

ORDINANCE NO. 2014-0910

AN ORDINANCE OF THE CITY OF THRALL, TEXAS, AMENDING ORDINANCE 2009-1501, BY AMENDING SECTION 3.0, TO REVISE THE BUILDING SET BACK LINES, PROVIDING FOR SAVINGS AND SEVERABILITY CLAUSES.

WHEREAS, the City of Thrall deems it to be in the best interest of the City that the set back from each side property line, of the property for construction, be increased from five (5) feet to ten (10) feet; and

WHEREAS, the City Council desires to grant authority that Ordinance 2009-1501 be amended to increase the set back line from five (5) feet to ten (10) feet.

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

SECTION 1. All of the facts recited in the preamble to this Ordinance are hereby found by the City Council to be true and correct and are incorporated by reference herein and expressly made a part hereof, as if copied herein verbatim.

SECTION 2. Ordinance 2009-1501, is amended so that Section 3.0 reads as follows:

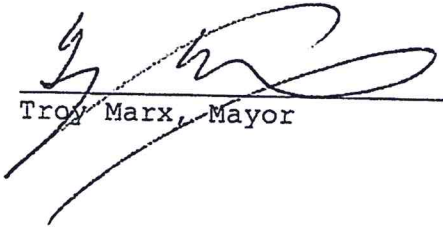
No Building Permit shall be issued unless the property for construction establishes set backs having a 25 foot set back from the front of property line, 10 foot set back from the rear property line, and 10 foot set back from each side property line.

SECTION 3. In the event any clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Taylor, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

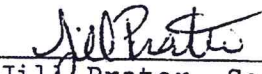
SECTION 4. Ordinance No. 2009-1501 as passed, and as amended by this Ordinance shall otherwise remain in full force and effect.

SECTION 5. The Clerk is hereby authorized and directed to publish the caption of this Ordinance, in the manner and for the length of time prescribed by law.

PASSED, APPROVED and ADOPTED on this the 10 day of September, 2014.


Troy Marx, Mayor

ATTEST:


Jill Prater, Secretary

APPROVED AS TO FORM:


Ted W. Hejl, City Attorney

CERTIFICATE

THE STATE OF TEXAS
COUNTY OF WILLIAMSON

I, Jill Prater, being the Clerk of the City of Thrall, Texas, do hereby certify that the attached is a true and correct copy of Ordinance No. 2014-0910, passed and approved by the City Council of the City of Thrall, Texas, on the 10 day of September, 2014, and such Ordinance was duly introduced, passed, approved and adopted at meetings open to the public and notices of the meetings, giving the dates, places, and subject matter thereof, were posted as prescribed by Government Code Section 551.043.

Witness my hand and seal of office this the 19 day of November, 2014.



Jill Prater
Secretary



ORDINANCE NO.

2009-1501

Ordinances Folder
Final Ordinance

AN ORDINANCE OF THE CITY OF THRALL, TEXAS,
ADOPTING THE EXPIRATION DATE OF ALL BUILDING
PERMITS ISSUED BY THE CITY OF THRALL, BUILDING
SET BACKS, AND ENFORCEMENT PROVISIONS, INCLUDING
A PENALTY CLAUSE; ADOPTING A REPEALER CLAUSE;
ADOPTING A SAVINGS CLAUSE.

Bldg Permits
2009

BE IT ORDAINED BY THE CITY OF THRALL:

SECTION 1.0 DEFINITIONS

"Building permit" shall mean the document which must be obtained from the City of Thrall by an individual or entity prior to the commencement of any new construction, residential or commercial, or any modification or alteration to the square footage of any existing structure in the City of Thrall.

SECTION 2.0 ADOPTION OF EXPIRATION OF BUILDING PERMITS.

It is hereby adopted that every building permit issued by the City of Thrall shall become invalid unless the work authorized by such permit is completed within 180 days after the date of its issuance. It is further adopted that any building permit issued prior to the date of adoption of this Ordinance shall expire 180 days from the adoption of this Ordinance. The City Council or a designated building official is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each.

SECTION 3.0 BUILDING SET BACKS

No Building Permit shall be issued unless the property for construction establishes set backs having a 25 foot set back from the front of property line, 10 foot set back from the rear property line, and 5 foot set back from each side property line.

SECTION 4.0 ENFORCEMENT RESPONSIBILITY

4.1 Enforcement Responsibility

This Ordinance shall be administered and enforced by the City Council of the City of Thrall and/or its designated Enforcement Officer.

4.2 Compliance Required

No person may use, occupy or develop land, buildings or other structures; or authorize or permit the use, occupancy or development of land, buildings or other structures except in accordance with all provisions of this Ordinance.

4.3 Remedies and Enforcement Powers

4.3.1 Violations

Any person, firm or corporation violating this provision shall be deemed guilty of a misdemeanor and, upon conviction in the municipal court of the City of Thrall, Texas, shall be subject to a fine not to exceed the sum of five hundred dollars (\$500.00) for each offense, except however, where a different penalty has been established by state law for such offense the penalty shall be that fixed by state law, and for any offense which is a violation of any provision of law that governs fire safety, zoning, or public health and sanitation, including dumping of refuse, the penalty shall be a fine not to exceed the sum of two thousand dollars (\$2,000.00) for each offense; and each and every day said violation is continued shall constitute a separate offense.

4.3.2 Stop Work

Whenever any construction work is being done contrary to the provisions of this Ordinance, the City Council or its designated Enforcement Officer may order the work stopped by notice in writing served on the owner or contractor doing or causing such work to be done, and such person shall forthwith stop such work until authorized by the City Council or its designated Enforcement Officer to proceed with the work.

4.3.3 Inspections

The City Council or its designated Enforcement Officer shall have the right to enter upon any premises at any reasonable time for the purpose of making inspections of buildings or premises necessary to carry out his duties in the enforcement of this Ordinance.

4.4 Enforcement Procedures

4.4.1 Notice

The City Council or its designated Enforcement Officer shall give written notice by certified mail to the owner of land on which a violation exists. The notice shall state the nature of the violation.

SECTION 5.0 SAVINGS CLAUSE.

In the event any clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Thrall, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

SECTION 6.0 REPEALER CLAUSE.

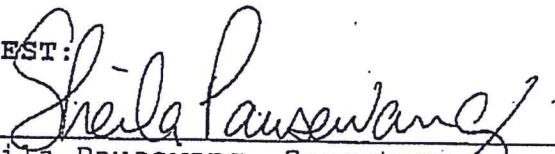
All ordinances or parts of ordinances inconsistent or in conflict herewith are, to the extent of such inconsistency or conflict, hereby repealed.

SECTION 7.0 PUBLICATION.

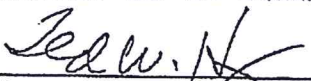
The Clerk is hereby authorized and directed to publish the caption of this Ordinance, together with the penalty provision contained therein, in the manner and for the length of time prescribed by law.

PASSED, APPROVED and ADOPTED on this the 15 day of January, 2009.


Troy Marx, Mayor

ATTEST:

Sheila Pausewang, Secretary

APPROVED AS TO FORM:

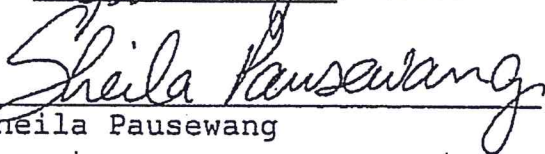

Ted W. Hejl, City Attorney

CERTIFICATE

THE STATE OF TEXAS
COUNTY OF WILLIAMSON

I, Sheila Pausewang, being the Clerk of the City of Thrall, Texas, do hereby certify that the attached is a true and correct copy of Ordinance No. 2009-1501, passed and approved by the City Council of the City of Thrall, Texas, on the 15 day of January, 2009, and such Ordinance was duly introduced, passed, approved and adopted at meetings open to the public and notices of the meetings, giving the dates, places, and subject matter thereof, were posted as prescribed by Government Code Section 551.043.

Witness my hand and seal of office this the 15 day of January, 2009.


Sheila Pausewang
Secretary

ORDINANCE NO. 2017-0726

Ordinances
Folder

AN ORDINANCE OF THE CITY OF THRALL, TEXAS, AMENDING Ordinance
ORDINANCE 2009-1501 AND 2014-0910 TO INCLUDE A Bidg Permits
MINIMUM SQUARE FOOTAGE FOR RESIDENTIAL HOMES, Amend 2
PROVIDING FOR SAVINGS AND SEVERABILITY CLAUSES. 2017

WHEREAS, the City of Thrall deems it to be in the best interest of the City that the minimum square footage for residential homes be no less than 1,000 square feet; and

WHEREAS, the City Council desires to grant authority that Ordinance 2009-1501 2014-0910 be amended to require a minimum square footage for new construction residential homes.

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

SECTION 1. All of the facts recited in the preamble to this Ordinance are hereby found by the City Council to be true and correct and are incorporated by reference herein and expressly made a part hereof, as if copied herein verbatim.

SECTION 2. Ordinance 2009-1501 and Ordinance 2014-0910, are amended so that Section 3.5 reads as follows:

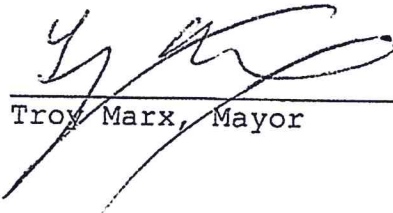
No Building Permit shall be issued unless the residential home is no less than 1,000 square feet of enclosed, air-conditioned square footage as defined by the International Building Code.

SECTION 3. In the event any clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Taylor, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

SECTION 4. Ordinance No. 2009-1501 as passed, as previously amended by Ordinance No. 2014-~~0910~~, and as amended by this Ordinance shall otherwise remain in full force and effect.

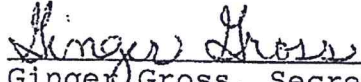
SECTION 5. The Clerk is hereby authorized and directed to publish the caption of this Ordinance, in the manner and for the length of time prescribed by law.

PASSED, APPROVED and ADOPTED on this the 26 day of July, 2017.



