



**PLANNING & ZONING COMMISSION  
AGENDA**

**Tuesday, February 24, 2026, 6:00 PM**

**MARY RUTH BRIGGS LIBRARY  
8 MORGAN'S POINT BOULEVARD**

**1. Call to Order**

**2. Announcements and Citizens Comments**

**3. Presentations**

**4. Approval of Minutes**

- a. Consider approving minutes from February 3, 2026, meeting

**5. Regular Agenda**

- a. Discuss and consider ordinance development for edits and adjustments to MPR Municode.
- b. Discuss and consider City Council update for 43 Morgan's Point Blvd. abandoned property.
- c. Discuss and consider Chapter 14, definition updates recommended by Building Official.

**6. MPR Comprehensive Plan Update**

**7. Items for Future Agendas**

**8. P & Z Commission Updates & Comments**

**9. Staff Updates**

**10. Adjournment**

I certify that a copy of the 2-24-2026 agenda of items to be considered by the Morgan's Point Resort was posted and could be seen on the City Hall bulletin board on the 2-18-2026 at 4:00 PM and remained posted continuously for at least 72 hours succeeding the scheduled time of the meeting. I further certify that the following news media were properly notified of the above stated meeting: Belton Journal. The meeting facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodation or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's office at 254-780-1334 ext. 104 for further information

Kelli Merolillo, City Secretary



**PLANNING & ZONING COMMISSION  
MINUTES**

**Tuesday, February 3, 2026, 6:00 PM**

**LIBRARY 8 MORGAN'S POINT BOULEVARD**

**1. Call to Order**

Meeting called to order by Chairperson, Ken Hobbs, at 6:11 PM.

**PRESENT**

Ken Hobbs  
Leslie Minor  
Tom Edwards  
Thomas Westmoreland  
Andrew Roberts

**ABSENT**

Louis Guillaud  
Maria Martinez

Ashlynn Uschek, CTCOG  
David Rodriguez, CTCOG

**2. Announcements and Citizens Comments**

*This is an opportunity for members of the public to suggest the addition of topics for the discussion, or to address topics of interest, with the presentation limited to three (3) minutes. All speakers will conduct themselves in an orderly and lawful manner. All speakers will be recognized prior to speaking and will announce their name and address to be included in the minutes. State law prohibits the Mayor and Members of the City Council from commenting on any statement or engaging in dialogue without an appropriate agenda item being posted in accordance with the Texas Open Meetings Law.*

No Citizen Comments

**3. Presentation(s)**

None

**4. Approval of Minutes**

- a. Discuss and consider minutes from December 16, 2025, meeting

Motion to approve minutes from December 16, 2025, made by Edwards, Seconded by Minor.  
Voting Yea: Hobbs, Westmoreland, and Roberts

*Motion passed by unanimous vote (5:0)*

**5. Regular Agenda**

- b. Discuss and consider Chapter 6 adjustments and recommendations to City Council for consideration

Motion made to recommend moving forward to City Council for their consideration.

Motion made by Edwards, Seconded by Westmoreland.

Voting Yea: Hobbs, Minor, and Roberts

*Motion passed by unanimous vote (5:0).*

- c. Discuss and consider 20 Quail Loop variance and recommendation to City Council for consideration

Motion made to recommend moving forward to City Council for their consideration.

Motion made by Roberts, Seconded by Edwards.

Voting Yea: Hobbs, Minor, and Westmoreland

*Motion passed by unanimous vote (5:0)*

- d. Discuss and consider carport at 14 South Robin and recommendation to City Council for consideration

Motion made to recommend moving forward to City Council for their consideration.

Motion made by Edwards, Seconded by Minor.

