.

(m) No person shall occupy or let to be occupied any dwelling or dwelling unit, for the purpose of living therein, unless there is compliance with the requirements of this section.

(1) The maximum occupancy of any dwelling unit shall not exceed the following requirements:

(A) For first occupant one hundred fifty (150) square feet of floor space and at least one hundred (100) square feet of floor space for every additional occupant thereof, the floor space to be calculated on the basis of total habitable room area.

(B) A total number of persons equal to two (2) times the number of its habitable rooms.

(2) Not more than one (1) family, plus two (2) occupants unrelated to the family, except for

guests or domestic employees, shall occupy a dwelling unit unless a permit for a rooming house has been granted by the appropriate authority.

(3) The ceiling height of any habitable room shall be at least seven (7) feet; except that in any habitable room under a sloping ceiling at least one-half of the floor area shall have a ceiling height of at least seven (7) feet, and the floor area of that part of such room where the ceiling height is less than five (5) feet shall not be considered as part of the floor area in computing the total floor area of the room for the purpose of determining the maximum permissible occupancy.

(4) No space located partially below grade shall be used as a habitable room of a dwelling unit unless approved by the health officer in writing and unless:

(A) The floor and those portions of the walls are of waterproof and dampproof construction.

(B) The minimum window area is equal to at least that required in Section 6.104(j)(1); and such window area is located entirely above the grade of the ground adjoining such window area, or if windows are located wholly or partly below grade, there be constructed a properly drained window well whose open area is equal to or greater than the area of the masonry opening for the window; the bottom of the window well is below the top of the impervious masonry construction under the window, and the minimum horizontal distance at a right angle from any point of the window well is equal to or greater than the vertical depth of the window well as measured from the bottom of the masonry opening for the window.

(C) The total openable window area in each room is equal to at least the minimum as required under Section 6.104(j)(2) of this article, except where some other approved devices affording adequate ventilation and humidity control are supplied.

(D) There are no pipes, ducts or other obstruction less than six (6) feet, eight (8) inches above the floor level which interfere with the normal use of the room or area.

(5) No space located totally below grade shall be used as a habitable room of dwelling unit.

(6) In every dwelling unit of two (2) or more rooms, every room occupied for sleeping purposes shall contain at least seventy (70) square feet of floor space for the first occupant, and at least fifty (50) square feet of floor space for each additional occupant thereof.

(7) No dwelling or dwelling unit containing two (2) or more sleeping rooms shall have such room arrangements that access to a bathroom or water closet compartment intended for use by occupants of more than one (1) sleeping room can be had only by going through another sleeping room; nor shall room arrangements be such that access to a sleeping room can be had only by going through another sleeping room. A bathroom or water closet compartment shall not be used as the only passageway to any habitable room, hall, basement or cellar or to the exterior of the dwelling unit.

(8) Every dwelling unit shall have at least four (4) spare feet of floor-to-ceiling height closet space for the personal effects of each permissible occupant; if it is lacking, in whole or in part, an amount of space equal in square footage to the deficiency shall be subtracted from the area of habitable room space used in determining permissible occupancy.

(n) No person shall operate a rooming house, or shall occupy or let to another for occupancy any

dormitory room and/or rooming unit in any rooming house, which is not in compliance with the provisions of every section of this article except the provisions of Sections 6.103, 6.104, and subsections 6.104 (m)(1), (2), (6), and (8). No owner or other person shall occupy or let to another person any rooming unit or dormitory room unless it is clean and sanitary, and complies with all applicable requirements of the City of Hallettsville, Texas

(1) No person shall operate a rooming house unless he holds a valid rooming house permit issued by the appropriate authority in the name of the operator and for the specific dwelling or dwelling unit. The operator shall apply to the city secretary upon compliance by the operator with the applicable provisions of this article and of any rules and regulations adopted pursuant thereto. This permit shall be displayed in a conspicuous place within the rooming house at all times. No such permit shall be transferable. Every person holding such a permit shall give notice in writing to the city secretary within twenty-four (24) hours after having sold, transferred, given away, or otherwise disposed of ownership of, interest in, or control of any rooming house. Such notice shall include the name and address of the person succeeding to the ownership or control of such rooming house. Every rooming house permit shall expire at the end of one (1) year following its date of issuance, unless sooner suspended or revoked as hereinafter provided.

(2) At least one (1) flush water closet, lavatory basin and bathtub or shower, properly connected to a water and sewer system approved by the health officer and in good working condition, shall be supplied for each six (6) persons or fraction thereof residing within a rooming house, including members of the operator's family wherever they share the use of the said facilities, provided:

   (A) That in a rooming house where rooms are let only to males, flush urinals may be substituted for not more than one-half the required number of water closets.

   (B) That all such facilities shall be so located within the dwelling as to be reasonably accessible to all persons sharing such facilities and from a common hall or passageway.

   (C) That every lavatory basin and bathtub or shower shall be supplied with heated and unheated water under pressure at all times.

(3) The following provision shall apply in all rooming houses:

   (A) Cooking in dormitory rooms and rooming units is prohibited.

   (B) Communal cooking and dining facilities in a rooming house are prohibited, except as approved by the health officer in writing.

   (C) Access doors to rooming unit shall have operating locks to insure privacy.

(4) Unless exempted by the health officer in writing, the operator of every rooming house shall change supplied bed linen and towels therein at least once a week, and prior to the letting of any room to any occupant, and the operator shall be responsible for the maintenance of all supplied bedding in a clean and sanitary manner.

(5) Every rooming unit shall comply with all the requirements of this article pertaining to a habitable room.

   (A) Every room occupied for sleeping purposes by one (1) person shall contain at least one

hundred and ten (110) square feet of floor space, and every such room shall also contain at least four (4) square feet of closet space per occupant with at least an unobstructed height of five (5) feet. If it is lacking in whole or in part, an amount of space equal in square footage to the deficiency shall be subtracted from the area of habitable room space used in determining permissible occupancy, except that in a dormitory room said closet or closet space maybe provided in another portion of the rooming house.

(6) Every rooming unit shall have immediate access to two (2) or more safe, unobstructed means of egress, appropriately marked, with minimum head room of six (6) feet six (6) inches, leading to safe and open space at ground level, as required by the appropriate statutes, ordinances, and regulations of the City of Hallettsville and the State of Texas.

(7) Structurally sound handrails shall be provided on any steps containing five (5) risers or more. If steps are not enclosed, handrails and balusters spaced no more than six (6) inches apart shall be provided. Porches and/or balconies located more than three (3) feet higher than the adjacent areas shall have structurally sound protective handrails (thirty (30) to thirty-six (36) inches) high, and if unenclosed, balusters spaced no more than six (6) inches apart shall also be provided. Alternate systems providing at least the same degree of safety, if approved by the appropriate authority, will be accepted.

(8) Access to or egress from each rooming unit shall be provided without passing through any other rooming unit or dwelling unit.

(Ordinance 193, adopted 8/2/71, Section IV, Section 4.01 - 4.09; Ordinance 193, adopted 8/2/71, Section V, 5.01 - 5.05; Ordinance 193, adopted 8/2/71, Section VI, 601 - 6.02; Ordinance 193, adopted 8/2/71, Section VII, 7.01 - 7.11; Ordinance 193, adopted 8/2/71, Section VIII, 8.01 - 8.08; Ordinance 193, adopted 8/2/71, Section IX, 9.01 - 9.08)

§ 6.204~~105~~. Inspections.

(a) The building official and/or housing official is hereby authorized and directed to develop and adopt plans for the inspection of dwelling units subject to the provisions of this article, including:

(1) A plan for the periodic inspection of multiple dwellings and rooming houses subject to the provisions of Section 6.107, governing the licensing of the operation of such dwellings;

(2) A plan for the systematic inspection of dwelling units contained in such contiguous areas within this City of Hallettsville, Texas, as may from . time to time be designated by the building official and/or housing official.

(b) Before making inspections within a contiguous area pursuant to a plan authorized in Section 6.105(a)(2), the building official and/or housing official shall advise the organization which represents the property owners and other residents of such contiguous area, if any such organization exists.

(Ordinance 193, adopted 8/2/71, Section X, 10.01 - 10.02)

§ 6.205~~106~~. Enforcement.

(a) The building official and/or housing official shall enforce the provisions of this article and is hereby authorized and directed to make inspections pursuant to one (1) or more of the plans for inspection authorized by Section 6.105(a); or in response to a complaint that an alleged violation of the provisions of this article, or of applicable rules or regulations pursuant thereto may exist;

or when the building official and/or housing official as valid reason to believe that violation of this article or any rules and regulations pursuant thereto has been or is being committed.

(b) The building official and/or housing official hereby authorized to enter and inspect between the hours of 8:00 a.m. and 5:00 p.m. all dwellings, dwelling units, and rooming houses, rooming units, and dormitory rooms subject to the provisions of this article for the purpose of determining whether there is compliance with its provisions.

(c) The building official and/or housing official is hereby authorized to inspect the premises surrounding dwellings, dwelling unit, rooming houses, rooming units, and dormitory rooms subject to this article, for the purpose of determining whether there is compliance with its provisions.

(d) The building official and/or housing official and the owner, occupant or other person charge of a dwelling, dwelling unit, rooming unit, rooming house or dormitory room subject to this article may agree to an inspection by appointment at a time other than the hours provided in Section 6.106(b) by this article.

(e) The owner, occupant or other person in charge of a dwelling, dwelling unit, rooming unit, rooming house or dormitory room upon presentation of proper identification by the building official and/or housing official, a copy of any relevant plan of inspection pursuant to which entry is sought, and a schedule of the specific areas and facilities to be inspected shall give the building official entry and free access to every part of the dwelling, dwelling unit, rooming unit or dormitory room or to the premises surrounding any of these.

(f) The building official and/or housing official shall keep confidential all evidence which it may discover or obtain in the course of an inspection made pursuant to this section and such evidence shall be considered privileged. Evidence so obtained shall not be disclosed except as may be necessary in the judgment of building official and/or housing official for the proper and effective administration and enforcement of the provisions of this article and rules and regulations issued pursuant thereto and shall not otherwise be admissible in any judicial proceeding without the consent of the owner, occupant, or other person in charge of the dwelling unit or rooming unit inspected.

(g) If any owner, occupant, or other person in charge of a dwelling, dwelling unit or rooming unit, or of a multiple dwelling or a rooming house subject to licensing under Section 6.107, fails or refuses to permit free access and entry to the structure or premises under his control, or any part thereof, with respect to which an inspection authorized by this article is sought to be made, the building official may, upon a showing that probable cause exists for the inspection and for the issuance of an order directing compliance with the inspection requirements of this section with respect to such dwelling, dwelling unit, rooming unit, multiple dwelling, or rooming house, petition and obtain such order from a court of competent jurisdiction.

(1) Any person who refuses to comply with an order issued pursuant to this section shall be subject to such penalties as may be authorized by law for violation of a court order.

(Ordinance 193, adopted 8/2/71, Section XI, 11.01 - 11.07)

§ 6.206~~107~~. Operating License Requirements.

(a) No person shall operate a multiple dwelling or rooming house unless he holds a current, unrevoked operating license issued by the city secretary in his name for the specific named multiple dwelling or rooming house.

(b) Every operating license shall be issued for a period of one (1) year from its date of issuance unless sooner revoked, and may be renewed for successive periods of not to exceed one (1) year.