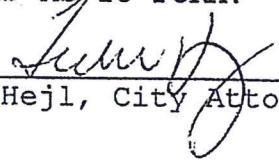
Troy Marx, Mayor

ATTEST:



Ginger Gross, Secretary

APPROVED AS TO FORM:



Ted W. Hejl, City Attorney

ORDINANCE NO. 11152007

AN ORDINANCE OF THE CITY OF THRALL, TEXAS, REQUIRING THAT CULVERTS INSTALLED AND USED IN THE CITY OF THRALL SHALL BE NO LESS THAN TWELVE INCHES IN DIAMETER; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING A PENALTY FOR VIOLATION OF THIS ORDINANCE OF A FINE NOT TO EXCEED THE SUM OF FIVE HUNDRED DOLLARS (\$500.00) FOR EACH OFFENSE, EXCEPT WHERE A DIFFERENT FINE OR PENALTY HAS BEEN ESTABLISHED BY STATE LAW FOR SUCH OFFENSE, OR FOR ANY VIOLATION OF ANY PROVISION WHICH GOVERNS FIRE SAFETY, ZONING, OR PUBLIC HEALTH AND SANITATION WHICH SHALL BE PUNISHED BY PENALTY OF FINE OR PENALTY NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR PUBLICATION.

WHEREAS, the Thrall City Council desires that ground water drainage and water flow from natural causes be effective to prevent water stoppage, back up, and inconvenience to its citizens for the health, sanitation, safety, and welfare of its citizens; and

WHEREAS, the City Council received recommendations from the City engineer advising culverts installed in the City be sized to be no less than twelve inches or more in diameter; and

WHEREAS, City Council desires to implement the recommendation and require that on and after the date of passage of this Ordinance that all culverts installed within the City be twelve inches or more in diameter.

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

SECTION 1.

The City Council of the City of Thrall, Texas, hereby finds and determines that the above preamble is true and correct and it is hereby incorporated herein.

SECTION 2.

Any culvert installed within the City of Thrall right of way used for water drainage and water flow shall be no less than twelve inches in diameter.

SECTION 3.

This Ordinance shall be and is hereby declared to be cumulative of all other ordinances of the City, 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 ordinance or ordinances are hereby repealed.

SECTION 4.

If any sentence, section, subsection, clause, phrase, part or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the Ordinance as a whole, or any part thereof, other than the part declared to be invalid.

SECTION 5.

The provisions of this Ordinance shall be liberally construed to effectively carry out its purposes, which are hereby found and declared to be in furtherance of the public health, safety, and welfare. Any member of the Council or any City official or employee charged with the enforcement of this Ordinance, acting for the City in the discharge of his or her duties, shall not thereby render himself or herself personally liable; and is hereby relieved from all personal liability for any damage that might accrue to persons or property as a result of any act required or permitted in the discharge of said duties.

SECTION 8.

Any person, firm or corporation violating any of the provisions or terms of this Ordinance shall be guilty of a misdemeanor and upon conviction in the Municipal Court of Thrall, Texas, shall be subjected to a fine not to exceed the sum of Five Hundred Dollars (\$500.00) for each offense, except where a different fine or penalty has been established by state law for such offense, and for any violation of any provision which governs fire safety, zoning, or public health and sanitation which shall be punished by a penalty of fine or penalty not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense; and


each and every day such violation is continued shall be deemed to constitute a separate offense.

SECTION 9.

The City Secretary is hereby authorized and directed to publish the caption of this Ordinance, together with the penalty provision contained therein, in the manner and for the length of time prescribed by law.

PASSED, APPROVED, and ADOPTED on the 15 day of Nov, 2007.

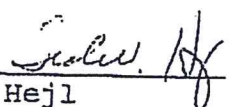
CITY OF THRALL, TEXAS


BY: Trey Marx
ITS: Mayor

ATTEST:


Wendy Goldman, City Secretary

Approved As To Form:


Ted W. Hejl

CERTIFICATE

THE STATE OF TEXAS
COUNTY OF WILLIAMSON

I, Wendy Goldman, being the current City Secretary of the City of Thrall, Texas, do hereby certify that the attached is a true and correct copy of Ordinance No. 11152007, passed and approved by the City Council of the City of Thrall, Texas, on the 15 day of November, 2007, and such Ordinance was duly introduced, passed, approved and adopted at meetings open to the public and notices of the meetings, giving the dates, places, and subject matter thereof, were posted as prescribed by Government Code Section 551.043.

Witness my hand and seal of office this the 15 day of November, 2007.

Wendy Goldman
Wendy Goldman
City Secretary

Sign Ordinance

ORDINANCE NO. 04242014

"AN ORDINANCE ADOPTING RULES AND REGULATIONS FOR THE ERECTION, RECONSTRUCTION, ALTERATION OR REPAIR OF SIGNS WITHIN THE CITY OF THRALL, TEXAS; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING CRIMINAL AND CIVIL VIOLATIONS AND PENALTIES; PROVIDING A PENALTY NOT TO EXCEED FIVE HUNDRED DOLLARS (\$500.00) FOR EACH OFFENSE EXCEPT WHERE A DIFFERENT PENALTY HAS BEEN ESTABLISHED BY STATE LAW AND EACH AND EVERY DAY SAID VIOLATION IS CONTINUED SHALL CONSTITUTE A SEPARATE OFFENSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING FOR PUBLICATION"

BE IT ORDAINED BY THE CITY OF THRALL:

SECTION 1.0 PURPOSE

The purpose of this ordinance is to establish clear and unambiguous regulations pertaining to signs in the City of Thrall and the City's Municipal Extraterritorial Jurisdiction, as allowed by Texas Local Government Code, Section 216.902, to promote thereby an attractive community, foster traffic safety, and enhance the effective communication and exchange of ideas and commercial information. The City Commission of the City of Thrall hereby finds the following legislative facts:

1. The proliferation of signs creates commercial confusion and makes it difficult for travelers and motorists to locate the goods and services they seek.

2. The increasing height of signs within the City is an endless battle for a higher and more visible sign, and a reasonable limitation on the height of signs is necessary to prevent visual pollution, potential windstorm damage, injury or death.
3. Excessive height in signs creates clutter and is unsightly and offensive to the members of this Commission and many, if not most, of the citizens in Thrall. The establishment of a reasonable maximum height for signs will allow effective communication, prevent attitude competition, and will not penalize smaller business concerns which may not be able to compete for aerial superiority.
4. Reasonable provisions pertaining to size, scale, location, design, lighting, permanency, and maintenance are necessary to avoid visual clutter, preserve and improve the appearance and character of the community, to avoid traffic problems caused by distracting signs or structures in close proximity to streets, which compete with traffic signs and signals for the attention of motorists, and to prevent deterioration, disregard, and abandonment of signs or structures.

This section will complement the provision of the Federal Highway Beautification Act of 1972.

The Commission recognizes that signs are necessary for visual communication for public convenience, and that businesses and other activities have the right to identify themselves by using signs which are incidental to the use on the premises where the signs are located. The City Commission herein seeks to provide a reasonable balance between the right of a person to identify his or her business or activity, and the rights of the public to be protected against visual discord and safety hazards that result from the unrestricted proliferation, location and construction of signs. This section will insure that signs are

compatible with adjacent land uses and with the total visual environment of the community, in accordance with the City's comprehensive plan for zoning and land use.

The City Commission finds that the rights of residents of this City to fully exercise their rights of free speech by the use of signs containing non-commercial messages are subject to minimum regulation regarding structural safety and setbacks for purposes of traffic protection. The Commission seeks herein to provide for the reasonably prompt removal and disposal of such signs after they have served their purpose, and yet to avoid any interference with First Amendment freedoms, especially as to persons who are of limited financial means.

Instances may occur in the application of this ordinance where strict enforcement would deprive a person of the reasonable use of a sign, or the reasonable utilization of a sign in connection with other related property rights, and herein provides for such persons to have the right to seek variances from the requirements of this chapter for good cause. It is imperative that enforcement officials apply this ordinance as it is written, in the interest of equality and fair and impartial application to all persons, and that the use of the variance procedure shall remain the sole administrative means to obtain any exception to the terms hereof.

SECTION 2.0 DEFINITIONS

SIGN means any written or graphic representation, decoration, form, emblem, trademark, flag, banner, or other feature or device of similar character which is used for the communication of commercial information, or communication of ideas or subjects of political significance, and which:

1. Is a structure or any part thereof, including the roof or wall of a building, or a free standing wall or fence;
2. Is written, printed, projected, painted, constructed or otherwise placed or displayed upon or designed into a building, board, plate, canopy, awning or vehicle, or upon any material, object or device whatsoever; and
3. By reason of its form, color, wording, symbol design, illumination or motion attracts or is designed to attract attention to the subject thereof, or is used as a means of identification, advertisement or announcement.
4. A sign shall be considered to be a single display surface, a double-faced display surface, or display device containing elements clearly organized, related and composed to form a unit. Where matter is displayed in a random manner without organized relationship of elements or where there is reasonable doubt about the relationship of elements, each element shall be considered to be a single sign; provided, however, that the display of merchandise through glass windows in any zone where such merchandise may be sold in the ordinary course of business shall not constitute a sign or signs.

APARTMENT/CONDOMINIUM/MOBILE HOME PARK IDENTIFICATION SIGN –

An attached sign or a freestanding sign with permanent foundation or moorings, designed for identification of a multi-family residential project or a mobile home park project, and where adequate provision is made for permanent maintenance hereunder.

AREA IDENTIFICATION SIGN – A freestanding or wall sign with permanent foundation or moorings, designed for identification of subdivisions of ten (10) to fifty (50) acres, or identification of a distinct area within a subdivision, and where adequate provision is made for maintenance hereunder.

ATTACHED SIGN – A sign attached to or applied on and totally supported by a part of a building.

BANNER – Temporary sign announcing a special event for a business, i.e., business openings, grand openings, sales or promotion events.

COMMERCIAL SIGN – A sign which directs attention to a business, commodity, service, entertainment, or attraction sold, offered, or existing.

COMMERCIAL PROPERTY - A property used primarily for commercial purposes.

DEVELOPMENT SIGN – A sign announcing a proposed subdivision or a proposed building project.

DIRECTIONAL TRAFFIC CONTROL SIGN – A sign utilized as a traffic control device in off-street parking or access areas.

FLAG/PENNANT – A piece of fabric of distinctive design that is used as a symbol (as of a nation), identification, as a signaling device or as a decoration.