Voting Yea: Hobbs, Westmoreland, and Roberts

*Motion passed by unanimous vote (5:0)*

**6. MPR Comprehensive Plan Update**

Set workshop dates for February 2026

**7. Items for Future Agendas**

- a. Green easements
- b. 43 Morgan's Point Boulevard abandoned property
- c. Hopi and Comanche Street variances

**8. P & Z Commission Updates & Comments**

None

**9. Staff Updates**

None

**10. Adjournment**

Meeting adjourned at 6:52 PM

I certify that a copy of the 2-03-2026 agenda of items to be considered by the Morgan's Point Resort was posted and could be seen on the City Hall bulletin board on the 1-28-2026 at 1:00PM and remained posted continuously for at least 72 hours succeeding the scheduled time of the meeting. The meeting facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodation or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's office at 254-780-1334 ext.

104 for further information.

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Ken Hobbs, Chair  
City of Morgan's Point Resort, Texas 76513

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Kelli Merolillo, City Secretary  
City of Morgan's Point Resort, Texas 76513

# Chapter 14 - 20 Quail Loop & Others

## Section 10. - Single-family Residential.

10.1 General Purpose and Description. The single-family residential district is intended to provide for development of single-family detached dwelling units. Other uses, such as religious and educational facilities, and open spaces, will also be allowed to maintain a balanced, orderly, convenient and attractive residential area.

### 10.2 Permitted Uses.

1. Single-family detached dwellings
2. Greenhouses and gardens, limited to the propagation and cultivation of plants, provided no retail or wholesale business is conducted on the premises except as allowed as a home occupation
3. The keeping of dogs, cats, and other normal household pets, according to Ordinance 14-7 [[chapter 2](#) of the Code of Ordinances].
4. Real estate sales offices during the development of residential subdivisions in which the office is located
5. Temporary buildings for uses incidental to construction work on the premises, which said building shall be removed upon completion or abandonment of construction work, by order of the Building Official
6. Accessory buildings as established in [Section 18](#) of this Ordinance
7. Telephone exchange, provided no public business and no repair or outside storage facilities are maintained
8. Swimming pool (private)
9. A temporary bulletin board or sign appertaining to the lease, hire or sale of a building premise or acreage
- 10 Utilities (public or private)
11. Family Home
12. Community Home
13. Three (3) "garage sales" per twelve-month period. New or used property acquired or consigned solely for the purpose of resale shall not be displayed or offered for sale or trade. Garage sales shall be conducted only during daylight hours and shall be limited to the hours of 7:00 a.m. and 7:00 p.m.

14. Such uses as may be permitted under the provision of Specific Use Permits, [[section 15](#)].

10.3 Height Regulations.

A. Maximum Height—Two and one-half (2-½) stories

10.4 Area Regulations.

A. Setbacks:

Table 10.1. Area Regulations

Section	Minimum Square Feet Excluding Porches, Garages, Carports, etc.	Front Setback	Side Setback	Rear Setback
LWR I	1,500	25	5	8
LWR II	800	15	5	8
1	1,200	20	5	8
2	Manufactured Housing	25	10	10
3	1,200	20	5	8
4	1,200	25	5	8
5	1,200	25	5	8
6	1,200	25	5	8
7	800	15	5	8
8A	800	15	5	8
8B	800	15	5	8
9	800	15	5	8
10	800	20	5	8
10A	800	20	5	8
10B	Manufactured Housing	25	10	10
14	Camper, Trailer (Temporary)	None	None	None
15	Manufactured Housing	25	10	10
16	1,000	15	5	8
17	1,200	15	5	10
18	Manufactured Housing	25	10	10
19	1,000	15	5	8

Section	Minimum Square Feet Excluding Porches, Garages, Carports, etc.	Front Setback	Side Setback	Rear Setback
20	1,000	15	5	10
21	800	25	5	8
22	1,000	15	5	8
23	Manufactured Housing	25	10	10
24	1,000	10	5	8

**B. Size of Building Site:**

1. Lots must be platted with sufficient size to accommodate the minimum housing square footage with an approved on-site building plan.

2. In all subdivision plats filed after January 1, 1988 where on-site septic system sewerage disposal is utilized, the minimum lot size must be at least one-half acre.