(c) The city secretary is hereby authorized upon application therefor to issue new operating licenses, and renewals thereof, in the names of applicant owners or operators of multiple dwellings and rooming houses. No such licenses shall be issued unless the multiple dwelling or rooming house in connection with which the license is sought is found after inspection to meet all requirements of this article and of applicable rules and regulations pursuant thereto.

(d) No operating license shall be issued or renewed unless the applicant owner or operator has first made application therefor on an application form provided by the city secretary. The city secretary shall develop such forms and make them available to the public.

(e) No operating license shall be issued or renewed unless the applicant owner or operator agrees in his application to such inspections pursuant to Sections 6.105(a) and 6.106(a) as the building official and/or housing official may require to determine whether the multiple dwelling or rooming house connection with which such license is sought is in compliance with the provisions of this article and with applicable rules and regulations pursuant thereto.

(f) No operating license shall be issued or renewed unless the completed application form is accompanied by payment of a license fee as provided for in the fee schedule found in the appendix of this code.

(g) No operating license shall be issued or renewed for a nonresident applicant, unless such applicant designates in writing to the city secretary the name of his agent for the receipt of service of notice of violation of the provisions of this article and for service of process pursuant to this article.

(h) No operating license shall be issued or renewed for a resident applicant, unless such applicant has first designated an agent for the receipt of service of violations of the provisions of this article and fox service of process pursuant to this article, when said applicant is absent from the City of Hallettsville, Texas, for thirty (30) or more days. Such a designation shall be made in writing, and shall accompany each application form. The applicant may designate any person resident in the City of Hallettsville, Texas, his agent for this purpose, or may designate the city secretary his agent for this purpose.

(i) No operating license shall be renewed unless an application therefor has been made within sixty (60) days prior to the expiration of the present operating license.

(j) Each license shall be displayed in a conspicuous place within the common ways of the multiple dwelling or rooming house. No license shall be transferable to another person, or to another multiple dwelling or rooming house. Every person holding an operating license shall give notice in writing to the city secretary within twenty-four (24) hours after having transferred or otherwise disposed of the legal control of any licensed multiple dwelling or rooming house. Such notice shall include the name and address of the person or persons succeeding to the ownership or control of such multiple dwelling or rooming house.

(k) Every owner or operator of a licensed multiple dwelling or rooming house shall keep, or cause to be kept, records of all requests for repair and complaints by tenants, which are related to the provisions of this article and to any applicable rules and regulations, and of all corrections made in response to such requests and complaints; Such records shall be made available by the owner or operator to the building official for inspection and copying upon request. Such records shall be admissible in any administrative or judicial proceeding pursuant to the provisions of this article

as prima facie evidence of the violation or the correction of violation of this article or applicable rules and regulations pursuant thereto.

(l) Whenever, upon inspection of the licensed multiple dwelling or, rooming house, or of the records required to be kept by Section 6.107(k), the building inspector finds that conditions or practices exist which are in violation of the provisions of this article or of any applicable rules and regulations pursuant thereto, he shall serve the owner or operator with notice of such violation in the manner hereinafter provided. Such notice shall state that unless the violations cited are corrected within reasonable time, the operating license may be suspended.

(m) At the end of the time he has allowed for correction of any violation cited, the building inspector shall reinspect the multiple dwelling or rooming house, and if he determines that such conditions have not been corrected, he may issue an order suspending the operating license.

(n) Any person whose license to operate a multiple dwelling or rooming house has been suspended shall be entitled to a reconsideration of the order or a formal hearing, in the manner hereinafter provided by this article. If no request for, reconsideration or petition for hearing reaches the within twenty-one (21) days following the issuance of the order of suspension, the license shall be revoked, except that prior to revocation any person whose license has been suspended may request reinspection, upon a showing that the violation or violations cited in the notice have been corrected.

(o) If, upon reinspection, the building inspector finds that the multiple dwelling or rooming house in connection with which the notice was issued is not in compliance with this article and with applicable rules and regulations issued pursuant thereto, he shall reinstate the license. A request for reinspection shall not extend the suspension period, unless the building inspector grants such request.

(Ordinance 193, adopted 8/2/71, Section XII, 12.01 - 12.15)

§ 6.207~~108~~. Additional and Amended Rules and Regulations.

The building inspector is hereby authorized to make, adopt, revise and amend such rules and regulations as it deems necessary for the carrying out of the purposes of this article.
(Ordinance 193, adopted 8/2/71, Section XIII, 13.01)

§ 6.208~~109~~. Notice of Violations.

(a) Whenever the building inspector determines that any dwelling, dwelling unit, or rooming unit, or the premises surrounding any of these, fails to meet the requirements set forth in this article or in applicable rules and regulations issued pursuant thereto, he shall issue a notice setting forth the alleged failure, and advising the owner, occupant, operator, or agent that such failures must be corrected. This notice shall:

(1) Be in writing.

(2) Set forth the alleged violations of this article or of applicable rules and regulations issued pursuant thereto.

(3) Describe the dwelling, dwelling unit or rooming unit where the violations are alleged to exist or to have been committed.

(4) Provide a reasonable time, not to exceed sixty (60) days, for the correction of any violation

alleged.

(5) Be served upon the owner, occupant, operator, or agent of the dwelling, dwelling unit, or rooming unit personally, or by registered mail, return receipt requested, addressed to the last known place of residence of the owner, occupant, operator, or agent. If one (1) or more persons to whom such notice is addressed cannot be found after diligent effort to do so, service may be made upon such person or persons by posting a notice, or by causing such notice to be published in a newspaper of general circulation for a period of two consecutive days; or

(6) Be served upon a resident agent for the receipt of such service of notice designated pursuant to Section 6.107(h); or

(7) Be served upon the city secretary where he has been designated agent for such service pursuant to Section 6.107(g).

(b) At the end of the period of time allowed for the correction of any violation alleged, the building inspector shall reinspect the dwelling, dwelling unit or rooming unit described in the notice.

(c) If upon reinspection the violations alleged are determined by the building inspector not to have been corrected, he shall issue a second notice of violation which shall constitute an order requiring that the then existing failures to meet the requirements of this article or of applicable existing time allowed, but not to exceed sixty (60) days after the date of such reinspection, if the person served with such notice does not request a reconsideration or petition for a hearing on the matter in the manner hereinafter provided.

(d) The building inspector shall cause a copy of the second notice to be posted in a conspicuous place in or about the dwelling, dwelling unit or rooming unit where the violations are alleged to exist, and shall serve it in the manner provided in Sections 6.109(a)(1)–(7).

(e) The building inspector, after the expiration of time granted the person served with such second notice to seek reconsideration or a hearing in the manner hereinafter provided by this article, or after a final decision adverse to such person served has been rendered by the city council or by a court of competent jurisdiction to which an appeal has been taken, shall cause the second notice to be recorded in the Registry of Deeds.

(f) All subsequent transferees of the dwelling, dwelling unit or rooming unit in connection with which a second notice has been so recorded shall be deemed to have notice of the continuing existence of the violations alleged, and shall be liable to all penalties and procedures provided by this article and by applicable rules and regulations issued pursuant thereto to the same degree as was their transferor.

(Ordinance 193, adopted 8/2/71, Section XIV, 14.01 - 14.06)

§ 6.2091~~10~~. Penalty for Violations.

Any owner, occupant, operator, or agent of a dwelling, dwelling unit, or rooming unit who has received the second order or notice of a violation of this article shall be subject to a penalty in accordance with the general penalty provision found in Section 1.106 of this code or forty (40) days in jail, or both, for each day each violation continues after expiration of the specified reasonable consideration period; provided that no such penalty shall be applicable while a reconsideration, hearing or appeal to a court of competent jurisdiction is pending in the matter.

(Ordinance 193, adopted 8/2/71, Section XV, 15.01)

§ 6.210~~111~~. Repairs and other Corrective Action.

(a) Whenever an owner, operator, or agent of a dwelling, dwelling unit, or rooming unit fails, neglects, or refuses to make repairs or other corrective action called for by a second order or notice of violation issued pursuant to Section 6.109(c), the city council may undertake such repairs or action, when in its judgment a failure to make them will endanger the public health, safety, or welfare, and the cost of such repairs and action will not exceed fifty (50) per cent of the fair market of the structure to be repaired.

(b) Notice of the intention to make such repairs or take other corrective action shall be served upon the owner, operator, or agent pursuant to Section 6.109; or upon the city council as designated agent for service pursuant to Section 6.107(g); or upon the resident agent of the owner, as designated agent for service pursuant to Section 6.107(h).

(c) Every owner, operator, or agent of a dwelling, dwelling unit, or rooming unit who has received notice of the intention of the building official and/or housing official to make repairs or take other corrective action shall give entry a free access to the agent of the building official and/or housing official for the purpose of making such repairs. Any owner, operator, or agent of dwelling, dwelling unit, or rooming unit, who refuses, impedes, interferes with, hinders, or obstructs entry by such agent pursuant to a notice of intention to make repairs or take other corrective action shall be subject to a civil penalty of two hundred (200) dollars for each such failure to comply with this section.

(d) When repairs are made or other corrective action taken at the direction of the building official cost of such repairs and corrective action shall constitute a debt in favor of the City of Hallettsville, Texas, against the owner of the repaired structure. In the event such owner fails, neglects, or refuses to pay the City of Hallettsville, Texas, the amount of this debt, it shall be recoverable in a civil action against the owner or his successor, brought in a court of competent jurisdiction by the City of Hallettsville, Texas, which shall possess all rights of a private creditor.

(Ordinance 193, adopted 8/2/71, Section XVI, 16.01)

§ 6.211~~112~~. Designation of Unfit Dwellings, Dwelling Units, and Rooming Units.

(a) Any dwelling, dwelling unit, or rooming unit shall be designated as unfit for human habitation, when any of the following defects or conditions are found, and when, in the judgment of the building official, these defects create a hazard to the health, safety, or welfare of the occupants or of the public:

(1) Is damaged, decayed, dilapidated, insanitary, unsafe, or vermin-infested.

(2) Lacks illumination, ventilation, or required sanitation facilities.

(3) The general condition of location is insanitary, unsafe, or unhealthful.

(b) Whenever any dwelling, dwelling unit, or rooming unit has been designated as unfit for human habitation, the building official shall placard the dwelling, dwelling unit, or rooming unit indicating that it is unfit for human habitation, and, if occupied, shall order the dwelling, dwelling unit, or rooming unit vacated within a reasonable time, such time to be not less than two (2) days nor more than ten (10) days.

(c) No dwelling, dwelling unit, or rooming unit which has been designated as unfit for human habitation and which has been placarded as such and has been vacated shall be used again for

human habitation until written approval is secured from the city secretary and the placard removed by the building official.

(d) The building official shall rescind the designation as unfit for human habitation and remove the placard when the defect or condition upon which such designation and such placarding was based has been removed or eliminated as to cause the dwelling, dwelling unit, or rooming unit to be deemed by the building official as a safe, sanitary, and fit place or unit for human habitation.

(e) No person shall deface or remove the placard from any dwelling, dwelling unit, or rooming unit which has been designated as unfit for human habitation and has been placarded as such, except as provided in Section 6.112(d).

(f) [Editor's Note: Original has this as (e)] Any person affected by any decision of the building official or by any designation or placarding of a dwelling, dwelling unit, or rooming unit as unfit for human habitation shall be granted a hearing on the matter before the city council under the procedure set forth in Sections 6.116 and 6.117 of this article.

(Ordinance 193, adopted 8/2/71, Section XVI, 16.02)

§ 6.212~~113~~. Demolition of Dwellings, Dwelling Units, or Rooming Units Designated as Unfit for Human Habitation.