FREESTANDING COMMERCIAL SIGN – A sign supported by one or more columns, poles or bars extended from the ground or from an object on the ground, or that is erected on the ground; the term includes all signs which are not substantially supported by a building or part thereof, or which are substantially supported by a building or part thereof, when the sole significant purpose of the building or part hereof, is to support or constitute the sign.

FUEL PRICE SIGN – A sign used to advertise the current price of fuel at locations where fuel is sold.

HOME OCCUPATION SIGN – A sign used to identify the name and occupation of a person with a legal home occupation.

LOW PROFILE SIGN – A sign with a permanent foundation that is not attached to a building, but is a stand-alone sign and which does not exceed sixty square feet (60 sf) in area and four (4) feet in height.

NON-COMMERCIAL SIGN – A work of art or message which is political, religious, or pertaining to a point of view, expression, opinion, or idea that contains no reference to the

endorsement, advertising of, or promotion of patronage, of a business, commodity, service, entertainment, or attraction that is sold, offered, or existing.

OFF-PREMISE COMMERCIAL SIGN – A sign which directs attention to a business, commodity, service, entertainment, or attraction sold, offered, or existing elsewhere than upon the premises where such sign is displayed.

ON-PREMISE COMMERCIAL SIGN – A sign which directs attention to a business, commodity, service, entertainment, or attraction sold, offered, or existing upon the premises where such sign is displayed. This definition does not include non-commercial signs.

POLITICAL SIGN – Any sign which promotes a candidate for any public office or which advocates a position on any social issue as its primary purpose. Political signs shall be considered in the category of non-commercial signs except where there are regulations pertaining to their removal after an election.

PORTABLE SIGN – A sign which is not affixed or attached to real property by poles, stakes or other members which are placed into the ground, or upon some other type of permanent foundation; trailer signs, any sign with wheels or skids, and any sign which is constructed so as to sit upon the surface of the ground, without subsurface attachment or extension.

PREMISES – An area of land planned and designed as a single comprehensive project, considered from the time the plan is first submitted to the Planning Department either as plat stage or site plan stage.

REAL ESTATE, FINANCE and CONSTRUCTION SIGN – An attached or freestanding sign erected upon a lot or parcel of land for the purpose of advertising same for sale or lease, or advertising the furnishing of interim or permanent financing for a project, or for the furnishing of labor, materials or the practice of crafts on the job site.

ROOF SIGN – An outdoor advertising display sign erected, constructed, or maintained on the roof of a building or which is wholly dependent upon a building for support, and which projects above the point of a building with a flat roof, six feet above the eave line of a building with a shed, gambrel, gable or hip roof or the deck line of a building with a mansard roof. See illustrations at the end of this ordinance.

SUBDIVISION IDENTIFICATION SIGN – A freestanding or wall sign with permanent concrete foundation or moorings, designed for permanent identification of a subdivision of greater than fifty (50) acres, and where adequate provision is made for permanent maintenance hereunder.

SECTION 3.0 GENERAL PROVISIONS

3.1 Building Permits

A permit shall be required for the following types of signs:

- Subdivision and Area Identification Signs
- Apartment/Condominium/Mobile Home Park Identification Signs
- Roof Signs
- Freestanding Commercial Sign
- Attached Signs
- Fuel Price Signs

Permits shall be issued by the Building Official upon receipt of a properly completed application which demonstrates that the applicant's request is in accordance with the provisions of this section and the City's Building Code. The fee for such permits shall be established by the City Commission from time to time by ordinance.

No permit shall be required for the following signs:

- Directional Traffic Control Signs
- Real Estate, Finance and Construction Signs
- Non-Commercial Signs: Political Signs

3.2 Subdivision And Area Identification Sign

Area Identification signs shall be permitted upon private property in any zone to identify subdivisions of ten (10) to fifty (50) acres in size and subject to the requirements set forth in Table 1. Area Identification signs may also be used within a large subdivision to identify distinct areas within that subdivision, subject to the requirements in table 1.

Subdivision signs shall be permitted upon private property in any zone to identify subdivisions of greater than fifty (50) acres, subject to the requirement set forth in Table 1.

Both area identification and subdivision signs must be located on the premises as identified by a site plan or survey of the subdivision. Subdivision signs will be permitted only at major intersections on the perimeter of the subdivision (intersection of two collector or larger streets). At each intersection either one or two subdivision signs may be permitted so long as the total area of the signs does not exceed one hundred fifty (150) square feet. Banners or flags may be utilized as subdivision identification signs but the overall height shall not exceed thirty-five (35) feet.

Indirect lighting is permissible but no optical effects, moving parts or alternating, erratic or flashing lights shall be permitted. Landscaping shall be installed around each subdivision sign. Adequate arrangements for permanent maintenance of all signs and any landscaping in conjunction with such signs shall be made, which may be through an owners association if one exists or is created for this purpose.

3.3 Apartment/Condominium/Manufactured Home Park Identification Sign

An apartment/condominium/manufactured home park identification sign may be either an attached sign or a freestanding sign. It shall be placed upon the private property of a particular multi-family project or manufactured home park in subject to the requirements set forth in Table 1. The apartment/condominium/manufactured home park identification sign shall list the name and facilities available and may have leasing or sales information incorporated as a part of the sign. An apartment or condominium

project must have a minimum of twenty-four (24) dwelling units to qualify for an identification sign. Indirect lighting is permissible, but no optical effects, moving parts, or alternating, erratic or flashing lights or devices shall be permitted. Any manufactured home parks existing at the time of this ordinance that are non-conforming may still utilize an identification sign meeting the provisions of this section and Table 1.

3.4 Development Sign

A development sign may be placed only on private property subject to the requirements in Table 1. A development sign for a building project shall be removed if the project has not received a building permit at the end of twelve (12) months. The City Commission may renew the sign permit for one additional twelve (12) month period upon request. Once a building permit for the project is received, the sign may stay in place until seventy-five (75%) percent of the project is leased or a permanent sign is installed, whichever comes first.

A development sign for a proposed subdivision shall be removed if a preliminary or final plat has not been approved by the end of twelve (12) months. The City Commission may renew the sign permit for one additional twelve (12) month period upon request. Once a plat has been approved, the sign permit is valid as long as a preliminary plat is in effect, or in the absence of a valid preliminary plat, for twenty-four (24) months from the date of approval of a final plat.

3.5 Portable Signs

Portable signs are not permitted within the city limits of the City of Thrall.

3.6 Real Estate/Finance/Construction Signs

One real estate sign not exceeding sixteen (16) square feet in total area (exclusive of stakes and posts) may be erected at any time while a property is offered for sale or lease to the public. Properties with a minimum of one hundred fifty (150) feet of frontage shall be allowed one real estate sign not exceeding thirty-two (32) square feet in total area. Properties with a minimum of two (2) acres and frontage on two streets shall be allowed one real estate sign on each frontage street with the area of the sign to be determined by the amount of frontage as stated above.

One finance sign and three construction signs (for a total of four signs), not exceeding sixteen (16) square feet in total area each (exclusive of stakes and posts) may be erected once a building permit has been issued on a property. Properties with a minimum of ten (10) acres and one thousand (1,000) feet of frontage shall be allowed one finance sign and three construction signs not exceeding thirty-two (32) square feet in total area each.

Real estate, finance and construction signs may be either attached or freestanding and only those visible from the street are limited in number (see Exempt Signs Section 3.16*****).

All such signs shall be maintained by the persons in control of the premises so as to remain erect and in good repair. Such signs shall be removed by the property owner or other person in control of the premises if they are damaged, broken or incapable of remaining erect.

Such signs must be removed by the owner or person in control of the premises when either the property has sold or been leased and/or when performance under the construction contract or subcontract (in the case of construction signs) has been completed. In all cases, financing and construction signs shall be removed prior to issuance of a certificate of occupancy.

3.7 Non-Commercial Signs: Political Signs

This section does not regulate the size, content or location of non-commercial signs, political signs except as follows:

1. No commercial message shall be shown on any non-commercial sign.
2. No non-commercial sign:
 - a. May be located within public road right-of-way of the State of Texas; or
 - b. May be located off the premises of the property owner who is displaying the sign; or
 - c. May exceed the restrictions set forth in Table 2; or
 - d. Where determined by the City Manager or his designate as a location that would hinder intersection visibility.
 - e. May be located within the City right-of-way adjacent to undeveloped property.

This provision is necessary to avoid clutter, proliferation, and dangerous distraction to drivers caused by close proximity of such signs to automobile traffic, to avoid damage to automobiles which may leave the paved surface intentionally or by

accident, and to avoid the necessity for pedestrians to step into the roadway to bypass such signs. No regulatory alternative exists to accomplish this police power obligation.

In the event that any political sign is located in a public right-of-way of the State, it shall be removed by the City.

All political signs shall be removed within ten (10) days after the election.

3.8 Roof Signs

Roof signs shall be regulated as freestanding signs.

3.9 Freestanding Commercial Signs

Freestanding commercial signs are allowed only on developed commercial property. A premise with less than seventy-five (75) feet of frontage shall be allowed to use one low profile sign. A premise with more than seventy-five (75) feet of frontage shall be allowed to use Table 2 standards for one freestanding sign rather than one low profile sign.

A premise with more than one hundred fifty (150) feet of frontage shall be allowed to use Table 2 standards for one freestanding sign or any number of low profile signs as long as there is a minimum separation between signs of one hundred fifty (150) feet.

Premises with less than seventy-five (75) feet of frontage may be combined in order to utilize signage corresponding to the resulting frontage as described in the preceding two paragraphs.

The sign applicant may elect the frontage street where two streets at the corner are classified the same on the thoroughfare plan. If on two differently classified streets, then the greater shall be considered the frontage street.

No more than one freestanding sign shall be allowed on any premises except when all of the following conditions are met:

1. The site must be a commercial property.
2. The site must be twenty-five (25) acres or more in area.
3. The site must have one thousand (1,000) feet (or more) of continuous unsubdivided frontage on any major arterial street (as classified in the thoroughfare plan) toward which one additional freestanding sign is to be displayed.

Balloons or gas-filled objects may be used for display or advertising for special events with no required permit. Maximum height thirty-five (35) feet. One use allowed for three days maximum time per premise per thirty (30) day period.