**10.5 Special Requirements.**

A. Dwelling must be built on-site in all Sections except [Sections 2](#), 10B, 14, 15, 18, 23, and the area adjacent to Section 10A.

B. Sewerage must be approved prior to installation in all Sections.

C. No building materials may be stored on-site, except during actual construction activities.

D. Only one residence per building site. Accessory buildings are permitted according to [Section 17](#) [18] of this Ordinance.

E. Fencing is permitted according to the provisions of [Section 20](#) of this Ordinance.

F. In Lakewood Ranch I there is a minimum 1 acre requirement and all access must be obtained from Cedar Trails.

G. Storage of any kind is prohibited on any vacant lot which is not adjacent to a main dwelling owned by the same owner.

(Ord. No. 4-32, 10-9-03; Ord. No. 2014-16, 12-9-14; [Ord. No. 2022.13](#), § 1, 12-13-22)

Hi Ken,

I thought I'd give you my comments on the P&Z agenda items in advance of our meeting—just FYI.

As always, these are my thoughts only, not representing other Council members.

Please don't feel like you need to respond—we can discuss all these at our workshop.

OR 26-001; Chapter 3—looks good.

1. P3 Reference to 2015 IRC Section on not requiring a permit—an R goes in front of 105.2 - *INSERTED*.
2. P 5 Rates—do these need to be updated? - *in future update*
3. P11—typo in "lieu of"; missing the "i"
4. P13—demolition of property—deleted, so we are not going to demolish any properties? Can we add that IF a property is deemed hazardous and IF the property owners won't remedy it; the city can "demolish it" in accordance TECQ guidelines for demolition?
- 5.

OR 26-002; Chapter 6—Board of Health

We do belong to the Bell County Public Health District Board—Bruce is our city's representative. We might want to say we belong and have a resident member on the Board.

*6.04.007*

Enforcement—ability to enter any private property for enforcement? Do we want to say after "notice is given" certain number of days in advance by mail unless it is an emergency?

~~6.05.001~~ *6.05.012*

Removing of all handbill discussion—what about flyers on cars or door hangers for advertising and such? Do we have this covered under a "littering" ordinance? *?*

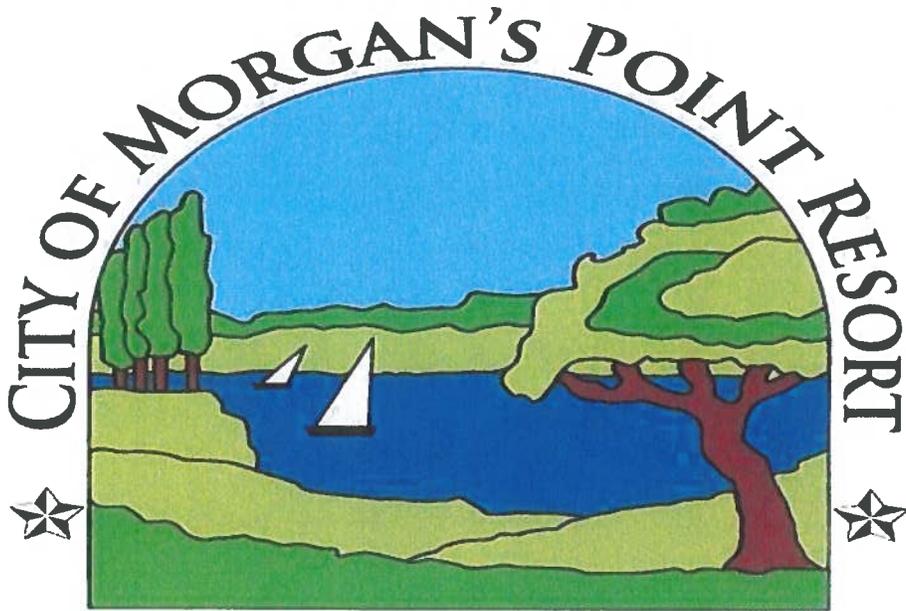
6.04.004

Prohibited conditions.  
(4) allowing mobile campers to be used as sleeping rooms? Never? I thought we allowed up to a 3 day stay.

building? Might add another  $70 \times 70 = 4,900$  and 5% would be 420. (Exact calculations need verified).