(a) The city council shall order a dwelling, dwelling unit, or rooming unit to be demolished if it has been designated as unfit for human habitation, has been placarded as such, has been vacated, has not been put into proper repair as to rescind the designation as unfit for human habitation and to cause the placard to be removed, and is determined by the city council not to warrant repair under Section 6.111(a).

(b) The owner of any dwelling, dwelling unit, or rooming unit which has been ordered demolished, shall be given notice of this order in the manner provided for service of notice in Section 6.109 and shall be given a reasonable time, not to exceed ninety (90) days, to demolish such structure.

(c) Any owner aggrieved by the notice to demolish may within 30 days seek a reconsideration of the matter in the manner hereinafter provided, and may seek a formal hearing in the manner provided in Sections 6.116 and 6.117.

(d) When the owner fails, neglects, or refuses to demolish an unfit, unsafe, or insanitary dwelling unit, or rooming unit within the requisite time, the requisite time, the city council may apply to a court of competent jurisdiction or a demolition order to undertake the demolition. The court may grant such order when no reconsideration or hearing on the matter is pending. The cost of such demolition shall create a debt in favor of the City of Hallettsville, Texas, against such owner, and shall be recoverable in a civil action brought by the City of Hallettsville, Texas, which shall possess all the rights of a private creditor.

(e) Whenever a dwelling is demolished, whether carried out by the owner or by the city council, such demolition shall include the filling in of the excavation remaining on the property on which the demolished dwelling was located, in such manner as to eliminate all potential danger to the public health, safety, or welfare arising from such excavation.

(f) All demolition shall be preceded by an inspection of the premises by the building official to determine whether or not extermination procedures are necessary. If the premises are found to be infested, appropriate rat extermination to prevent the spread of rats to adjoining or other areas shall be instituted before, during, and after demolition

(Ordinance 193, adopted 8/2/71, Section XVI, 16.03)

§ 6.213~~114~~. Revolving Fund.

There is hereby created a revolving fund for the purpose of supporting the cost of repairs and other corrective action or demolition made by the city council pursuant to Sections 6.111 and 6.112. Into this fund shall be paid:

~~(1)~~(a) All civil penalties collected for violations of this article pursuant to Section 6.110.

~~(2)~~(b) All license fees collected pursuant to Section 6.107(f).

~~(3)~~(c) All judgments collected in actions to recover the costs of repair and other corrective action and demolition, pursuant to Section 6.111(d).

~~(4)~~(d) Such other revenues as the City of Hallettsville, Texas, may from time to time authorize to be paid into this fund.

~~(5)~~(e) All donations and grant, designed to promote to purposes of this, article from public or private sources. The city council is hereby declared to be the authorized agency of the City of Hallettsville, Texas, to apply for and receive all grants, loans, and gifts of funds to promote the purposes of this article.

(Ordinance 193, adopted 8/2/71, Section XVI, 16.04)

§ 6.214~~115~~. Dissemination of Information.

The city council is hereby authorized to collect and disseminate information concerning techniques of maintenance, repair, and sanitation in housing, and concerning the requirements of this article and applicable rules and regulations issued pursuant thereto.

(Ordinance 193, adopted 8/2/71, Section XVI, 17.01)

§ 6.215~~116~~. Application for Reconsideration.

(a) Any person aggrieved by a notice of the building official and/or housing official issued in connection with any alleged violation of this article or of applicable rules and regulations issued pursuant thereto, or by any order requiring repair or demolition pursuant to Sections 6.111 or 6.112, may apply to the city council for a reconsideration of such notice or order within twenty-one (21) days after it has been issued.

(b) The city council shall set a time and place for an informal conference on the matter within ten (10) days of the receipt of such application, and shall advise the applicant of such time and place in writing.

(c) At the informal conference, the applicant shall be permitted to present his grounds for believing that the order should be revoked or modified to one or more representatives of the city council.

(d) Within ten (10) days following the close of the informal conference the city council shall advise the applicant whether or not it will modify or set aside the notice or order issued by the building official and/or housing official.

(Ordinance 193, adopted 8/2/71, Section XVIII, 18.01)

§ 6.216~~117~~. Hearings.

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(a) Any person aggrieved by a notice of the building official and/or housing official issued in connection with any alleged violation of the provision of this article or of any applicable rules and regulations pursuant thereto, or by any order requiring repair or demolition pursuant to Section 6.111 or 6.112, may file with the city council, a petition setting forth his reasons for contesting the notice or order.

(b) Such petition shall be filed within twenty-one (21) days after the notice or order is served on petitioner in the manner prescribed by Section 6.109.

(c) Upon receipt of a valid petition, the city council shall either grant or deny the hearing requested, and shall advise petitioner of its decision in writing within ten (10) days of the day on which his petition was received.

(d) When the city council determines to hold a hearing, it shall serve petitioner with notice of its decision in the manner provided for service of notice in Section 6.109. Such notice shall be served within ten (10) days of the receipt of the petition.

(e) At the hearing, the petitioner shall be given an opportunity to show cause why the notice or order should be modified or withdrawn, or why the period of time permitted for compliance should be extended.

(f) The city council shall have the power to affirm modify or revoke the notice or order, and may grant an extension of time for the performance of any act required of not more than one (1) additional month, where the city council finds that there is practical difficulty or unique hardship connected with the performance of any act required by the provisions of the ordinance or by applicable rules or regulations issued pursuant thereto, and that such extension is in harmony with the general purpose of this article to secure the public health, safety, and welfare.

(g) The city council may grant variances from the provisions of this article or from applicable rules and regulations issued pursuant thereto when the city council finds that there is practical difficulty or unnecessary hardship connected with the performance of any act required by this article and applicable rules and regulations pursuant thereto; that strict adherence to such provisions would be arbitrary in the case at had; that extension would not provide an appropriate remedy in the case at hand, and that such variance is in harmony with the general purpose of this article to secure the public health, safety and welfare.

(Ordinance 193, adopted 8/2/71, Section XVIII, 18.02)

§ 6.21~~7~~18. Procedure in Emergency Circumstances.

(a) Whenever, in the judgment of the building official and/or housing official an emergency exists which requires immediate action to protect the public health, safety, or welfare, an order may be issued, without notice, conference, or hearing, directing the owner, occupant, operator, or agent to take such action as is appropriate to correct or abate the emergency. If circumstances warrant, the building official and/or housing offices may act to correct or abate the emergency.

(b) The owner, occupant, operator, or agent shall be granted a conference on the matter upon his request, as soon as practicable, but such conference shall in no case stay the abatement of correction of such emergency.

(Ordinance 193, adopted 8/2/71, Section XIX, 19.01 - 19.02)

ARTICLE 6.3200
~~WEEDS, LITTER, BRUSH, TRASH AND GARBAGE~~
PROPERTY MAINTENANCE, WEEDS, WASTE AND PUBLIC RIGHT-OF-WAY OBSTRUCTIONS

§ 6.3201. Lots ~~to be Kept Clear~~ and Adjacent Areas to Be Kept Clear and Maintained.

(a) Private Property. It shall be unlawful for any owner, lessee, occupant, or person in control of any premises located within the City of Hallettsville, Texas, to allow weeds, litter, brush, rubbish, trash, garbage, or other objectionable or insanitary matter to accumulate or remain on the premises to such an extent as to create a fire hazard, produce or contribute to a health hazard, provide refuge for rats, mice, snakes, or other vermin, or otherwise constitute a public nuisance under applicable law. Weeds or grass exceeding twelve (12) inches in height shall be considered a public nuisance.

(b) Adjacent Areas. The owner, lessee, occupant, or person in control of property abutting a public street shall keep the area between the property line and the edge of the pavement adjoining the property reasonably clean and maintained, including mowing grass and weeds and removing leaves, grass clippings, brush, and other vegetative debris. This requirement shall not authorize a person to damage public improvements, interfere with drainage facilities, or perform work reserved to the City, a utility provider, or another governmental entity.

(c) Trees and Utility Lines. Nothing in this section shall require a property owner, lessee, occupant, or person in control of property to trim or remove tree limbs or vegetation within or in contact with electrical power lines. Work involving vegetation within or near power lines shall be referred to the applicable utility provider or other properly authorized entity.

(d) Public Nuisance. Conditions described in this section that meet the applicable legal requirements are declared to constitute public nuisances subject to the notice, abatement, cost-recovery, and enforcement procedures authorized by this article and applicable law.

~~It shall be unlawful for any owner, lessee, or occupant, or any person in charge of any premises located within the City of Hallettsville, Texas, to allow weeds, litter, brush, trash, or garbage to accumulate on such premises to such an extent as is (1) likely to create a fire hazard, or (2) likely to produce disease (a health hazard), or to offer a refuge to rats, mice, or snakes. The existence of such an accumulation of weeds, litter, brush, trash or garbage is hereby declared to constitute a public nuisance.~~
~~(Ordinance adopting Code)~~

§ 6.202. Prohibited Acts and Conditions~~Inspection~~.

(a) Depositing Yard Waste in Public Areas. It shall be unlawful for any person to blow, sweep, dump, deposit, or otherwise place leaves, grass clippings, weeds, brush, or other yard waste into or upon a public street, alley, sidewalk, gutter, storm drain, or drainage facility. Yard waste generated through mowing, trimming, sweeping, or other property maintenance shall be collected and properly disposed of and shall not be placed in a manner that obstructs drainage, interferes with public use, or creates a hazard or nuisance.

(b) Unauthorized Storage of Personal Property. No person shall place, store, maintain, or permit personal property, equipment, or other objects to remain in a public street, alley, sidewalk, or public right-of-way without authorization from the City or other lawful authority.

Prohibited items include, but are not limited to:

(1) Trailers detached from a towing vehicle and left standing or stored in a public street or right-of-way, except as otherwise authorized by law;

(2) Recreational equipment, toys, play equipment, and other personal property;

(3) Furniture, appliances, building materials, and other items stored in a public street or right-of-way; and

(4) Any other object that unlawfully obstructs or interferes with the safe and lawful use of a public street, alley, sidewalk, or right-of-way.

(c) Exceptions. This section shall not prohibit temporary activities authorized by the City, lawful loading or unloading, or the placement or maintenance of public facilities, utilities, or other improvements authorized by the City or applicable law.

~~Whenever the city administrator or their designee either observes or receives a report from any individual that weeds, litter, brush, trash or garbage has accumulated upon any premises located within the city, the city administrator or their designee shall inspect the premises to determine whether the accumulation complained of, if any, constitutes a nuisance as herein defined; if the city administrator or their designee determines that the accumulation constitutes a public nuisance as defined herein, the city administrator or their designee shall serve written notice upon the owner, lessee, occupant, or person in charge of the premises to remove the accumulation within ten (10) days from the date such notice is given. For the purposes of this article weeds and/or grass in excess of 12 inches in height shall be considered a public nuisance.~~
~~(Ordinance 626-22 adopted 6/20/22)~~

§ 6.203. Inspection and Notice of Violation~~to Remove or Remedy Conditions~~.

(a) Inspection. Whenever the City Administrator or the City Administrator's designee observes, or receives a report of, a condition that may violate this article, the City Administrator or designee may inspect the premises or affected public area to determine whether a violation exists.

(b) Notice. Except where immediate action is authorized by law, the City shall provide written notice of a violation to the responsible person or property owner, as applicable. The notice shall identify the violation, describe the corrective action required, and specify the time allowed for compliance. For violations involving private property subject to Texas Health and Safety Code Chapter 342, the notice and service shall comply with the applicable requirements of that chapter.