3.13 Attached Signs

Attached signs are commercial signs under this section. An attached sign shall advertise only the name of, uses of, or goods or services available within the building to which the sign is attached.

3.14 Flags

One freestanding corporate flag per premise, not to exceed thirty-five (35) feet in height or one hundred (100) square feet in area is allowed in multi-family, commercial, and industrial zones or developments.

3.15 Prohibited Signs

The following signs shall be prohibited in the City of Thrall:

1. Billboards
2. Portable and Trailer Signs
3. Off premise signs, both commercial and non-commercial, except on City of Thrall property where there has been a determination and minute order of the City of Thrall City Commission which finds that the display of the sign does as follows:
 - a. promotes a positive image of the City of Thrall for the attraction of business or business or tourism; and
 - b. depicts an accomplishment of an individual or group; and
 - c. creates a positive community spirit.

Upon such order, the City of Thrall can authorize, upon approved construction plans, the following:

- a. a sign on a City of Thrall water tower; or
- b. an entrance sign to be located on City of Thrall property such that it is visible from the Highway 79; or
- c. a sign to be located on City rights-of-way.

Said sign shall be displayed for a period ordered by the City Commission or as may be decided by it from time to time.

4. Signs painted on rooftops.
5. Flags/pennants containing copy or logo, excluding the flags of any country, state, city or school, are prohibited in residential zones and on any residentially developed property (except when flags are used as subdivision signs). Flags/banners as described in Section 3.14 will be permitted.
6. Signs and displays with flashing, blinking or traveling lights, or erratic or other moving parts, either internal or external to the premise, and oriented and visible to vehicular traffic, provided that time and temperature signs are permissible if the maximum area and setback requirements of this section are met and if the commercial information or content of such signs is restricted to no more than eight (8) square feet.
7. Any signs which are intended to or designed to resemble traffic signs or signals and bear such words as "stop", "slow", "caution", "danger", "warning", or other words, and which are erected for purposes other than actual traffic control or warning to the public.
8. Any sign which emits sound, odor or visible matter.
9. Banners are prohibited in residential zones and on any residentially zoned property. Banners will be treated as attached or freestanding signs, exempt from fees, as applicable, when used on commercial or industrial

properties. Permit valid for forty-five (45) days with a one time forty-five (45) day renewal.

10. Home occupation signs.

3.16 Exempt Signs

The following signs are exempt from the requirements of this ordinance:

1. Signs that are not easily read from beyond the boundaries of the lot or parcel on which they are located or from any public thoroughfare or traveled right-of-way. Such signs are not exempt from the safety regulations contained herein and in City building and electrical codes.
2. Official notices posted by government officials in the performance of their duties; government signs controlling traffic, regulating public conduct, identifying streets, or warning of danger. (Bulletin boards or identification signs accessory to government buildings or other buildings are subject to the provisions of this chapter.)
3. Temporary signs erected by private property owners for the purpose of warning of a dangerous defect or condition, or other hazard to the public.
4. Non-commercial signs on private property or works of art that in no way identify or advertise a product or business, or by their location and placement impede traffic safety.
5. Temporary decorations or displays, if they are clearly incidental to and are customarily and commonly associated with any national, local or religious celebration.

6. Temporary or permanent signs erected by public utilities or construction companies to warn of the location of pipelines, electrical conduits, or other dangers or conditions in public rights-of-way.
7. Signs that are displayed on motor vehicles that are being operated or stored in the normal course of a business, such as signs indicating the name or the type of business, that are located on moving vans, delivery trucks, trailers and other commercial vehicles; but only if the primary purpose of such vehicles is not for the display of the signs thereon, and only if such vehicles are parked or stored in areas appropriate to their use as commercial or delivery vehicles, such as service areas or locations close to the business building(s) away from public traffic areas.
8. Signs carried by a person and not set on or affixed to the ground.
9. Outdoor advertising display signs for sponsors of charitable events held on public properties. These signs may be displayed for the duration of the event or not more than three (3) days with approval of the Mayor.
10. Flags used as political symbols being the United States and Texas flags only.
11. Security signs at residences or businesses.
12. Flags used solely for decoration and not containing any copy or logo and located only in multi-family, commercial, and industrial districts or developments. In multi-family developments, such flags will be restricted to

twenty-five (25) square feet in area, 30 feet in height, and the number shall be restricted to not more than twelve (12) flags per building spot.

13. Balloons and/or other gas filled objects located in any zoning district; which balloon and/or gas filled object shall not exceed twenty (20) feet in height and shall not contain or display any logo but shall be used solely for decorative purposes.

3.17 Fuel Price Sign

Service stations will be allowed one sign per site, the area of which shall not exceed sixteen (16) square feet and will not be included in the allowable area of any freestanding sign. This sign cannot be located within the right-of-way.

3.18 Structural Requirements

1. A building permit shall be required in addition to any permit under this section, in accordance with the provisions of the Thrall Building Code. The provisions of this ordinance shall control over the provisions of the Building Code only where clearly inconsistent therewith.
2. Abandoned, Damaged, or Unsafe Signs:
 - a. The provisions of this section shall apply when in conflict with the provisions of the Building Code, but where the provisions of both ordinances are not inconsistent, the enforcement of either shall be permissible and remedies or penalties cumulative.

- b. All abandoned signs and their supports shall be removed within sixty (60) days from the date of abandonment. All damaged signs shall be repaired or removed within sixty (60) days. The Director of Community Development shall have authority to grant a thirty (30) day time extension where he determines there is a reasonable necessity for same. Excluding signs deemed historically significant to the property or heritage of the City.
- c. Discontinuance of use or removal of any non-conforming sign or any sign in connection with a non-conforming use shall create a presumption of an intent to abandon said sign. A non-conforming sign that is damaged and not repaired within sixty (60) days shall be presumed to be abandoned.

3.19 Miscellaneous Regulations

No sign shall be placed in a City of Thrall drainage or utility easement unless approval is granted by the City Engineer. Location in an easement shall be subject to a written agreement entered into by all parties involved. Any damage to or relocation of signs located in easements because of the City's use of the easement shall be the responsibility of the owner of the sign. The City, when possible, shall give the owner prior notice of the use of the easement which will affect the sign. This is also applicable to all exempt signs.

Signs may be internally or externally lighted as long as the light is so designed as to be shielded away from adjoining residential premises and does not impair drivers' visibility on adjoining rights of way.

SECTION 4.0 NONCONFORMING SIGN

Within the City and extraterritorial jurisdiction there exists signs which were lawful before this ordinance was enacted, amended or other wise made applicable, but do not now conform to the regulations of this ordinance. It is the intent of this ordinance to permit such nonconforming signs to continue, as long as the conditions within this ordinance are met.

It is further the intent of this ordinance that nonconforming signs shall not be enlarged upon or expanded. However, the content of the signs can change.

If fire, the elements, or some other cause destroys a sign, it may not be rebuilt except to conform to the provisions of this ordinance. In the case of partial destruction of a nonconforming sign which does not exceed fifty (50%) percent of its replacement value, reconstruction will be permitted, but the previously existing square footage of the sign cannot be expanded.

SECTION 5.0 VARIANCES

The Thrall City Commission shall have jurisdiction to hear requests for a variance from the terms of this ordinance. The Board shall be authorized to grant a variance from the terms hereof if, and only if, they find:

1. that the strict enforcement of this section would create a substantial hardship to the applicant, by virtue of unique special conditions not generally found within the City, and
2. that the granting of the variance would preserve the spirit and intent of the Ordinance, and would serve the general interests of the public and the applicant.

SECTION 6.0 FEES

Permits fees are as follows:

1. Face Area – Up to and including
twenty (20) square feet \$20.00
2. Face Area – Twenty-one (21) square
feet up to and including sixty (60)
square feet \$40.00
3. Face area – Sixty-one (61) square
feet and over \$80.00

SECTION 7.0 PENALTY

Any person, firm or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and, upon conviction in the municipal court of the City of Thrall, Texas, shall be subject to a fine not to exceed the sum of five hundred (\$500.00) dollars for each offense, except however, where a different penalty has been established by state law for such offense the penalty shall be that fixed by state law, and for any offense which is a violating of any provision of law that governs fire safety,

zoning, or public health and sanitation, including dumping of refuse, the penalty shall be a fine not to exceed the sum of two thousand dollars (\$2,000.00) for each offense; and each and every day said violation is continued shall constitute a separate offense.

An offense under this ordinance is punishable by a fine not to exceed:

1. Five Hundred Dollars (\$500.00); or
2. The amount fixed by state law if the violation is one for which the state has fixed a fine.

SECTION 8.0 SEVERABILITY CLAUSE

That if any provision of this ordinance or its application to any person or circumstances is held invalid for any reason, the invalidity does not affect any other provisions or applications of this ordinance which can be given effect without the invalid provision or application, and to this extent the provisions of this ordinance are declared to be severable.

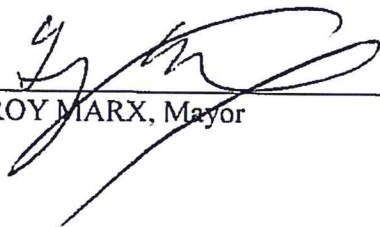
SECTION 9.0 REPEALER CLAUSE

All other ordinances, parts of ordinances or resolutions in conflict with this ordinance are hereby repealed to the extent of any such conflict.

SECTION 10.0 PUBLICATION

The City Secretary is hereby authorized and directed to publish the caption of this ordinance, together with the penalty provision contained therein, in the manner and for the length of time prescribed by law.

PASSED, APPROVED and ADOPTED on this the 24 day of April, 2014.


TROY MARX, Mayor

ATTEST:


Jill Prater, City Secretary

ORDINANCE NO. 20150520

AN ORDINANCE REGULATING THE INSTALLATION OF MANUFACTURED HOUSING AND MANUFACTURED HOMES, MOBILE HOMES, AND TRAVEL TRAILERS WITHIN THE CITY OF THRALL, TEXAS; REQUIRING A PERMIT FOR MANUFACTURED HOUSING AND MANUFACTURED HOMES; PRESCRIBING OTHER PREREQUISITES TO THE ISSUANCE OF A PERMIT OR LICENSE; PROVIDING DEFINITIONS; PROHIBITING MOBILE HOMES WITHIN THE CITY PROHIBITING PERMANENT OCCUPANCY OF TRAVEL TRAILERS IN THE CITY OF THRALL; PRESCRIBING REGULATIONS FOR MANUFACTURED HOUSING AND MANUFACTURED HOMES; PRESCRIBING REGULATIONS FOR TRAVEL TRAILERS; CONTAINING PENALTIES FOR THE VIOLATION OF THIS ORDINANCE; CONTAINING A REPEALING CLAUSE; AND CONTAINING A SEVERABILITY CLAUSE.