This is a tough one. The house has no garage, and the lots are owned by one owner.

I talked to a neighbor, and they are fine with it. They said other neighbors are too—that is just hearsay though.



**RECOMMENDED  
ORDINANCE UPDATES FOR  
CONSTRUCTION, HOUSING  
AND ZONING**

Recommended Ordinance Updates for Construction, Housing and Zoning

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### CHAPTER 3 BUILDING REGULATIONS

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#### ARTICLE 3.03. - HOUSING CODE

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## Recommended Ordinance Updates for Construction, Housing and Zoning

### ARTICLE 3.02. - TECHNICAL AND CONSTRUCTION CODES AND STANDARDS

#### Sec. 3.02.002. - Building Official

~~The City Building Official will be the City Manager.~~ The City Building Official works under the guidance and direction of the City Manager and shall perform all the duties necessary for the processing of permit applications. The City Building Official has the duty to receive, review, approve, modify or reject all applications for the issuance by the City of building permits. No building permit shall be issued without the written approval of the Building Official. ~~The Building Official shall have the authority to grant variances on setback lines and side and rear lot lines.~~ The City Building Official may also perform the duties of City Building Inspector

**BO: Remove requirement for the City Manager to be the Building Official. The Building Official should not have the authority to allow variances of setback lines. This should be reviewed by P and Z.**

*DH suggestions from 1/13/2026 Join Meeting.*

#### Sec. 3.02.003. - Building Inspector

The City Building Inspector shall inspect all phases of construction as outlined in the building, electrical, plumbing and mechanical **and energy** codes to ensure compliance with the applicable rules and regulations as set forth by this Article.

**BO: Add "and energy" to the 1<sup>st</sup> sentence. The State of Texas requires that we enforce energy codes as well as the others stated.**

#### Sec. 3.02.004. - Permit required

It shall be unlawful for any person to start construction on a new building, remodel or alter an existing building, place a storage building upon a home site, install a mobile home, install a septic or sewer system, install a swimming pool, install a fence, perform any electrical, plumbing or mechanical work on any structure, or demolish any structure, without first obtaining a permit for such work. **Refer to 2015 IRC R105.2 to reference what does not require a permit.**

**BO: We have the 2015 IRC adopted and R105.2 shows what does not require permits. We need to refer to the IRC language**

#### Sec. 3.02.005. - Plans, specifications and surveyed plot plan required

The City Building Official shall require that his office be provided with the following:

## Recommended Ordinance Updates for Construction, Housing and Zoning

- (1) Plans and specifications to include the front, side and rear elevations, **foundation plan** and a detailed floor plan of the proposed structure.
- (2) A plot plan of the subdivision with the subject lot identified on the plot.
- (3) A survey showing the location of the proposed structure upon the lot in reference to all property boundaries, **setback and/or easements**.
- (4) A survey reflecting the approximate location of the septic system in relation to the proposed structure and the property lines.

**BO: Add "foundation plan" to (1) as all new home construction must have a State of Tx stamped plan. Also add "setback and/or easements" to (3). We need all the information on the survey we can get so we can make an informed decision.**

### Sec. 3.02.006. - Permit procedures; stop work orders

(c) *Approval of plans and specifications.* All plans and specifications must be approved by the City Building Official prior to the issuance of any permit required by this Article. ~~In addition, the County Fire Marshal must review and approve all commercial construction permits in the interest of fire safety and seating capacity.~~

**BO: Remove the last sentence requiring County Fire Marshal to review commercial plans. The Building Official should have the knowledge of fire safety and load requirements as shown in the 2015 IBC**

(f) *Expiration of permit.* All permits shall expire and be considered no longer valid ~~one year + 180 days after issuance, unless construction work there under has actually started before the expiration of such period of time. In addition, construction must be completed within one year from the date of issuance of the building permit.~~ The Building Official is authorized to waive these provisions if, in his opinion, the situation warrants such waiver without fee.