(c) Time to Correct. For violations involving private property subject to Texas Health and Safety Code Chapter 342, the responsible property owner shall be allowed the time required by applicable law to correct the violation. For other violations, the City may specify a reasonable time for compliance based on the nature and severity of the violation, subject to applicable law.

(d) Repeated Violations. Where authorized by Texas Health and Safety Code § 342.006, the City may provide notice that a subsequent violation of the same kind or nature that poses a danger to public health and safety, occurring within one (1) year, may be corrected by the City without further notice and at the owner's expense, subject to the statutory requirements.

(e) Dangerous Weeds. The City may abate weeds exceeding forty-eight (48) inches in height without prior notice only when the weeds constitute an immediate danger to the health, life, or safety of a person and the City complies with the post-abatement notice and hearing requirements of Texas Health and Safety Code § 342.008.

~~(a) In the event that the owner of any lot, tract, parcel of land, or a portion thereof, situated within the corporate limits of the City of Hallettsville shall fail to comply with Section 6.202 of this article,~~

~~then the city shall give notice to such person setting forth the noncompliance with this article. Such notice shall be in writing and may be served upon such person in any one or more of the following ways:~~

~~(1) Personally given to the owner;~~

~~(2) Addressed to the owner by letter to the owner's post office address; or~~

~~(3) If personal service cannot be obtained or if the owner's post office address, may be given by publication at least twice within ten (10) consecutive days in the city's official newspaper or by posting the notice on or near the front door of each building on the property to which the violation relates or by posting the notice on a placard attached to a stake driven into the ground on the property to which the violation relates, if the property contains no buildings.~~

~~(b) In the notice herein provided for, the city shall have the right to inform the property owner that if he or she commits another violation of the same kind or nature on or before the first anniversary of the date of the notice, the city may, without further notice, correct the violation at the owner's expense and assess the expense against the property.~~

~~(c) Should the violation consist of weeds in excess of forty-eight (48) inches in height which are deemed by the city to be an immediate danger to the health, life or safety of any person, the city may immediately abate said nuisance with no notice to the property owner.~~

§ 6.204. Failure to Comply; Abatement by the City.

(a) Private Property. If a property owner fails to comply with a notice issued under this article concerning a condition on private property, the City may perform the work or make the improvements required and charge the expenses to the property owner, but only in accordance with the applicable notice, waiting-period, and other requirements of Texas Health and Safety Code Chapter 342.

(b) Public Streets and Rights-of-Way. If a person fails to remove an unauthorized object or correct a violation involving a public street, alley, sidewalk, or right-of-way within the time specified in a lawful notice, the City may remove or abate the obstruction as authorized by law, including Texas Transportation Code §§ 311.002 and 311.003. The City may take immediate action when necessary to address an imminent hazard or obstruction and when such action is authorized by law.

(c) Costs of Abatement. The City may recover costs incurred in correcting or abating a violation only to the extent authorized by applicable law. The procedures applicable to private-property nuisance abatement shall not automatically apply to the removal, storage, or disposal of personal property from a public street or right-of-way.

§ 6.205. Assessment of Costs and Statement of Lien.

(a) Assessment of Costs. Expenses incurred by the City in performing work or making improvements on private property under Texas Health and Safety Code § 342.006 may be assessed against the affected real property as authorized by § 342.007 of that code.

(b) Statement of Lien. To obtain a lien authorized by Texas Health and Safety Code § 342.007, the Mayor, municipal health authority, or municipal official designated by the Mayor shall file the required statement of expenses with the county clerk of the county in which the City is located.

The statement shall include the information required by applicable law.

(c) Limitation. No lien shall be imposed under this section for costs associated with a violation unless the costs and lien are authorized by applicable law. The removal of an obstruction or personal property from a public street or right-of-way shall not, by itself, create a lien against the adjacent property.

§ 6.206. Penalties.

(a) Offense. A person who violates a provision of this article commits an offense and, upon conviction, shall be punished in accordance with the general penalty provision found in Section 1.106 of this Code, to the extent permitted by applicable law.

(b) Separate Offenses. Each day a violation continues may constitute a separate offense to the extent permitted by applicable law.

(c) Other Remedies. The penalties provided by this section are in addition to any lawful civil, administrative, abatement, or cost-recovery remedies available to the City. The City shall not impose duplicate penalties or pursue a remedy prohibited by applicable law.

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~~(Ordinance adopting Code)~~

§ 6.204. Failure ~~to Take Required Action~~to Comply; Abatement by the City.

(a) Private Property. If a property owner fails to comply with a notice issued under this article concerning a condition on private property, the City may perform the work or make the improvements required and charge the expenses to the property owner, but only in accordance with the applicable notice, waiting-period, and other requirements of Texas Health and Safety Code Chapter 342.

(b) Public Streets and Rights-of-Way. If a person fails to remove an unauthorized object or correct a violation involving a public street, alley, sidewalk, or right-of-way within the time specified in a lawful notice, the City may remove or abate the obstruction as authorized by law, including Texas Transportation Code §§ 311.002 and 311.003. The City may take immediate action when necessary to address an imminent hazard or obstruction and when such action is authorized by law.

(c) Costs of Abatement. The City may recover costs incurred in correcting or abating a violation only to the extent authorized by applicable law. The procedures applicable to private-property nuisance abatement shall not automatically apply to the removal, storage, or disposal of personal property from a public street or right-of-way.

~~Should any owner of any lot or lots with the City of Hallettsville, Texas, who shall allow weeds, rubbish, brush, or any other unsightly, objectionable or insanitary matter to grow or accumulate thereon, fail and/or refuse to cut down and/or remove such weeds, rubbish, brush, or unsightly, objectionable or insanitary matter, as the case may be, within ten (10) days after notice to said owner to fail and/or refuse to drain and/or fill the same lot or lots or remove filth, carrion or other impure or unwholesome matter, as the case may be, to do so, in writing, or by letter addressed to owner at his post office or within ten (10) days after notice by publication as many as two (2) times within ten (10) consecutive days in any newspaper of general circulation in the City of Hallettsville, may do such cutting down and/or removing such weeds, rubbish, brush, and any other unsightly, objectionable or insanitary matter, or cause the same to be done and may pay therefore and charge the expense incurred in doing such work or having such work done or improvements made at the expense of the City of Hallettsville, Texas, which such expense was incurred.~~
~~(Ordinance adopting Code)~~

§ 6.205. Assessment of Costs and Statement of Lien.

(a) Assessment of Costs. Expenses incurred by the City in performing work or making improvements on private property under Texas Health and Safety Code § 342.006 may be assessed against the affected real property as authorized by § 342.007 of that code.

(b) Statement of Lien. The Mayor or the City Administrator, if designated by the Mayor as the municipal official authorized to file the statement of expenses, shall file the statement of expenses with the County Clerk of Lavaca County, Texas, in accordance with Texas Health and Safety Code § 342.007. The statement shall include the name of the property owner, if known, the legal description of the property, and any other information required by applicable law.

(c) Limitation. No lien shall be imposed under this section for costs associated with a violation unless the costs and lien are authorized by applicable law. The removal of an obstruction or personal property from a public street or right-of-way shall not, by itself, create a lien against the adjacent property.

~~The mayor or city administrator of the City of Hallettsville shall file a statement of such expense incurred under Section 6.203 or under Section 6.204 of this article, as the case may be, giving the amount of such~~

~~expense, the date on which said work was done or improvements made, with the county clerk of Lavaca County, Texas; and the City of Hallettsville, Texas, shall have a privileged lien on such lot or lots or real estate upon which said work was done or improvements made to secure the expenditures so made, in accordance with the provisions of said Article 4436, Revised Civil Statutes of Texas, which said lien shall be second only to tax liens and liens for street improvements; and said amount shall bear ten percent (10%) interest from the date said statement was filed. It is further provided that for any such expenditures, and interest, as aforesaid, suit may be instituted and recovery and foreclosure of said lien may be had in the name of the City of Hallettsville, Texas; and the statement of expense so made, as aforesaid, or a certified copy thereof, shall be prima facie proof of the amount expended for such work or improvements.~~

~~(Ordinance adopting Code)~~

§ 6.206. Penalties.

(a) Offense. A person who violates a provision of this article commits an offense and, upon conviction, shall be punished in accordance with the general penalty provision found in Section 1.106 of this Code, to the extent permitted by applicable law.

(b) Separate Offenses. Each day a violation continues may constitute a separate offense to the extent permitted by applicable law.

(c) Other Remedies. The penalties provided by this section are in addition to any lawful civil, administrative, abatement, or cost-recovery remedies available to the City. The City shall not impose duplicate penalties or pursue a remedy prohibited by applicable law.

~~(a) Any person, firm or individual who shall violate any of the provisions of this article shall be guilty of a misdemeanor, and upon conviction shall be fined in accordance with the general penalty provision found in Section 1.106 of this code. And each and every day's violation shall constitute a separate offense, in case the owner or occupant of any lot, lots or premises under the provision of this article shall be a corporation, and shall violate any provision of this article, the president, vice-president, secretary, treasurer of such corporation, or any manager, agent or employee of such corporation shall be also severally liable for the penalties herein provided.~~

~~(Ordinance adopting Code)~~

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City of Hallettsville

Generative Artificial Intelligence (AI) Use Policy

I. Purpose

This policy establishes the appropriate and responsible use of generative artificial intelligence (AI) tools by City of Hallettsville employees, officers, contractors, and other individuals using City networks, systems, or electronic communication resources for City business. It is intended to leverage potential efficiency gains from AI while minimizing risks related to privacy, security, bias, and public trust.

II. Scope

This policy applies to all use of generative AI tools for any City-related purpose, regardless of whether the user is on City-owned or personal equipment and regardless of where the tool is accessed (web, desktop, or integrated application).

III. Definitions

- **Generative AI**: Electronic or web-based tools, typically using large language models or similar technologies, that generate content (text, images, video, audio, code, etc.) in response to user inputs ("prompts"). Examples include ChatGPT, Google Gemini (Bard), Microsoft Copilot, and DALL·E.
- **City information**: Any information created, received, or maintained in connection with City business, regardless of format or storage location (including information on personal devices when used for City business).
- **Confidential or proprietary information**: Information protected from public disclosure by law, contract, or policy, including third-party intellectual property, business strategies, financial data, personnel records, and personal data of employees or constituents.
- **Public information**: Information that is available to the public under the Texas Public Information Act (PIA).

IV. General Principles

1. All information entered into or produced by generative AI tools for City business must be treated as potentially public and subject to PIA requests.

2. Users must not input confidential, proprietary, or otherwise non-public City information into external generative AI tools.
3. Generative AI is a tool to assist with work; it does not replace human judgment. Employees remain fully responsible for the accuracy, quality, completeness, and appropriateness of all work products.
4. Generative AI must not be relied upon to make critical decisions or provide professional advice.

V. When AI May Be Used

Generative AI may be used for City business only when it supports, rather than replaces, human judgment and uses only appropriate information as described in this policy.

A. Permitted, Lower-Risk Uses (Examples)

With supervisor awareness (see Section VIII), users may use generative AI to:

- Draft or refine routine, non-sensitive text (e.g., internal reminders, neutral informational content) that contains only public or generic information.
- Brainstorm ideas (e.g., project names, outreach themes) using only general, non-identifying descriptions.
- Draft or edit non-sensitive public-facing text (e.g., basic event descriptions) that will be fully reviewed, edited, and approved by staff before release.
- Summarize or rephrase public documents (e.g., ordinances or policies posted on the City website).
- Assist with code examples or scripting when no confidential or proprietary City code or data is included in the prompts.