WHEREAS, it is deemed in the best interest of the City of Thrall for the health, safety and welfare of its citizens the provisions that an Ordinance be established to regulate manufactured housing and manufactured homes and travel trailers within the City of Thrall, Texas, and that mobile homes be prohibited; and

WHEREAS, this Ordinance shall be known and cited as the "Manufactured Housing, Mobile Home and Travel Trailer Ordinance" of the City of Thrall, Texas. The provisions of this Ordinance shall apply to manufactured housing and manufactured homes.

NOW THEREFORE, Be it ordained by The City Council of The City of Thrall, Texas, that:

ARTICLE 1. GENERAL

SECTION 1.01

The Preamble above is incorporated by reference into this Ordinance.

SECTION 1.02 DEFINITIONS

For the purpose of this Ordinance only, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

CITY COUNCIL – The legally designated inspection authority of the City, would be the City Council.

CITY OFFICIAL- The legally designated head of a City department or his/her authorized representative when acting in an official capacity.

EMERGENCY- Sudden occurrence demanding quick action.

FIRE CHIEF-The legally designated chief of the Fire Department of the City, or his/her authorized representative.

MANUFACTURED HOUSING or MANUFACTURED HOME- A structure constructed on or after June 15, 1976, according to the rules of the U.S. Department of Housing and Urban Development, transportable in one or more sections, which in the traveling mode, is eight (8) body feet or more in width or forty (40) body feet or more in length, or, when erected on

site, is three hundred twenty (320) or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and including the plumbing, heating, air conditioning, and electrical systems. This term does not include a recreational vehicle.

MOBILE HOME- A structure that was constructed before June 15, 1976, transportable in one or more sections, which, in the traveling mode, is eight (8) body feet or more in width or forty (40) body feet or more in length, or, when erected on site, is three hundred twenty (320) or more square feet, and which is built with or without a permanent foundation when connected to the required utilities, and including the plumbing, heating, air conditioning and electrical systems.

PERSON- Any natural individual, firm, trust, partnership, association or corporation.

PIER- The portion of the anchorage system between the (pier) foundation and the manufactured home.

PIER FOUNDATION-The portion of the anchorage system that transmits loads directly to the soil.

PLOT PLAN- Graphic representation, drawn to scale, in a horizontal plane, delineating the outlines of the land included in the plan and all proposed use locations, accurately dimensioned, the dimensions also indicating the relation of each use to that adjoining and to the boundary of the property.

POLICE CHIEF- The legally designated Chief of the Police Department of the City, or his/her authorized representative.

REPLACEMENT- The act of moving one manufactured home from its existing stand and replacing it with another manufactured home.

SEWER SERVICE RISER PIPE- The portion of a sewer service which extends vertically to the ground elevation and terminates at a manufactured home space.

SITE PLAN- Same as PLOT PLAN.

TRAVEL TRAILER- A mobile structure used for living quarters while traveling.

WATER CONNECTION- The connection consisting of all pipes, fittings, and appurtenances from the water riser pipe to the water inlet pipe of the distribution system within a manufactured home.

WATER RISER PIPE- The portion of the private water service system serving a manufactured home, which extends vertically to the ground elevation and terminates at a designated point at a manufactured home.

SECTION 1.03 PERMITS

- A. Mobile Homes – No permit shall be issued for the placement of a mobile home inside the City and mobile homes are prohibited within the City.

B. **Manufactured Home Permits-** All applications for permits shall be made upon standard forms provided by the City Council and shall contain the following:

1. Name the address of the applicant.
2. Location and legal description of lot for manufactured housing placement.
3. To the application shall be attached a copy of a site plan showing the location and orientation of the manufactured home, the required setbacks, and any other information specifically required herein or in Chapter 2 of the Land Development Code of the City of Thrall.
4. A copy of a receipt issued by the City of Thrall Water Department stating water connection fees have been paid.
5. A copy of a receipt issued by the City of Thrall Wastewater Department stating wastewater connection fees have been paid.

C. **Permit Fee-** All applications to the City Council shall be accomplished by a fee, which shall be based upon the same parameters as new construction for single family structures. The fee shall be based upon square footage and shall be:

.06/ square foot (structure) + \$20.00 (yard)

The fee may be amended from time to time as the fee structure for single family new construction changes and this ordinance shall be so amended.

D. **Issuance of Permit-** When upon review of the application, the City Council is satisfied that the proposed plan meets the requirements of this Ordinance, a permit shall be issued.

E. **Denial of Permit; Hearing-** Any person whose application for a permit under this Ordinance has been denied, may request a hearing on the matter under the procedure provided by Section 1.05.

SECTION 1.04 INSPECTION

- A. **Inspections Required-** The City Council, the Fire Chief, and the Police Chief, are hereby authorized and directed to make such inspections as are necessary to determine compliance with this Ordinance.
- B. **Entry on Premises-** The City Council, the Fire Chief, and the Police Chief, shall have the power to enter at reasonable times upon any private or public property for the purpose of inspecting and investigating conditions relating to the enforcement of this Ordinance.

SECTION 1.05 NOTICES, HEARINGS, AND ORDERS

- A. **Notice of Violations; Requirements of Notice.**
1. Whenever it is determined that there are grounds to believe that there has been a violation of any provision of this Ordinance, the City Council shall give notice of such alleged violation to the owner, as hereinafter provided.
 2. Such notice shall be:
 - a. In writing;
 - b. Include a statement of the reasons for its issuance;
 - c. Allow a reasonable time for the performance of the act it requires;

- d. Be served upon the owner, provided that the notice of order shall be deemed to have been properly served upon such owner when a copy thereof has been sent by certified mail to his last known address, or when he has been served with the notice by any method authorized or required by the laws of this state; and
 - e. Contain an outline of remedial action which, if taken, will effect compliance with the provisions of this Ordinance and the time necessary to effect compliance.
- B. Appeal from Denial of Permit by the City Council- Any person affected by the refusal of the City Council to issue a permit under the provisions of this Ordinance as set out in Section 1.03 hereof, may request and shall be granted a hearing on the matter before the City Council, provided that such person shall file within thirty (30) days after the permit was refunded, in the office of the City Council , a written petition requesting the hearing and setting forth a brief statement of the grounds thereof. Upon receipt of the petition, the City Council shall forward it to the City Secretary, who shall request the City Council to set a time and place for the hearing and shall give the petitioner written notice thereof. At the hearing the petitioner shall be given an opportunity to be heard and to show why such refusal should be modified or withdrawn.
- C. Hearing Order- After an appeal hearing before the City Council, the City Council shall issue an order in writing sustaining, modifying, or withdrawing the refusal, which order shall be served as provided in Section 1.05 (2) (d). Upon failure to comply with an order by the City Council sustaining or modifying a decision thereof, the occupancy affected by the order shall be revoked. The City shall then be entitled to seek all remedies provided by law to remedy the violation.
- D. Order Without Notice-Whenever the City Council finds that an emergency exists which requires immediate action to protect the public health or safety, he may without notice or hearing issue an order reciting the existence of such an emergency and requiring that action be taken as Council may deem necessary to meet the emergency. Notwithstanding any other provisions of this Ordinance, the order shall be effective immediately. Any person to whom an order is directed shall comply therewith immediately, but upon written petition to the City Council shall be afforded a hearing as soon as possible.

ARTICLE 2. SPECIFICATIONS

SECTION 2.01 SITE PLAN/ REQUIREMENTS

- A. The site plan shall be filed as required by Section 1.03 (B) (3) and shall show the following:
 - 1. The area and dimensions of the tract of land, with identifications of location and boundaries;
 - 2. The location and specifications of water and sewer lines and riser pipes;
 - 3. The location and details of lighting, electrical, and gas systems;
 - 4. Other information the City reviewing officials may require.
 - 5. In no event shall a Site Plan be approved if:
 - a. more than one manufactured home is located on the lot; or
 - b. the manufactured home is located on a lot upon which another dwelling occupied or which could be occupied for residency is located; or
 - c. the sides and rear lot lines are less than ten feet (10) and the front lot line is less than twenty-five feet (25) from the manufactured home.

- B. The site shall be of adequate size to insure the main entry of the manufactured home will allow off-street parking on the lot.
- C. The site shall be of adequate size to insure the main entry of the manufactured home fronts the street with the assigned address.

SECTION 2.02 WATER SUPPLY

- A. Requirements- Connection shall be made to the public supply of water. The public supply shall be adequate for both domestic and fire-fighting requirements established by the City.
- B. Riser Pipes and Connections-Individual water riser pipes and connections shall be in accordance with the requirements of the Thrall Plumbing Code.

SECTION 2.03 SEWAGE DISPOSAL

- A. Requirement- An adequate and safe sewage system shall be provided to all manufactured housing for conveying and disposing of all sewage.
- B. Sewer Lines- All sewer lines shall be constructed of materials in accordance with the City of Thrall Plumbing Code.
- C. Individual Sewer Connection
 - 1. Each manufactured home stand shall be provided with at least a three-inch diameter sewer riser pipe. The sewer riser pipe shall be so located on each stand so that the sewer connection to the manufactured home drain outlet will approximate a vertical position.
 - 2. The sewer connection to the manufactured home from the sewer riser pipe and any other sewer connections shall be in accordance with the requirements of the City of Thrall Plumbing Code.
 - 3. All materials used for sewer connections shall be in accordance with the City of Thrall Plumbing Code.
 - 4. Provisions shall be made for plugging the sewer riser pipe when no manufactured home occupies the space. Surface drainage shall be diverted away from the riser.

SECTION 2.04 ELECTRICAL AND TELEPHONE DISTRIBUTION SYSTEMS

- A. Electrical and Telephone Wiring- All electrical and telephone wiring in the manufactured home shall be installed in accordance with the Thrall Electrical Code.
- B. Power Distribution Lines, Individual Electrical Connections and Grounding- All power distribution lines, individual electrical connections, and grounding of the manufactured housing and equipment shall comply with the City of Thrall Electrical Code.