**BO: This needs to be 180 days flat because it will be nearly impossible to determine when all projects in the city have started. The contractor/owner can ask for a one-time extension of 180 days without fee. The second and subsequent requests for extension will require fee and inspection.**

*DH suggested adjustment*

### Sec. 3.02.007. - Permit fees

#### (1) New residential construction.

- a. Includes single- and multiple-family residences.

## Recommended Ordinance Updates for Construction, Housing and Zoning

b. Square footage includes all under-roof construction. Multi-story structures shall be calculated as above for each occupied floor and the sum of all floor area shall be construed as the aggregate area.

c. Fees to be paid by individual contractors upon application for a permit are as follows:

1. Building: \$0.06 per square foot (\$25.00 minimum).
2. Foundation: \$64.00 (each inspection).
3. Framing: \$40.00 (one phase inspection).
4. Insulation: \$40.00 (one phase inspection).
5. Wallboard: \$40.00 (one phase inspection).
6. Electrical: \$160.00 (four phase inspection).

*BO: Add a wallboard inspection to new construction because we should be inspecting it per 2015 IRC.*

### **(2) New commercial construction.**

- a. Building: \$0.08 per square foot (minimum \$48.00).
- b. Foundation: \$64.00 (each inspection).
- c. Framing: \$40.00 (one phase inspection).
- d. Electrical: \$160.00 (four phase inspection).
- e. Plumbing: \$120.00 (three phase inspection).
- f. Mechanical: \$80.00 (two phase inspection).

g. Wallboard: \$40.00 (one phase inspection).

h. Sprinkler system: \$64.00 (one phase inspection).

*BO: Add a wallboard inspection to new construction because we should be inspecting it per 2015 IBC*

### **(6) Residential/commercial remodel, renovation and alteration.**

a. Residential.

1. Building: \$0.06 per square foot (\$50.00 minimum).
2. Foundation: \$64.00 (each inspection).
3. Framing: \$40.00 (each phase inspection).
4. Electrical: \$40.00 (each phase inspection).

## Recommended Ordinance Updates for Construction, Housing and Zoning

5. Plumbing: \$40.00 (each phase inspection).

6. Mechanical: \$40.00 (each phase inspection).

**7. Wallboard: \$40.00 (one phase inspection).**

**8. Certificate of occupancy: \$40.00 (one phase inspection).**

**BO: Add a wallboard inspection to new construction because we should be inspecting it per 2015 IRC/IBC**

### **(7) Swimming pools.**

a. Flat rate fee for each swimming pool: ~~\$80.00~~ \$160.00

b. Includes **a layout inspection**, a rough-in inspection of the steel **bonding**, high/low voltage electrical, **deck bonding and plumbing** and then a final inspection of the security fencing, ~~electrical system and security fencing~~. pool barriers and the required window and door alarms that comply with ASTM f2090.

**BO: Change rate of swimming pools due to fact there must be so many inspections for a pool. The current price does not cover the required inspections. We should always conduct a layout inspection to verify the pool is in the correct location. Then when the shell is done, we check shell bonding with stingers and low voltage conduit along with verifying a water bond in the skimmer or at the equipment. We will also verify a halo bond is installed with deck bonding and any other metal parts within 5' of waters edge. Then the final requires fencing and alarms and verifying all pool equipment is bonded.**

*DH Suggestion of final inspection of security fencing*

### **Sec. 3.02.008. - Certificate of occupancy; required inspections**

*(b) Required inspections.*

(1) Building:

a. Survey plan setback lines.

b. Foundation and steel.

c. Framing.

d. Insulation.

**e. Wallboard**

**f. Masonry/fireplace.**

**g. Driveways and flatwork.**

**h. Final and certificate of occupancy.**

## Recommended Ordinance Updates for Construction, Housing and Zoning

### (2) Electrical:

- a. TBM (temporary building meter/pole).
- b. Rough-in.
- c. Conditional final.
- d. Final.