Departments may further limit or prohibit AI use based on their operational needs.

VI. When AI May Not Be Used

A. Prohibited Use Cases

Generative AI may not be used to:

- Input, process, or store confidential, proprietary, or non-public City information (see Section VII).
- Make or automate decisions involving hiring, promotion, discipline, performance evaluation, procurement selection, eligibility determinations, or allocation of City services or benefits.
- Provide legal, financial, engineering, medical, or other professional advice in place of qualified City staff or retained professionals.
- Create or manipulate content intended to mislead or deceive the public, including synthetic audio or images representing actual City officials or real events.
- Serve as a repository for records that should be maintained under the City's records retention schedules; AI tools must not become a system of record.

B. High-Risk Uses Requiring Extra Caution

The following uses are higher-risk and, if permitted by the City, require careful review, editing, and approval by appropriate staff, including City Attorney:

- Drafting ordinances, policies, contracts, or other formal legal or quasi-legal documents.
- Drafting solicitations, RFPs, or contract scopes of work.
- Drafting job postings or classification descriptions.
- Creating images or video for City publications (only for clearly illustrative or abstract purposes, with clear labeling as AI-generated).

VII. Information That May or May Not Be Entered into AI

A. Treat All Inputs as Public

All information entered into generative AI tools may be logged by the provider, reused to train models, and later revealed to other users, and may waive any PIA exemption that might otherwise apply. Users must therefore treat all prompts and uploaded content as public.

B. Information Allowed in AI Tools

Users may enter only:

- Public information already available to any requester under PIA.

- Generic, non-identifying descriptions of City tasks or scenarios.
- Publicly available documents (e.g., ordinances, public reports, website content) when seeking summaries or alternative phrasings.

C. Information Prohibited from AI Tools

Users must never enter the following into generative AI tools:

- Personal data of employees, applicants, vendors, or constituents (such as home addresses, phone numbers, email addresses, dates of birth, ID numbers).
- Personnel records or HR information (e.g., performance issues, complaints, grievances, evaluations).
- Non-public legal documents or communications, including attorney-client privileged material.
- Non-public financial information, business strategies, or proprietary plans (including third-party confidential information).
- Non-public procurement materials, evaluations, or draft specifications before official release.
- Passwords, security configurations, network diagrams, or any security-sensitive data.
- Any content labeled confidential by law, contract, or City policy.

If unsure, users must treat information as confidential and not input it into AI until they receive clarification from a supervisor or the City Attorney.

VIII. Disclosure, Supervisor Involvement, and Citation

A. Supervisor Awareness and Review

- Before using generative AI for any work related to City business, employees must disclose the intended use to their immediate supervisor and identify the specific tool(s) to be used (e.g., ChatGPT, Microsoft Copilot, Google Gemini).
- Supervisors are responsible for reviewing AI-generated input and output used in City work products for inaccuracies, inappropriate content, or policy non-compliance.

B. Citation of AI Use

When generative AI provides language or other content that is incorporated into a City document, the user must disclose that AI assistance was used, via a footnote, endnote, header, or footer (as appropriate), including at minimum:

- The name of the generative AI system used.
- A brief statement that the text was edited and verified by City staff.

Example:
"This description was generated by ChatGPT-4 and edited by [Employee Name]."

Employees remain responsible for proper research, fact-checking, and compliance with all City standards; failure to disclose AI use or to verify content may result in disciplinary action.

IX. Privacy, Security, and Records

- Users must maintain the confidentiality and security of City information in accordance with all City policies, contracts, and legal obligations, including for text, photos, videos, recordings, contracts, agreements, and personnel records.
- Use of generative AI must comply with City information-security requirements, including password protection, secure communication channels, and any other applicable security controls.
- AI outputs that are incorporated into City work products must be retained or disposed of under the City's records retention schedule; generative AI platforms themselves must not be used as long-term storage or filing systems.

X. Allowable AI Websites/Tools

The City may maintain an approved list of AI tools that may be used for City business. At a minimum:

1. Only AI tools reviewed and authorized by the City Administrator or designee may be used with City information.
2. Departments must not independently enter into agreements for additional generative AI tools without City authorization.
3. Users must comply with the terms of service and licensing conditions of any approved tool and must not bypass or alter security or privacy settings.

Until a formal approved list is issued, only commonly known, reputable tools (e.g., OpenAI ChatGPT, Microsoft Copilot, Google Gemini) may be used and only with public information in full compliance with this policy.

XI. Accountability and Enforcement

By following this policy, employees support responsible and effective use of generative AI and protect the City's interests, privacy, security, and quality of work. Individual departments may adopt additional requirements that are more restrictive than this policy but not less.

Violations of this policy, or any department-level generative AI policy, may result in disciplinary action up to and including termination, consistent with applicable City personnel policies and procedures. Human Resources, in coordination with the City Administrator, may modify this policy at any time, with appropriate notice to employees.

2027 City of Hallettsville Holiday Schedule

New Year's Day	Friday January 1st
Martin Luther King Jr. Day	Monday January 18th
Presidents' Day	Monday February 15th
Good Friday	Friday March 26th
Memorial Day	Monday May 31st
Emancipation Day	Friday June 18th
Independence Day	Monday July 5th
Labor Day	Monday September 6th
Veterans' Day	Thursday November 11th
Thanksgiving	Thursday November 25th
Day After Thanksgiving	Friday November 26th
Christmas Eve	Thursday December 23rd
Christmas Day	Friday December 24th

Other Holidays(Not All) observed by (Federal, State, Lavaca County)

OBSERVED	HOLIDAY	DATE
ST, LC	Texas Independence	Tuesday March 2nd
FED, ST (not a day off), LC	Columbus Day	Monday October 11th
LC	New Years Eve	Friday December 31st

OCTOBER 2026

ELECTRIC DEPARTMENT

Vehicle read both routes

Line locates as needed

Read book # 15

Read & leave on –103 Village Dr. #11, #46 & #23, 414 South Texana, 107 South Judy, 117 Hessler, 303 South Market # A & # B, 606 North Dowling, 703 Kroschel #7, 414 South Texana, 209 Hillside Terrace #15, 1134 Donna Drive #502, 101 East Rogers, 504 North Dowling #A

Turn on – 423 North Texana #C, 1134 Donna Drive #302 & #601, 820 West Fairwinds #A, 301 North Pecan, 1001 US 77 North, 104 Kessler, 208 Crocket, 103 Village Drive #15, 719 South Texana, 300 South Main #A, 106 Walnut #203, 508 Devall #B,

Final & turn off – 711 South Texana, 405 Sabine, 104 Cathy Drive, 1134 Donna Drive #302, 412 South Dowling, 405 Alma, 405 South Glendale,

Door hanger- 902 North Texana

Rereads- 501Kroschel, 106 River, 406 South Ridge, 904 North Glendale,

Non-reads

Street lights-Moore & South Main, South Main & South Main Lane, Moore & South Glendale, 304 North Promenade, 1200 East Second, 1204 East Third, 200 Mulberry, South Judy & East Third, Presnal & Texana, Crocket & North Texana, 716 South Texana, North main & Rogers, 108 Hessler, 106 Ford, 207 Edna, WWTP, North Main & Gilbert

Outage at Chaparral Motal

Trimmed trees for street department on east Third from North Texana to Judy Street. Also trimmed North Judy from East Third to East Second

Replaced bulbs in bathroom light at Post Office

Adjusted roll up door sensors at Post Office

Replaced cap on water line to fix water leak in bathroom at Post Office

Used TANKER 13 to fill dunk tank for Police Department for National Night Out

Put new hydraulic pole pruner together

Trimmed trees for street department on Hessler street from dead-end to Jennifer street

Meeting at City Hall for future grant projects

Check electrical problem with Industrial Well motor

Replaced URD terminator at Lavaca Medical Center

Used digger to unhook frac tank from truck at WWTP

Loaded sprayer with digger & single tree onto pickup to spray mosquitos

Started on inventory material list LR3 used on pole project

Unloaded (3) 50 KVA pole mount transformers at pole yard for inventory

With Mercer Controls at L.C.R.A. Hallettsville City Substation for installation of new SCADA controls

Refused transformer at South Dowling & Ford Street

Jaun Brito turned in resignation on October 13 2026

Removed service from 412 South Dowling

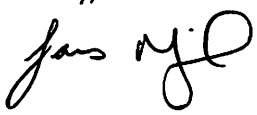
Eugene C. Mikush Jr.

October 2026, REPORT FOR
WATER & WASTEWATER DEPT.

Checked the water well sites and recorded the water pumped and the chlorine used at the well sites daily.
Checked and recorded the chlorine residual in the distribution system daily.
Flushed dead end water mains monthly.
Collected monthly water samples from the distribution system and drove them to the lab in Victoria for testing.
Took full chlorine bottles to the water well sites and brought the empty bottles back to the Wastewater Treatment Plant.
Got the re-reads and non-read meters for the month.
Made several cross-connection inspections.
Cut off and turned on customer services for leaks, repairs, and non-payments.
Performed various line locates as requested.
Checked various water meters and replaced registers and MXU's per work orders.
Helped at Wastewater Treatment Plant as need.
D&D monthly meeting.
Pull mixer motor at lift station at WWTP.
Pull down wet ceiling tile and insulation at the library.
Check if leak repaired for adjustment at 303 N Market.
Change out locks at lift stations.
Turn water on at Little League.
Get high pressure hose redone at NAPA for Vactor truck.
Help street department clean ditch on Cemetery Road.
Check if leak was repaired for adjustment at 307 S Main.
Pulled meter and flushed line at 704 E 2nd.
Clean up in golf course from water leak.
Check water pressure at KC Trailer Park.
Pickup construction fence at Library on Kelly St.
Clarifier went down at WWTP.
Make contact with ReBuild It and Daniels about clarifer.
Mercer Controls work on water plants and master for SCDA.
Mercer Construction installed fire hydrant on 5th St and S Texana.
Meeting with ReBuild It, NTS and City about clarifier repair.
Turn water off at 40 S Alma St, customer leak.
Turn water off at 705 E Third St, customer request.
Turn water off at 505 E Bowie St, customer leak.
Replace 2" register and 2" gate valve at Los Cabos.
Repair ¾" leak at 409 S Main.
Future Capital projects meeting at City Hall.
Reread water meter at 107 Mulberry, customer complaint water usage was high.
Turn water off per customer at 700 E Second St.
Work with D&D on replacing manhole at 1st and N Main.
Check leak at water meter at 1311 E Cemetery Rd, customer leak.
Repaired ¾" leak at Airport.
Flushed hydrant on South Ridge per customer complaint.
Repaired fire hydrant at South Main and Russell St.
Repaired 2" water leak at Fink RV/Mobile Home Park.
Clean up at Fifth St and S Texana from contractor work.
Clean out grit chamber at WWTP.

Contacted TDS about rolloff pickup.
Complete DMR monthly report to TCEQ.
Clean bar screen daily am/pm.
Clean supinator daily.
Check blowers daily keep on rotation, lubricate, clean filters on regular schedule.
Take grab samples of effluent, test for levels of CL daily.
Take grab samples of effluent test for pH and DO weekly.
Check daily flow of plant.
Clean plant, weirs and supernater two to three times weekly.
Inspect lift stations, clean floats.
Wash clarifier.
Fill drying beds with sludge and rake and haul into roll-offs.
Level drying beds with sand when needed.
Check chlorine bottles daily and replace when needed.
Order chlorine bottles when supply is low for wastewater and water.
Take effluent composite samples weekly to B-environment for testing of BOD and TSS.
Take effluent grab sample to Victoria twice per month to test for E-Coli.
Complete Annual Sludge Report.