SECTION 2.05 ANCHORAGE REQUIREMENTS

1. Over-the-roof devices shall be located within two (2) feet of the ends of the manufactured home and at intervals not to exceed fifteen (15) feet, and shall be as follows:
 - a. No less than 3/16-inch diameter steel aircraft cables; or
 - b. Corrosion-resistant chromium-nickel steel, AISI Types 201, 202, 301, 302, 304 and 316, straps having a cross-section area of not less than 0.185 square inches; or
 - c. Where over-the-roof devices are used and the horizontal members at the intersection of the walls and the roof are not adequate to transfer forces to the cables or straps, auxiliary horizontal members, adequate in size to resist a bending moment of 7200 inch-pounds, shall be used.
2. Anchors
 - a. There shall be an anchor for each tie and each anchor shall be installed so that the rod is in line with the tie.
 - b. Integral eye screw anchors eight (8) inches in diameter having a rod of one (1) inch in diameter shall be used. Plate anchors not less than six (6) inches by twenty-seven (27) inches with a rod of 5/8 inch diameter, six (6) feet in length, may be used for ties from the frame.
 - c. Anchors shall be installed to a depth of five (5) feet or to a depth approved by the enforcing official.

ARTICLE 3. MISCELLANEOUS REQUIREMENTS

SECTION 3.01 MANUFACTURED HOUSING REQUIREMENTS

- A. All requirements of the zone in which application is made shall be adhered to, including but not limited to, lot-size, yard requirements, height limitations, parking standards, and impervious cover unless otherwise required herein.
- B. Each manufactured home shall be required to install view obstruction fire-resistant skirting with the necessary vents, screens, and/or openings around the base before occupied.
- C. The occupant shall comply with all requirements of this Ordinance and shall maintain his/her manufactured home, its facilities, and its equipment in good repair and in a clean and sanitary condition.
- D. The occupant shall be responsible for proper placement of his/her manufactured home in its stand and proper installation of all utility connections in accordance with this Ordinance and Ordinances and regulations pertaining thereto and the appropriate City officials.
- E. Skirting, porches, awnings and other additions, when installed, shall be maintained in good repair. The use of space immediately underneath a manufactured housing for storage shall be permitted only under the following conditions:
 1. The storage area shall have a base of impervious material.
 2. Stored items shall not interfere with the underneath inspection of the manufactured home.

- F. All manufactured housing located on lots in the City of Thrall shall be at least ten feet (10) away from the sides and rear lot lines and at least twenty-five (25) away from the front lot line. A front lot line shall be deemed the lot line located on a public corner lot, the front lot line shall be the lot line facing the primary entrance of the manufactured home.
- G. All manufactured housing and all manufactured homes, if unoccupied or if utility services to them are disconnected for six (6) months or more, shall require City inspection to determine compliance with City Code and City ordinances before occupation or utility restoration.

ARTICLE 4 TRAVEL TRAILERS

SECTION 4.01

Travel trailers shall not be occupied as permanent residencies in the City of Thrall. Permanent residencies for travel trailers shall be defined as any occupancy of a travel trailer that exceeds ten (10) days in any one calendar year commencing from the first day of occupancy.

ARTICLE 5 MISCELLANEOUS PROVISIONS

SECTION 5.01 PENALTIES

- A. A person who violates any provision of this Ordinance, or who fails to perform an act required by this Ordinance commits an offense. A person commits a separate offense each day or portion of a day during which a violation is committed, permitted or continued.
- B. An offense under this Ordinance is punishable by a fine not to exceed :
1. \$500.00;
 2. \$2000.00, if the provision violated governs public health or sanitation; or
 3. The amount fixed by state law if the violation is one for which the state has fixed a fine.
 4. The City has the right to cut off water services within 10 days.

SECTION 5.02 REPEALING CLAUSE

All ordinances or parts of ordinances of this City and amendments thereto are hereby repealed as of the effective date of this Ordinance and all other ordinances or parts of ordinances in conflict herewith are hereby repealed only to the extent of such inconsistency, and in all other respects this ordinance shall be cumulative of other ordinances regulated and governing the subject matter covered by this Ordinance.

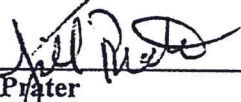
SECTION 5.03 SEVERABILITY CLAUSE

If any provisions, section, subsection, paragraph, sentence, clause or phase of this Ordinance is declared unconstitutional for any reason, it shall not be held to invalidate or impair the validity, force or effect of any other section or sections or part of a section or paragraph of this Ordinance.

PASSED AND APPROVED on first reading this 20 day of May, 2015, by a vote of 3 "Ayes" and _____ "Noes" with 3 members of Council present and voting.



Troy Marx
Mayor




Jill Prater
City Secretary

CERTIFICATE

THE STATE OF TEXAS
COUNTY OF WILLIAMSON

I, Jill Prater, being the current City Secretary of the City of Thrall, Texas, do hereby certify that the attached is a true and correct copy of Ordinance No. 2050520, passed and approved by the City Council of the City of Thrall, Texas, on the 20 day of May, 2015, and such Ordinance was duly adopted at a meeting open to the public and notice of said meeting, giving the date, place and subject thereof, was posted as prescribed by Government Code 551.043.

Witness my hand and seal of office this 20 day of May, 2015.



City Secretary

ORDINANCE NO. 11152017

AN ORDINANCE OF THE CITY OF THRALL, TEXAS ADOPTING THE 2009 INTERNATIONAL RESIDENTIAL CODE, THE 2009 INTERNATIONAL BUILDING CODE, THE 2009 NATIONAL ELECTRIC CODE; 2009 EXISTING BUILDING CODE; 2009 INTERNATIONAL FIRE CODE; 2009 INTERNATIONAL MECHANICAL CODE; 2009 INTERNATIONAL PLUMBING CODE; 2009 INTERNATIONAL FUEL GAS CODE; 2009 PROPERTY MAINTENANCE CODE; 2009 ENERGY CONSERVATION CODE; 2009 INTERNATIONAL ELECTRICAL CODE; AMENDING THE 2009 INTERNATIONAL RESIDENTIAL CODE AND THE INTERNATIONAL PLUMBING CODE TO ADD THE PROVISIONS SET FORTH IN THIS ORDINANCE; ADOPTING A REPEALER CLAUSE; ADOPTING A SAVINGS CLAUSE; ADOPTING A PENALTY CLAUSE PROVIDING THAT ANY PERSON VIOLATING THE PROVISIONS OF THIS ORDINANCE SHALL BE DEEMED GUILTY OF A MISDEMEANOR AND, UPON CONVICTION IN THE MUNICIPAL COURT OF THE CITY OF THRALL, TEXAS, OR ANY OTHER COURT OF PROPER JURISDICTION, SHALL BE SUBJECT TO A FINE NOT TO EXCEED THE SUM OF FIVE HUNDRED DOLLARS (\$500.00) FOR EACH OFFENSE, EXCEPT HOWEVER, WHERE A DIFFERENT PENALTY HAS BEEN ESTABLISHED BY STATE LAW FOR SUCH OFFENSE THE PENALTY SHALL BE THAT FIXED BY STATE LAW, AND FOR ANY OFFENSE THAT GOVERNS FIRE, SAFETY, ZONING, OR PUBLIC HEALTH AND SANITATION, INCLUDING DUMPING OF REFUSE, THE PENALTY SHALL BE A FINE NOT TO EXCEED THE SUM OF TWO THOUSAND (\$2000.00) FOR EACH OFFENSE; AND REQUIRING PUBLICATION.

BE IT ORDAINED BY THE CITY OF THRALL:

SECTION 1.0 ADOPTION OF THE INTERNATIONAL CODES.

The City of Thrall, Texas hereby adopts the 2009 International Residential Code, the 2009 International Building Code, the 2009 National Electric Code, the 2009 International Existing Building Code, the 2009 International Fire Code, the 2009 International Mechanical Code, the 2009 International Plumbing Code, the 2009 International Fuel gas Code, the 2009

International Property Maintenance Code, the 2009 International Energy Conservation Code, and the 2009 ICC Electrical Code.

This adoption includes, but is not limited to, the provision regarding expiration of permits that every permit shall become invalid unless the work authorized by such permit is commenced within 180 days after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced.

SECTION 2.0 AMENDMENT TO THE INTERNATIONAL RESIDENTIAL CODE.

The International Residential Code adopted by this Ordinance is amended to include and to require the following:

In dwellings and dwelling units a smoke detector shall be mounted on the ceiling or wall at a point centrally located in the corridor or area giving access to each group of rooms used for sleeping purposes and a smoke detector shall also be mounted in all rooms used for sleeping purposes. Where the dwelling unit contains more than one story, detectors are required on each story including basements, but not including unfinished attics, and shall be located in close proximity to the stairway leading to the floor above.

In dwelling, dwelling units, and sleeping rooms smoke detectors shall be hardwired into an AC electrical power source and shall be equipped with a monitored battery backup in all new construction. A monitored battery power source shall be permitted in existing construction.

SECTION 3.0 AMENDMENT TO THE INTERNATIONAL PLUMBING CODE.

The International Plumbing Code adopted by this Ordinance is amended to include and to require the following:

“Cross-Connection Control Program”

A. General.

1. No water service connection shall be made to any establishment where a potential or actual contamination hazard exists unless the water supply is protected in accordance with the Texas

Commission on Environmental Quality (TCEQ) Rules and Regulations for Public Water Systems and the provisions contained in this Ordinance. The water purveyor shall discontinue water service if a required backflow prevention assembly is not installed, maintained, and tested in accordance with the TCEQ Rules and this Ordinance.