Respectfully,



James Migl
Water Wastewater Supervisor

October2026 STREETS ACTIVITY REPORT

- **Mow and weed eat fire station**
- **Weed eat at golf course**
- **Mow and weed eat at public works**
- **Clean curbs on E Third**
- **Pick up dead deer on W Fairwinds**
- **Pick up dead cat on N RIDGE**
- **Pick up dead deer on 77 south**
- **Picked up deed cat on S Glendale**
- **Weed eat all lift stations**
- **Patch holes on Dowling ST**
- **Patch holes on Ford ST**
- **Patch holes on Church ST**
- **Trim trees on Hillside Terrace**
- **Trim trees on Rick Drive**
- **Trim trees on N Market**
- **Trim trees on Bowie ST**
- **Push brush at Transfer Station**
- **Pick up dead cat on N Glendale**
- **Pick up dead deer on 77s**
- **Pick up dead deed on 77n**
- **Change oil on street truck and park truck**
- **Pick up dead possum on N Main**
- **Pick up deed deer on 77s**
- **Patch holes on Mulberry ST**
- **Mow lot on S Texana ST**
- **Helped water Department**
- **Mow at golf course**
- **Took mower to shop in Shiner**
- **Pick up dead cat on N Main**
- **Patch holes on N Market**
- **Cut trees on Judy ST**
- **Pick up limb in park**
- **Mow in park**
- **Pull trash in park**
- **Clean rest room in park**

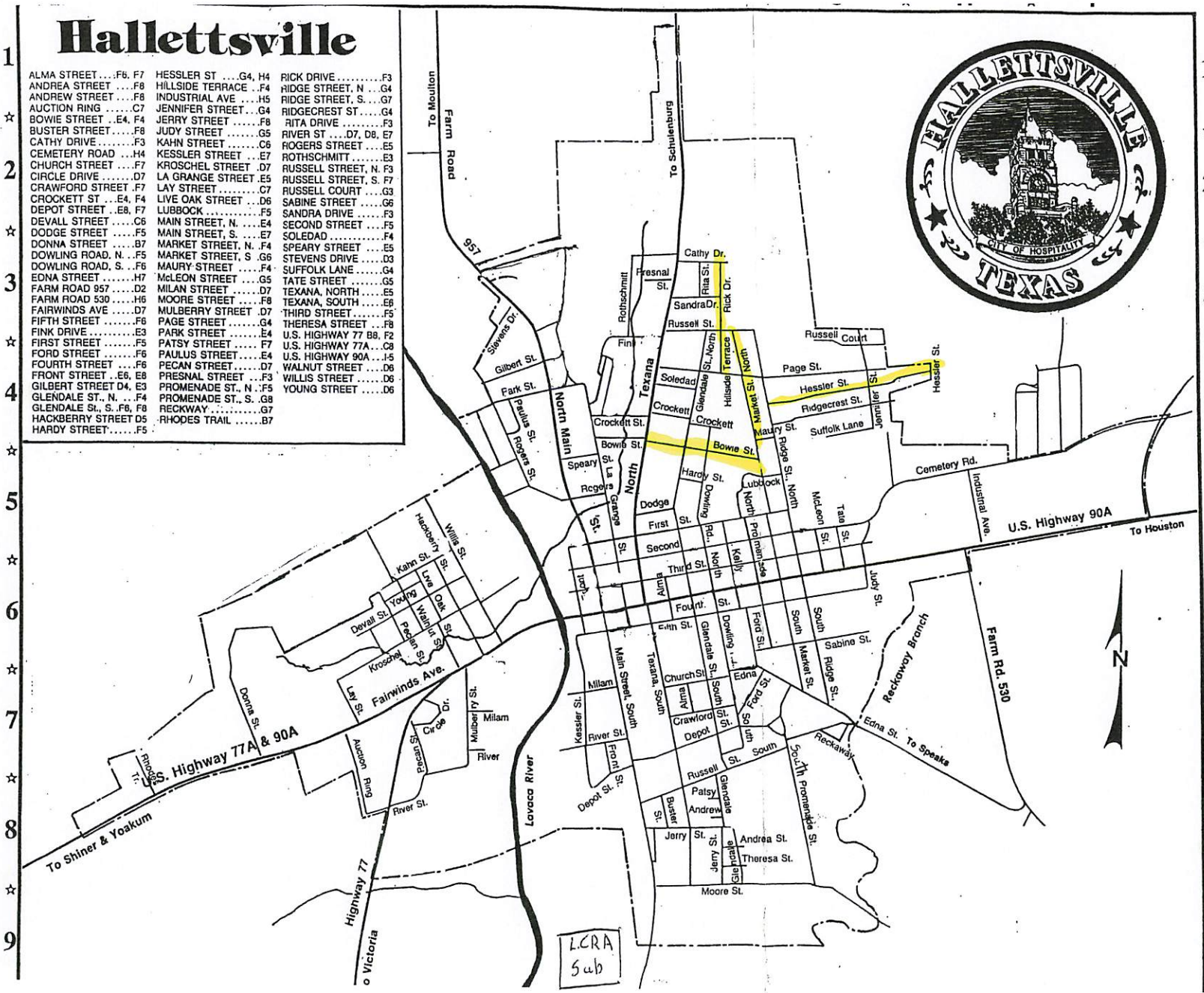
- **Mow ditch on Moore ST**
- **MOW ditch at pole yard**
- **Clean curb on N Ridge**
- **clean drop inlets**
- **pull trash in park**
- **took part to HOUSTON**
- **Replace tire on backhoe**
- **Replace battery on skied steer**
- **Mow Railroad property**
- **Mow lot on Judy ST**
- **Patch holes on Moore ST**
- **Mow in park**
- **Pull trash in park**
- **Clean restroom in park**
-
-
-

THANK YOU

Keith B

Hallettsville

ALMA STREET F6, F7
ANDREA STREET F8
ANDREW STREET F8
AUCTION RING C7
BOWIE STREET ..E4, F4
BUSTER STREET.....F8
CATHY DRIVE.....F3
CEMETERY ROAD ...H4
CHURCH STREET F7
CIRCLE DRIVE D7
CRAWFORD STREET .F7
CROCKETT ST ...E4, F4
DEPOT STREET ..E8, F7
DEVALL STREET C6
DODGE STREET F5
DONNA STREET B7
DOWLING ROAD, N. ..F5
DOWLING ROAD, S. ..F6
EDNA STREET H7
FARM ROAD 957 .....D2
FARM ROAD 530 .....H6
FAIRWINDS AVE D7
FIFTH STREET F6
FINK DRIVE E3
FIRST STREET F5
FORD STREET F6
FOURTH STREET F6
FRONT STREET ..E6, E8
GILBERT STREET D4, E3
GLENDALE ST., N. ...F4
GLENDALE St., S. .F6, F8
HACKBERRY STREET D5
HARDY STREET.....F5
HESSLER ST G4, H4
HILLSIDE TERRACE ..F4
INDUSTRIAL AVE H5
JENNIFER STREET...G4
JERRY STREET F8
JUDY STREET G5
KAHN STREET C6
KESSLER STREET ...E7
KROSCHEL STREET .D7
LA GRANGE STREET .E5
LAY STREET.....C7
LIVE OAK STREET ...D6
LUBBOCK F5
MAIN STREET, N. E4
MAIN STREET, S. E7
MARKET STREET, N. .F4
MARKET STREET, S .G6
MAURY STREET F4
McLEON STREET G5
MILAN STREET D7
MOORE STREET F8
MULBERRY STREET .D7
PAGE STREET G4
PARK STREET E4
PATSY STREET F7
PAULUS STREET.....E4
PECAN STREET.....D7
PRESNAL STREET ...F3
PROMENADE ST., N. .F5
PROMENADE ST., S. .G8
RECKWAY G7
RHODES TRAIL B7
RICK DRIVE F3
RIDGE STREET, N ...G4
RIDGE STREET, S. ...G7
RIDGECREST ST.....G4
RITA DRIVE F3
RIVER ST D7, D8, E7
ROGERS STREET E5
ROTHSCHMITT E3
RUSSELL STREET, N. F3
RUSSELL STREET, S. F7
RUSSELL COURT G3
SABINE STREET G6
SANDRA DRIVE F3
SECOND STREET F5
SOLEDAD F4
SPEARY STREET E5
STEVENS DRIVE D3
SUFFOLK LANE G4
TATE STREET G5
TEXANA, NORTH E5
TEXANA, SOUTH E6
THIRD STREET.....F5
THERESA STREET ...F8
U.S. HIGHWAY 77 B8, F2
U.S. HIGHWAY 77A...C8
U.S. HIGHWAY 90A ...I-5
WALNUT STREET D6
WILLIS STREET D6
YOUNG STREET D6



HC-90 ___

HC-100 ___

HC-110 ___

October2026 ACTIVITY REPORT

PARK/GOLF

Mowing	Trash Pick-up: (# of cans)
Park	Square (12)
Basketball	Park (6)
FM957	Little League (15)
American Legion	Basketball (1)
Park Creek	Soccer (4)
77N Ditch	Pavilions (4)
Chamber	Garden Center & Youth Center (4)
Ridge Well	Golf Course (7)
Industrial	Total = 53 cans
Soccer	
Parking Lot	Restrooms:
Little League	Park
West Well	Little League
West Tower	Airport
Y-intersection	
Library	Mowing Cont.:
Golf Course	Alma Gary Lift Station
Public Works	Work Force
Fire Station	Waste Water Plant
Memorial	Airport (Last mowing 4/2/2025)
Jr. High	Voskamp Lift Station

- Pull trash on soccer field
- Treat 20 30 ant beads on soccer field
- Fill out monthly maintenance repots
- Treat ants on golf course
- Chip limbs on 3rd street
- Mow soccer field
- Mow in park
- Pull trash on square
- Mow in park
- Treat ants on soccer field

- Mow library
- Mow JR HIGH ditch
- Mow cemetery Rd ditches
- Mow Ridge well
- Spry north side of town
- Weed eat at library
- Pull trash on square
- Mow soccer field
- Mow little league
- Mow the Chamber
- Mow wastewater plant
- Pull trash on soccer field
- Mow Alma Gary
- Clean drop inlets on 1st and Glendale ST
- Pull trash on soccer field
- Mow in park
- Clean restroom in park
- Read meters
- Pull trash on square
- Mow soccer field
- Read meters
- Sweep 1st 2nd 3rd
- Paint cross walks on square
- Pull trash in park
- Clean restroom in park
- Sweep Page ST Hessler ST Ridgecrest ST
- Mow industrial well
- Mow Ridge well
- Mow in park
- Clean restroom in park
- Mow creek

- **Mow 77N ditch**
- **Mow chamber well**
- **Mow in park**
- **Pull trash in park**
- **Mow 957 ditch**
- **Mow soccer field park lot**
- **Movie soccer goals for national night out**
- **Clean restroom in park**
- **Mow in park**
-
-