B. Backflow Prevention Assembly Installation, Testing and Maintenance.

1. All backflow prevention assemblies shall be tested upon installation by a recognized backflow prevention assembly tester and certified to be operating within specifications. Backflow prevention assemblies which are installed to provide protection against health hazards must also be tested and certified to be operating within specification at least annually by a recognized backflow prevention assembly tester.
2. All backflow prevention assemblies shall be installed and tested in accordance with the manufacturer's instructions, the American Water Work Association's Recommended Practice for Backflow Prevention and Cross-Connection Control (Manual M14) or The University of Southern California Manual of Cross-Connection Control.
3. Assemblies shall be repaired, overhauled, or replaced at the expense of the customer whenever assemblies are found to be defective. Original forms of such test, repair, and overhaul shall be kept and submitted to the City of Thrall within five (5) working days of the test, repair, or overhaul of each backflow prevention assembly.
4. No backflow prevention assembly or device shall be removed from use, relocated, or other assembly or device substituted without the approval of the City of Thrall. Whenever the existing assembly or device is moved from the present location or cannot be repaired, the backflow assembly or device shall be replaced with a backflow prevention assembly or device that complies with this section, the American Water Works Association's Recommended Practice for Backflow Prevention

and Cross-Connection Control Manual (M14), current addition, the University of Southern California Manual of Cross-Connection Control, Current addition, or the current plumbing code of the City of Thrall, whichever is more stringent.

5. Test gauges used for backflow prevention assembly testing shall be calibrated at least annually in accordance with The American Water Works Association's Recommended Practice for Backflow Prevention and Cross-Connection Control (Manual M14), current addition, or The University of Southern California's Manuel of Cross-Connection, current addition. The original calibration form must be submitted to the City of Thrall within five (5) working days after calibration.
6. A recognized backflow prevention assembly tester must hold a current endorsement from the Texas Commission on Environmental Quality.

SECTION 4.0 SAVINGS CLAUSE.

In the event any clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Thrall, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

SECTION 5.0 REPEALER CLAUSE.

All ordinances or parts of ordinances inconsistent or in conflict herewith are, to the extent of such inconsistency or conflict, hereby repealed.

SECTION 6.0 PUBLICATION.

The City Secretary is hereby authorized and directed to publish the caption of this Ordinance, together with the penalty provision contained therein, in the manner and for the length of time prescribed by law.

SECTION 7.0 PENALTY.

Any person violating the provisions of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction in the municipal court of the City of Thrall, Texas, or any other Court of proper jurisdiction, shall be subject to a fine not to exceed the sum of Five Hundred Dollars (\$500.00) for each offense, except however, where a different penalty has been established by state law for such offense the penalty shall be that fixed by state law, and for any offense which is a violation of any provision of law that governs fire safety, zoning, or public health and sanitation, including dumping of refuse, the penalty shall be a fine not to exceed the sum of two thousand dollars (\$2,000.00) for each offense.

PASSED, APPROVED and ADOPTED on this the ____ day of November, 2017.



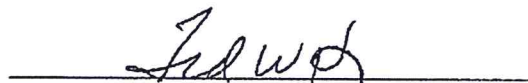
Troy Marx, Mayor
Thrall City Council

ATTEST:



Ginger Gross, City Secretary

APPROVED AS TO FORM:



Ted W. Hejl, City Attorney

CITY OF THRALL
ORDINANCE NO. 10-2019-1
FLOOD DAMAGE PREVENTION ORDINANCE

ARTICLE I

STATUTORY AUTHORIZATION, FINDINGS OF FACT, PURPOSE AND METHODS

SECTION A. STATUTORY AUTHORIZATION

The Legislature of the State of Texas has in the Flood Control Insurance Act, Texas Water Code, Section 16.315, delegated the responsibility of local governmental units to adopt regulations designed to minimize flood losses. Therefore, the *City Council of City of Thrall*, Texas, does ordain as follows:

SECTION B. FINDINGS OF FACT

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

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

SECTION C. STATEMENT OF PURPOSE

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

- (1) Protect human life and health;
- (2) Minimize expenditure of public money for costly flood control projects;
- (3) Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- (4) Minimize prolonged business interruptions;
- (5) Minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in floodplains;

(6) Help maintain a stable tax base by providing for the sound use and development of flood-prone areas in such a manner as to minimize future flood blight areas; and,

(7) Ensure that potential buyers are notified that property is in a flood area.

SECTION D. METHODS OF REDUCING FLOOD LOSSES

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

(1) Restrict or prohibit uses that are dangerous to health, safety or property in times of flood, or cause excessive increases in flood heights or velocities;

(2) Require that uses vulnerable to floods, including facilities, which serve such uses, be protected against flood damage at the time of initial construction;

(3) Control the alteration of natural floodplains, stream channels, and natural protective barriers, which are involved in the accommodation of flood waters;

(4) Control filling, grading, dredging and other development, which may increase flood damage; and,

(5) Prevent or regulate the construction of flood barriers which will unnaturally divert flood waters, or which may increase flood hazards to other lands.

ARTICLE 2

DEFINITIONS

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

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

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

APPURTENANT STRUCTURE – means a structure which is on the same parcel of property as the principal structure to be insured and the use of which is incidental to the use of the principal structure.

AREA OF FUTURE CONDITIONS FLOOD HAZARD – means the land area that would be inundated by the 1-percent-annual chance (100 year) flood based on future conditions hydrology.

AREA OF SHALLOW FLOODING - means a designated AO, AH, AR/AO, AR/AH, or VO zone on a community's Flood Insurance Rate Map (FIRM) with a 1 percent or greater annual chance of flooding to an average depth of 1 to 3 feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

AREA OF SPECIAL FLOOD HAZARD - is the land in the floodplain within a community subject to a 1 percent or greater chance of flooding in any given year. The area may be designated as Zone A on the Flood Hazard Boundary Map (FHBM). After detailed rate-making has been completed in preparation for publication of the FIRM, Zone A usually is refined into Zones A, AO, AH, A1-30, AE, A99, AR, AR/A1-30, AR/AE, AR/AO, AR/AH, AR/A, VO, V1-30, VE or V.

BASE FLOOD - means the flood having a 1 percent chance of being equaled or exceeded in any given year.

BASE FLOOD ELEVATION (BFE) – The elevation shown on the Flood Insurance Rate Map (FIRM) and found in the accompanying Flood Insurance Study (FIS) for Zones A, AE, AH, A1-A30, AR, V1-V30, or VE that indicates the water surface elevation resulting from the flood that has a 1% chance of equaling or exceeding that level in any given year - also called the Base Flood.

BASEMENT - means any area of the building having its floor subgrade (below ground level) on all sides.

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

CRITICAL FEATURE - means an integral and readily identifiable part of a flood protection system, without which the flood protection provided by the entire system would be compromised.

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

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

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

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

EXPANSION TO AN EXISTING MANUFACTURED HOME PARK OR SUBDIVISION - means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

FLOOD OR FLOODING - means a general and temporary condition of partial or complete inundation of normally dry land areas from:

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

FLOOD ELEVATION STUDY - means an examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of mudslide (i.e., mudflow) and/or flood-related erosion hazards.

FLOOD HAZARD BOUNDARY MAP (FHBM) - means an official map of a community, issued by the Administrator, where the boundaries of the flood, mudslide (i.e., mudflow) related erosion areas having special hazards have been designated as Zones A, M, and/or E.

FLOOD INSURANCE RATE MAP (FIRM) - means an official map of a community, on which the Federal Emergency Management Agency has delineated both the special flood hazard areas and the risk premium zones applicable to the community.

FLOOD INSURANCE STUDY (FIS) - see *Flood Elevation Study*

FLOODPLAIN OR FLOOD-PRONE AREA - means any land area susceptible to being inundated by water from any source (see definition of flooding).

FLOODPLAIN MANAGEMENT - means the operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works and floodplain management regulations.

FLOODPLAIN MANAGEMENT REGULATIONS - means zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a floodplain ordinance, grading ordinance and erosion control ordinance) and other applications of police power. The term describes

such state or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.

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

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

FLOODWAY – see *Regulatory Floodway*

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

HIGHEST ADJACENT GRADE - means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

HISTORIC STRUCTURE - means any structure that is:

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

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

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

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

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

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

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

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

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

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

MANUFACTURED HOME PARK OR SUBDIVISION - means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

MEAN SEA LEVEL - means, for purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929 or other datum, to which base flood elevations shown on a community's Flood Insurance Rate Map are referenced.

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

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

RECREATIONAL VEHICLE - means a vehicle which is (i) built on a single chassis; (ii) 400 square feet or less when measured at the largest horizontal projections; (iii) designed to be self-propelled or permanently towable by a light duty truck; and (iv) designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

RIVERINE - means relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.

SPECIAL FLOOD HAZARD AREA - see *Area of Special Flood Hazard*

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

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

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

SUBSTANTIAL IMPROVEMENT - means any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before "start of construction" of the improvement. This term includes structures, which have incurred "substantial damage", regardless of the actual repair work performed. The term does not, however, include either: (1) Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions or (2) Any alteration of a "historic structure", provided that the alteration will not preclude the structure's continued designation as a "historic structure."

VARIANCE – means a grant of relief by a community from the terms of a floodplain management regulation. (For full requirements see Section 60.6 of the National Flood Insurance Program regulations.)

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

WATER SURFACE ELEVATION - means the height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929 (or other datum, where specified), of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.

ARTICLE 3

GENERAL PROVISIONS

SECTION A. LANDS TO WHICH THIS ORDINANCE APPLIES

The ordinance shall apply to all areas of special flood hazard within the jurisdiction of the City of Thrall.

SECTION B. BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD

The areas of special flood hazard identified by the Federal Emergency Management Agency in the current scientific and engineering report entitled, "The Flood Insurance Study (FIS) for Williamson County, Texas and Incorporated Areas" dated December 20, 2019, with accompanying Flood Insurance Rate Maps (FIRM) dated December 20, 2019 and any revisions thereto are hereby adopted by reference and declared to be a part of this ordinance.

SECTION C. ESTABLISHMENT OF DEVELOPMENT PERMIT

A Floodplain Development Permit shall be required to ensure conformance with the provisions of this ordinance.

SECTION D. COMPLIANCE

No structure or land shall hereafter be located, altered, or have its use changed without full compliance with the terms of this ordinance and other applicable regulations.

SECTION E. ABROGATION AND GREATER RESTRICTIONS

This ordinance is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this ordinance and another ordinance, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

SECTION F. INTERPRETATION

In the interpretation and application of this ordinance, all provisions shall be: (1) considered as minimum requirements; (2) liberally construed in favor of the governing body; and (3) deemed neither to limit nor repeal any other powers granted under State statutes.