THANK YOU

Kent Bell

HALLETTSVILLE POLICE DEPARTMENT

Arrests - By Officer

10\01\2026
thru 10\31\2026

Officer	Arrests	Male	Female	White	Black	Indian	Asian	Unknown
FREEMAN, JOHN	5	4	1	2	2	0	1	0
HENGST, KYLE	6	5	1	5	1	0	0	0
JOHNSON, RODERICK	1	0	1	1	0	0	0	0
YANCEY, HARRISON	1	1	0	1	0	0	0	0
Total	13	10	3	9	3	0	1	0

HALLETTSVILLE POLICE DEPARTMENT

Arrests - By Violation

10\01\2026
thru 10\31\2026

Violation	# of Offenses
BURGLARY OF HABITATION	2
CRIMINAL MISCHIEF PECUNIARY LOSS >$2,500<$30K	1
CRUELTY TO NON-LIVESTOCK ANIMALS : FAIL TO PROVIDE	1
DRIVING WHILE LICENSE INVALID W/PREV CONV/SUSP/W/O FIN RESP	1
INJURY TO CHILD/ ELDERLY DISABLED RECKLESS BODILY INJ	1
INJURY TO CHILD/ ELDERLY/DISABLE W/INT BODILY INJ	1
INVASIVE VISUAL RECORDING -BATH/DRESS ROOM	1
OPEN CONTAINER/POSS OF ALCOHOLIC BEV/MOTOR VEH/DRIVER	1
POSS CS PG 1 >= 4G < 200G	1
POSS CS PG 3 < 28G	1
POSS MARIJUANA < 2OZ	2
POSSESSION OF DRUG PARAPHERNALIA	1
PUBLIC INTOXICATION	1
UNLAWFULLY CARRYING A WEAPON	1
WARRANT/CAPIAS ARREST-OTHER JURISDICTION	1
Total Violations	**17**
Total Arrests	**13**

HALLETTSVILLE POLICE DEPARTMENT

Calls - By Type

10\01\2026
thru 10\31\2026

Type	Description	# Of Calls
1164	ACCIDENT	5
61	ALARM CALL (BUSINESS OR RESIDENCE)	2
89	ANIMAL BITE (DOMESTIC)	2
141	ANIMAL BITE (NON-DOMESTIC)	1
24	ANIMAL CALL-DOMESTIC	6
1202	ANIMAL SHELTER CHECK	11
1	ASSAULT	2
3	BURGLARY	1
142	CITY ORDINANCE VIOLATION	4
62	CIVIL/DOMESTIC RELATED	4
6	CLOSE PATROL/HOUSEWATCH	15
1194	COMMUNITY OUTREACH	2
54	CPS REFERRAL	3
1204	CRIME STOPPERS TIP	1
21	CRIMINAL MISCHIEF	2
129	CT WARNING ISSUED	2
74	DAMAGE TO PROPERTY	1
56	DISTURBANCE	8
112	DOCUMENTATION OF INFORMATION	11
38	DRUG RELATED	2
65	ESCORT REQUEST	5
40	FRAUD	1
52	JUVENILE RELATED INCIDENT	1
1197	K-9 OTHER AGENCY ASSIST	1
95	LOUD MUSIC/NOISE	1
100	MENTAL HEALTH INTERVENTION	1
26	MISCELLANEOUS INFORMATION	1
120	MTR VEH STOP - WARNING	185
119	MTR VEH STOP-CITATION	81
1166	NURSING HOME RESIDENT INCIDENT	1
67	OPEN DOOR/WINDOW	1
1167	OPEN RECORDS REQUEST	8
1185	OPERATION LONE STAR	13
23	OTHER AGENCY ASSIST	11
1201	OTHER AGENCY ASSIST- ICE	4
60	PARKING VIOLATION	2
50	PROPERTY LOST/FOUND/RECOVERED	1
22	PUBLIC ASSIST	1
126	PUBLIC INFORMATION REQUEST	6
31	RECKLESS DRIVER/DRIVING	1
1143	REPEATER CHECK	15
1144	SCHOOL WALK THRU/CAMPUS CHECK	22
118	SEX OFFENDER REGISTRATION	1
1178	SUBPOENA DUCES TECUM	1
46	SUSPICIOUS ACTIVITY/PERSON	8
4	THEFT	2
55	TRAFFIC HAZARD	3
11	TRAFFIC RELATED CALL	2
0	UNKNOWN	2
101	VIOLATE PROTECTIVE ORDER	1

Type	Description	# Of Calls
71	WARRANT CLEARED WITH COURT	3
66	WARRANT-ATTEMPT TO SERVE	21
42	WELFARE CONCERN	8
	Total	~~=237=~~ 500

HALLETTSVILLE POLICE DEPARTMENT
Calls - By Officer

10\01\2026
thru 10\31\2026

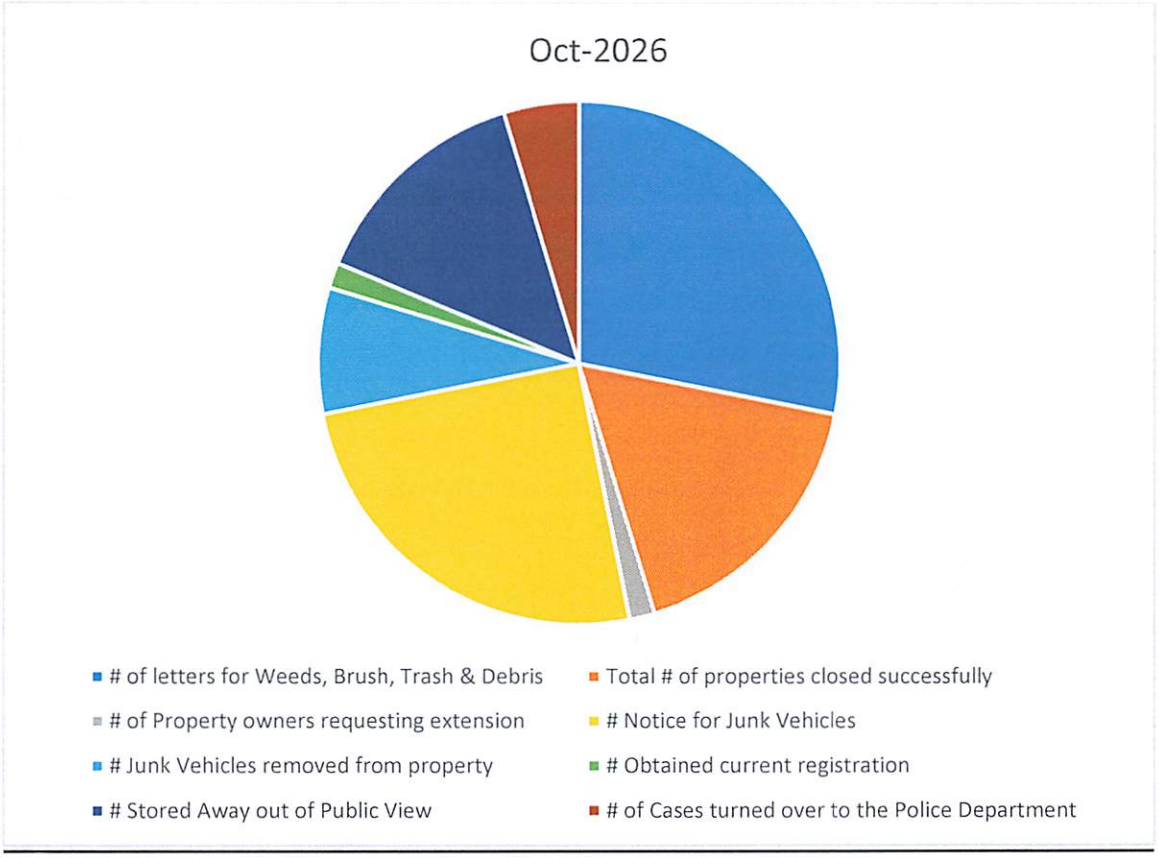
Badge No - Officer	# Of Responses	Initial Unit	Secondary Unit
505 - FREEMAN, JOHN	~~68~~ 102	~~64~~ 99	3
506 - HENGST, KYLE	~~58~~ 189	~~36~~ 187	2
HENSLEY,	19	18	1
502 - HILL, SGT. CHRISTOPHER	~~11~~ 20	~~5~~ 14	6
504 - JOHNSON, RODERICK	~~45~~ 52	~~44~~ 51	1
501 - RANGEL, SAUL	12	9	3
500 - SCHLAUCH, CHIEF RANDAL	3	2	1
508 - YANCEY, HARRISON	~~41~~ 122	~~39~~ 120	2
Total Officer Responses:	~~257~~ 519	**Total Calls:** ~~237~~ 500	**Secondary** 19

Warnings Issued October 2026

Rangel	0
Hill	8
Johnson	4
Freeman	27
Hengst	79
Yancey	67
Total	185

October 2026 Monthly Report for Code Enforcement

- We sent out 18 letters for Weeds, Brush, Trash & Debris
- A total of 11 properties were closed out successfully
- A total of 1 property owners requested an extension
- We sent out 16 notices for Junk Vehicles
- A total of 17 cases have been closed after the vehicles owners complied by taking one of the three actions: removing from the property, obtaining a current registration or storing the vehicle out of public view
- 3 cases have been turned over to the Police Department for citations: 2 for Recreational Vehicles being connected to city utilities and 1 for a Junk Vehicle.
- We received 2 complaints that fall under the Police Department.



10/01/2026 - 10/31/2026 Summary

Beginning Date.....: 10/01/2026
Ending Date.....: 10/31/2026
by Citation date

Agency.....: All
Officer.....: All

Type of Offense.....: All

Special Flag.....:

Entered By.....: All

Sort By.....: Officer Badge

Total by Race/Sex.....: No

PD POLICE DEPARTMENT

64 BENNETT,ALEX

Totals for Officer

Number of Citations for Officer.....:	1
Number of Violations for Officer....:	1
Number of Citations to Juveniles....:	0
Number of Citations to Minors.....:	0

502 HILL,CHRISTOPHER

Totals for Officer

Number of Citations for Officer.....:	1
Number of Violations for Officer....:	1
Number of Citations to Juveniles....:	0
Number of Citations to Minors.....:	1

504 JOHNSON,RODERICK C

Totals for Officer

Number of Citations for Officer.....:	3
Number of Violations for Officer....:	3
Number of Citations to Juveniles....:	0
Number of Citations to Minors.....:	0

505 FREEMAN,JOHN

Totals for Officer

Number of Citations for Officer.....:	10
Number of Violations for Officer....:	14
Number of Citations to Juveniles....:	0
Number of Citations to Minors.....:	1

506 HENGST,KYLE

Totals for Officer

Number of Citations for Officer.....:	48
Number of Violations for Officer....:	49
Number of Citations to Juveniles....:	1
Number of Citations to Minors.....:	8

508 YANCEY,HARRISON

Citation Date: 10/01/2026 - 10/31/2026 Summary

Totals for Officer

Number of Citations for Officer.....:	14
Number of Violations for Officer....:	16
Number of Citations to Juveniles....:	0
Number of Citations to Minors.....:	2

Totals for Agency

Number of Citations for Agency.....:	77
Number of Violations for Agency.....:	84
Number of Citations to Juveniles....:	1
Number of Citations to Minors.....:	12

Grand Totals

Total Number of Citations.....:	77
Total Number of Violations.....:	84
Total Number of Citations Juveniles.:	1
Total Number of Citations Minors....:	12

PERIODIC FEE REPORT

Report for fees collected: Posted 1/01/2026 - 10/31/2026

11	110.00	AF	ADMINISTRATIVE FEE
561	2,680.16	AR	ARREST FEE
0	.00	OP	OVERPAYMENT
35	700.00	AF2	$20 Administrative Fee
65	1,598.58	CS2	CHILD SAFETY FEE
21	81.21	CTF	COURT TECHNOLOGY FUND
75	750.00	DSC	DSC ADMIN FEE
21	40.61	IDF	Indigent Defense Fee
10	300.00	STF	STATE TRAFFIC FEE
318	914.69	TFC	TFC
15	28.61	TPF	TRUANCY PREVENTION FUND
13	.13	CJFC	Civil Justice Fee Court/MVP
13	1.17	CJFS	Civil Justice Fee State/MVF
275	46,078.40	FINE	FINE
21	12.18	JFCI	JUDICIAL SUPPORT FEE-CITY
569	54.45	LMJF	Local Municipal Jury Fund
21	60.91	MCBS	MUNICIPAL COURT BUILDING SEC.
21	81.21	SJRF	STATE JURY FEE
2	20.00	TP-L	TIME PAYMENT PLAN - LOCAL
2	25.00	TP-S	TIME PAYMENT PLAN - STATE
88	1,029.89	TPRF	Time Payment Reimbursement Fee
53	8,358.00	ADMIN	DEF/SP EXPNS FEE/FINE
21	812.11	CCC04	CONSOLIDATED COURT COST
583	33,759.93	CCC20	CCC 2020
21	109.64	JFCT2	JUDICIAL SUPPORT FEE STATE
572	2,178.06	LMCTF	Local Court Technology Fund
572	2,722.57	LTPDF	Local Truancy Prevention Fund
2	100.00	LYDAF	LOCAL YOUTH DIV ADMIN FEE
308	14,744.78	STF19	STATE TRAFFIC FEE
92	10,357.16	COLAGY	COLLECTION AGENCY FEE 30%
572	2,668.11	LMCBSF	Local Building Security Fund
297	40,011.30	TITLE7	TITLE 7 TRANS CODE FINES
15	281.91	TLFTA1	OMNI BASE STATE
92	552.00	TLFTA2	OMNI FEE
92	368.00	TLFTA3	LOCAL OMNI BASE FEE
2	5.00	TP-L-C	TIME PAYMENT FEE - J EFFIENCY
88	4,475.00	WRNTFE	WARRANT FEE
TOTAL:	176,070.77		

REPORT TO CITY COUNCIL

Report prepared by: Breana Kristek

Date: October 19, 2026

Subject: Library Report

This report was generated on November 5, 2026 and includes Library statistics for October 1, 2026 - October 31, 2026. Due to roof construction, the Library has only operated via curbside through the month of October.

Material Circulation Statistics:

Adult Collections: **739** **loss of 452**

Youth Collections: **312** **loss of 648**

Film: **0** **loss of 159**

E-Content: **454**

Total Circulation: 1,505

Computer Use Statistics:

Computers Available: **13**

Total Sessions: **0**

Average Session Length: **0 min**

Total Session Length: **0 hours** **loss of 60 hours**

Money saved through patrons using Library services this month: $49,259.50 **hypothetical loss of $6,746.50**

Revenue: $57.45 **loss of $139.05**

Copies: $**20.65**

Fines: $**16.80**

Replacement books: **$20.00**

Replacement library cards: **$0.00**

Total Library Visitors: 176 **curbside visitors only**

Average per day: **8**

Website Visitors: 628

Google Business Profile Views: 126

Google Business Profile Interactions: 162

Calls Made: **57**

Direction Requests: **52**

Website Clicks: **53**

October 2026 Permit Monthly Report

Residential Permits: 11

Commercial Permits: 3

Fire	Plumbing
Fire-Annual Fire Inspection 1400 N. Texana St. **Fire-Certificate of Occupancy** 502 W. Fairwinds	**0**
Electrical	**Demolition**
0	**0**
Gas	**HVAC**
0	**Mini Split HVAC units** 109 S. Main St.

City Council Meeting – November 16, 2026
Administrative Report for October 2026
Submitted by: Grace Ward City Secretary/Administrator

Sales & Use Taxes – 0.4% down over last year, YTD

Sales & Use Taxes		
Payment Month	2025	2026
Jan	$69,382.27	$63,582.67
Feb	$90,630.24	$82,531.18
Mar	$56,210.67	$56,422.28
Apr	$53,116.19	$54,300.85
May	$68,550.17	$74,015.57
Jun	$61,367.25	$62,185.35
Jul	$66,683.56	$64,002.60
Aug	$73,498.45	$84,185.44
Sept	$67,646.36	$67,376.19
Oct	$63,732.43	$59,414.57
Nov	$125,283.67	
Dec	$69,968.52	
	$866,069.78	$668,016.70

Monthly Investment Report

MONTHLY INVESTMENT REPORT			*END OF*	*October*
FUND	*START BALANCE*	*END BALANCE*	*NET CHANGE*	*YTD CHANGE*
Water & Light Fund	$ 5,559,354.01	$ 5,706,984.58	$ 147,630.57	(406,290.07)
General Fund	$ 2,742,153.20	$ 2,425,322.79	$ (316,830.41)	(542,110.17)
TOTAL OPERATING	$ 8,301,507.21	$ 8,132,307.37	$ (169,199.84)	$ (948,400.24)
Minimum unassigned balance	73.9%	72.4%	-1.51%	-2.5%
Vol Firemens Pension	$ 40,904.24	$ 40,943.77	$ 39.53	$ 1,083.93
City Fire Truck Fund	$ 80,130.17	$ 80,394.80	$ 264.63	$ 2,436.36
Library Advisory Board	$ 159,636.94	$ 159,666.15	$ 29.21	$ 54,268.72
Library Endowment Fund	$ 168,749.93	$ 169,304.57	$ 554.64	$ 5,105.99
Library Pepper Memorial	$ 21,565.32	$ 21,636.20	$ 70.88	$ 652.50
Library Expansion Fund	$ 25,002.83	$ 25,085.01	$ 82.18	$ 756.55
Library Grant	$ 80,669.65	$ 80,603.05	$ (66.60)	$ (22,042.54)
Hotel / Motel Tax	$ 170,482.31	$ 160,712.08	$ (9,770.23)	$ 4,036.97
Capital Improvements	$ 435,412.60	$ 436,843.69	$ 1,431.09	$ 13,174.59
Drug Confiscation Fund	$ 0.07	$ 0.07	$ -	$ -
TOTAL OTHER FUNDS	$ 1,182,554.06	$ 1,175,189.39	$ (7,364.67)	$ 59,473.07
TOTAL CITY FUNDS INVESTED	$ 9,484,061.27	$ 9,307,496.76	$ (176,564.51)	$ (888,927.17)
Debt Project	$ 3,150,309.00	$ 1,893,186.65	$ (1,257,122.35)	$ (3,815,771.54)
Debt Services	$ 74,414.45	$ 79,677.31	$ 5,262.86	$ (151,104.80)
TOTAL DEBT FUNDS	$ 3,224,723.45	$ 1,972,863.96	$ (1,251,859.49)	$ (3,966,876.34)
4A Manufacturing	$ 1,860,896.80	$ 1,892,636.79	$ 31,739.99	374,649.21
4B Business	$ 1,577,768.48	$ 1,605,981.88	$ 28,213.40	295,507.36
TOTAL EDC	$ 3,438,665.28	$ 3,498,618.67	$ 59,953.39	$ 670,156.57

INVESTMENT VEHICLES	*Balance*	*Interest Rate%*
TexPool	$ 1,367,169.05	3.89%
Lone Star	$ 7,789,208.48	3.87%
Certificates of Deposit	$ 4,907,697.75	4.51%
Average Rate of all Investments	(weighted average)	4.10%

This report is created in compliance with the City Investment Policy and the Public Funds Investment Act.

Grants

Agency	Grant Program	Project Description	Status	Funding $ Match
GLO	Mit	Citywide Drainage	Construction Punch List – In Process	$9,882,441.87 $99,882.63
GLO	Resilient Communities	Comprehensive Plan Update & Zoning	Zoning Code Public Hearing 11/16	$300,000.00 $0
GLO	Mit-MOD	New Well at Ridge	Well Drilled, Installing Lines & Electrical, Waiting on Pump	$1,397,600.00 $0
TDA	CDBG	Mulberry/S Pecan/5th St. Waterline Replacement	Administrative Close Out	$500,000.00 $25,000.00
TDHCA	HOME	2024-2027 RSP	1 home - Completed 2 homes – In Construction 1 new application	
TDEM	GRG	Project #1 Breaker Replacement in the Sub	Eng In Process	$165,897.52 $192,806.23
TDEM	GRG	Project #3 Vegetation Control 10,668 feet	Eng In Process	$127,946.05 $63,222.70
TxDOT	TA	School Safety Sidewalk Connector Project	Eng In Process	$2,157,000.00 $0
OOG	DJ-Edward Byrne Memorial Justice Assistance	Training Equipment Active Shooter	Awarded	$10,000.00
OOG	BD-Operation Lone Star	Vehicle / OT	Awarded	$138,826.09
OOG	BC-Body-Worn Camera (BWC)	Camera Cloud Based Storage	Awarded	$10,500.00 $3,500.00
TWDB	GIS	Water Infrastructure – Complete Replacement of West Well Site + Waterlines	Application Submitted	$8.5M
TDA	CDBG	Water/WasteWater & Street Infrastructure	Application Submitted	$750,000.00 $26,500.00

Capital Projects

Year	Department	Project Description	Status
2025	Fire	Siren Tower	Complete
2025	Library	Roof & Gutters	Construction In Process
2025	Electric	Pole Replacement	95% Complete – waiting on Part for Pepsi
2026	Public Works	BOND	Construction In Process 2nd Project out for bid 11/18
2026	Admin	Time Keeping Incode Module	Starting
2026	Admin	New Server	Complete
2026	Police	New Vehicle	Complete
2026	Public Works	Chipper Truck	Sch'd to Deliver Nov '26

2026	Public Works	Flatbed	Complete
2026	Public Works	Dump Truck Trade	Not Started
2026	Public Works	Ice Machine	Complete
2026	Golf	Bulk Head	Ready to Sched Construction
2026	Golf	Canopy	Waiting for final Invoicing from Bulk Head before starting this project
2026	Golf	Restroom	Complete
2026	WasteWater	Mulberry Lift Station - Engineering	Discuss shifting this funding to repair WWTP Lift Station

October Meetings, Submissions, etc.

5	CVC Meeting
6	Met with Tony Machicek on residential property development
7	DPS Audit – No Findings
8	Meeting on CDBG Projects
9	Dept Head
12	TxDOT TA Meeting
13	Grant Meetings
14	Lions Club Water Fountains Met with Hallettsville Community Church on Sidewalks
15	Met with SHS & Kubena's on Sidewalks HEDC Meeting with Administrator
19	LRWPG Meeting Council Meeting
20	Eng Meeting on BOND Project #2 D&D Construction Meeting
21	Met with Property owner on Flood Plain Permit
22	EDC Meeting Medicaid Ready Ribbon Cutting
23	GRG Meeting
26	WWTP Meeting TxDOT TA Meeting TxHealth Meeting Council Meeting
27	D&D Construction Meeting Scored Depository Proposals
28	Met with the new LC Grant Admin Met with Langford on Zoning P&Z Meeting
29	LCRA Winter Strategy Meeting Transfer Station Meetings

Grace Ward, City Administrator / Secretary **11.08.2026**