SECTION G. WARNING AND DISCLAIMER OR LIABILITY

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

ARTICLE 4

ADMINISTRATION

SECTION A. DESIGNATION OF THE FLOODPLAIN ADMINISTRATOR

The *City Engineer* is hereby appointed the Floodplain Administrator to administer and implement the provisions of this ordinance and other appropriate sections of 44 CFR (Emergency Management and Assistance - National Flood Insurance Program Regulations) pertaining to floodplain management.

SECTION B. DUTIES & RESPONSIBILITIES OF THE FLOODPLAIN ADMINISTRATOR

Duties and responsibilities of the Floodplain Administrator shall include, but not be limited to, the following:

(1) Maintain and hold open for public inspection all records pertaining to the provisions of this ordinance.

(2) Review permit application to determine whether to ensure that the proposed building site project, including the placement of manufactured homes, will be reasonably safe from flooding.

(3) Review, approve or deny all applications for development permits required by adoption of this ordinance.

(4) Review permits for proposed development to assure that all necessary permits have been obtained from those Federal, State or local governmental agencies (including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334) from which prior approval is required.

(5) Where interpretation is needed as to the exact location of the boundaries of the areas of special flood hazards (for example, where there appears to be a conflict between a mapped boundary and actual field conditions) the Floodplain Administrator shall make the necessary interpretation.

(6) Notify, in riverine situations, adjacent communities and the State Coordinating Agency which is the Texas Water Development Board (TWDB) and also the Texas Commission on Environmental Quality (TCEQ), prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency.

(7) Assure that the flood carrying capacity within the altered or relocated portion of any watercourse is maintained.

(8) When base flood elevation data has not been provided in accordance with Article 3, Section B, the Floodplain Administrator shall obtain, review and reasonably utilize any base flood elevation data and floodway data available from a Federal, State or other source, in order to administer the provisions of Article 5.

SECTION C. PERMIT PROCEDURES

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

(a) Elevation (in relation to mean sea level), of the lowest floor (including basement) of all new and substantially improved structures;

(b) Elevation in relation to mean sea level to which any nonresidential structure shall be floodproofed;

(c) A certificate from a registered professional engineer or architect that the nonresidential floodproofed structure shall meet the floodproofing criteria of Article 5, Section B (2);

(d) Description of the extent to which any watercourse or natural drainage will be altered or relocated as a result of proposed development.

(e) Maintain a record of all such information in accordance with Article 4, Section (B) (1).

(2) Approval or denial of a Floodplain Development Permit by the Floodplain Administrator shall be based on all of the provisions of this ordinance and the following relevant factors:

- (a) The danger to life and property due to flooding or erosion damage;
- (b) The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
- (c) The danger that materials may be swept onto other lands to the injury of others;
- (d) The compatibility of the proposed use with existing and anticipated development;
- (e) The safety of access to the property in times of flood for ordinary and emergency vehicles;
- (f) The costs of providing governmental services during and after flood conditions including maintenance and repair of streets and bridges, and public utilities and facilities such as sewer, gas, electrical and water systems;
- (g) The expected heights, velocity, duration, rate of rise and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site;
- (h) The necessity to the facility of a waterfront location, where applicable; and,
- (i) The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use.

SECTION D. VARIANCE PROCEDURES

(1) The Appeal Board, shall be the Thrall City Council, shall hear and render judgment on requests for variances from the requirements of this ordinance.

(2) The Appeal Board shall hear and render judgment on an appeal only when it is alleged there is an error in any requirement, decision, or determination made by the Floodplain Administrator in the enforcement or administration of this ordinance.

(3) Any person or persons aggrieved by the decision of the Appeal Board may appeal such decision in the courts of competent jurisdiction.

(4) The Floodplain Administrator shall maintain a record of all actions involving an appeal and shall report variances to the Federal Emergency Management Agency upon request.

(5) Variances may be issued for the reconstruction, rehabilitation or restoration of structures listed on the National Register of Historic Places or the State Inventory of Historic Places, without regard to the procedures set forth in the remainder of this ordinance.

(6) Variances may be issued for new construction and substantial improvements to be erected on a lot of 1/2 acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing the relevant factors in Section C (2) of this Article have been fully considered. As the lot size increases beyond the 1/2 acre, the technical justification required for issuing the variance increases.

(7) Upon consideration of the factors noted above and the intent of this ordinance, the Appeal Board may attach such conditions to the granting of variances as it deems necessary to further the purpose and objectives of this ordinance (Article 1, Section C).

(8) Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.

(9) Variances may be issued for the repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.

(10) Prerequisites for granting variances:

(a) Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.

(b) Variances shall only be issued upon: (i) showing a good and sufficient cause; (ii) a determination that failure to grant the variance would result in exceptional hardship to the applicant, and (iii) a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.

(c) Any application to which a variance is granted shall be given written notice that the structure will be permitted to be built with the lowest floor elevation below the base flood elevation, and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

(11) Variances may be issued by a community for new construction and substantial improvements and for other development necessary for the conduct of a functionally dependent use provided that (i) the criteria outlined in Article 4, Section D (1)-(9) are met, and (ii) the structure or other development is protected by methods that minimize flood damages during the base flood and create no additional threats to public safety.

ARTICLE 5

PROVISIONS FOR FLOOD HAZARD REDUCTION

SECTION A. GENERAL STANDARDS

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

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

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

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

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

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

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

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

SECTION B. SPECIFIC STANDARDS

In all areas of special flood hazards where base flood elevation data has been provided as set forth in (i) Article 3, Section B, (ii) Article 4, Section B (8), or (iii) Article 5, Section C (3), the following provisions are required:

(1) **Residential Construction** - new construction and substantial improvement of any residential structure shall have the lowest floor (including basement), elevated to or above the base flood elevation. A registered professional engineer, architect, or land surveyor shall submit a certification to the Floodplain Administrator that the standard of this subsection as proposed in Article 4, Section C (1) a., is satisfied.

(2) **Nonresidential Construction** - new construction and substantial improvements of any commercial, industrial or other nonresidential structure shall either have the lowest floor (including basement) elevated to or above the

base flood level or together with attendant utility and sanitary facilities, be designed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. A registered professional engineer or architect shall develop and/or review structural design, specifications, and plans for the construction, and shall certify that the design and methods of construction are in accordance with accepted standards of practice as outlined in this subsection. A record of such certification which includes the specific elevation (in relation to mean sea level) to which such structures are floodproofed shall be maintained by the Floodplain Administrator.

(3) **Enclosures** - new construction and substantial improvements, with fully enclosed areas below the lowest floor that are usable solely for parking of vehicles, building access or storage in an area other than a basement and which are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a licensed professional engineer or architect or meet or exceed the following minimum criteria:

(a) A minimum of two openings on separate walls having a total net area of not less than 1 square inch for every square foot of enclosed area subject to flooding shall be provided.

(b) The bottom of all openings shall be no higher than 1 foot above grade.

(c) Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

(4) **Manufactured Homes** -

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

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

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

(i) the lowest floor of the manufactured home is at or above the base flood elevation; or,

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

SECTION C. STANDARDS FOR SUBDIVISION PROPOSALS

(1) All subdivision proposals including the placement of manufactured home parks and subdivisions shall be consistent with Article 1, Sections B, C, and D of this ordinance.

(2) All proposals for the development of subdivisions including the placement of manufactured home parks and subdivisions shall meet Floodplain Development Permit requirements of Article 3, Section C; Article 4, Section C; and the provisions of Article 5 of this ordinance.

(3) Base flood elevation data shall be generated for subdivision proposals and other proposed development including the placement of manufactured home parks and subdivisions which is greater than 50 lots or 5 acres, whichever is lesser, if not otherwise provided pursuant to Article 3, Section B or Article 4, Section B (8) of this ordinance.

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

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

SECTION D. SEVERABILITY

If any section, clause, sentence, or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance.

SECTION E. PENALTIES FOR NON-COMPLIANCE

No structure or land shall hereafter be constructed, located, extended, converted, or altered without full compliance with the terms of this court order and other applicable regulations. Violation of the provisions of this court order

by failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with conditions) shall constitute a misdemeanor. Any person who violates this court order or fails to comply with any of its requirements shall upon conviction thereof be fined not more than \$500 for each violation, and in addition shall pay all costs and expenses involved in the case. Nothing herein contained shall prevent the *City Council of Thrall* from taking such other lawful action as is necessary to prevent or remedy any violation.

SECTION F. CERTIFICATION OF ADOPTION

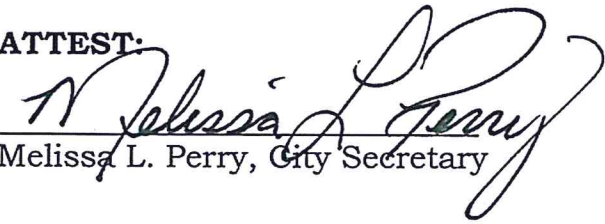
APPROVED: Mayor Troy Marx, _____


(Signature)

PASSED: October 16th, 2019
(adoption date)

ORDINANCE BECOMES EFFECTIVE: _____
After publication
(effective date)

ATTEST:


Melissa L. Perry, City Secretary

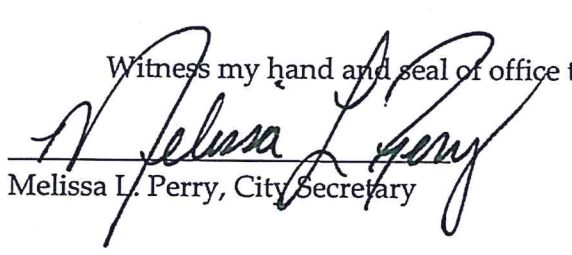
(SEAL)

CERTIFICATE

THE STATE OF TEXAS
COUNTY OF WILLIAMSON

I, being the City Secretary of the City of Thrall, Texas, do hereby certify that the attached is a true and correct copy of Ordinance No. 10-2019-1, passed and approved by the City Council of the City of Thrall, Texas, on the 16 day of October, 2019, and such Ordinance was duly introduced, passed, approved and adopted at meetings open to the public and notices of the meetings, giving the dates, places, and subject matter thereof, were posted as prescribed by Government Code Section 545.356.

Witness my hand and seal of office this the 17 day of October, 2019.


Melissa L. Perry, City Secretary