### **e. Electrical service**

### (3) Plumbing/gas:

- a. Rough-in
- b. Top out (stack)
- c. Final.

### (4) Mechanical:

- a. Mechanical rough-in.
- b. Mechanical final.

### **(5) Energy final**

### **(6) Miscellaneous inspections:**

- a. Accessory building.
- b. Garage/carport additions (attached or detached).
- c. Blasting.
- d. Fence.
- e. Swimming pools.
- f. Other.

**BO: Add "wallboard, electrical service and energy final inspections to the required inspections for new homes.**

### **Sec. 3.02.012. - Sanitation facilities on construction sites**

Temporary sanitation facilities shall be required on all construction sites **and shall not be placed on the public street.**

## Recommended Ordinance Updates for Construction, Housing and Zoning

**BO:** *I have recently had issues with contractors placing port a johns on the street which is a risk for storm water drainage. They should all be on a controlled lot.*

### **Sec. 3.02.015. - Swimming pool fencing**

(a) All outdoor swimming pools of a permanent or semi-permanent construction having a depth of more than 14 inches, whether constructed above or below the ground, shall be enclosed by a fence installed in accordance with Chapter 3 Sec.305 Barrier Requirements of the 2018 International Swimming Pool and Spa Code ISPSA per State of Texas. ~~Appendix B, Section B105, of the International One and Two Family Dwelling Code, 2000 edition.~~ At no time shall the fence be in conflict with or violation of existing ordinances setting out clearances around fire hydrants or clearances from street corners or ordinances touching upon sight clearances.

**BO:** *Replace verbiage with " Ch. 3 Sec. 305 Barrier Requirements of the 2018 International Swimming Pool and Spa Code ISPSA per State of Texas"*

Aug 12, 2019 — Texas passed HB 2858 to improve safety of pools and spas throughout the state.

### **Sec. 3.02.051. - Residential construction**

All design, construction, quality of material, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of one- and two-family dwellings and townhouses not more than three stories in height in the City and providing for the issuance of permits and the collection of fees therefor; and each of all the regulations, provisions, conditions and terms of the International Residential ~~Code For~~ One- and Two-Family Dwellings Code, 2015 edition, International Energy Conservation Code, 2015, published by the International Code Council, on file in the office of the City, are hereby referred to, adopted and made part hereof as if fully set out in this Article, with amendments thereto.

**BO:** *Add "Code For" and remove "Code" at the end of the code title to be correct in our terminology.*

### **Sec. 3.02.052. - Commercial construction**

All design, construction, quality of material, erection, installation, alteration, repair, location, relocation, replacement, or addition to commercial property in the City and providing for the issuance of permits and the collection of fees therefor; and each of all the regulations, provisions, conditions and terms of the International Building Code, 2015 edition, ~~International Energy Conservation Code, 2015 edition~~ published by the International

## Recommended Ordinance Updates for Construction, Housing and Zoning

Code Council, and the ADA and 2012 TAS standards, on file in the office of the City, are hereby referred to, adopted and made part hereof as if fully set out in this Article.

**BO:** Add "International Energy Conservation Code, 2015 edition" to be in compliance with State

**Also ADA Compliance Regulations as approved by P&Z and City Council.**

### Sec. 3.02.101. - Residential construction

**Standards.** All plumbing work performed within the City limits must be in compliance with the ~~International One and Two-Family Dwelling Code, 2015 edition.~~ **International Residential Code For One and Two-Family Dwellings, 2015 edition**

**BO:** Make the above correction to have accurate title of publication

### Sec. 3.02.151. - Electrical code; permits

(a) **Standards.** All electrical work performed within the City limits must be in compliance with the National Electrical Code, ~~2014 edition~~ **2023 edition per TDLR**. The Building Inspector may authorize minor deviations from the code as long as the work is considered safe and durable and within the intent of the code.

(b) **Application for permit; bond.** All applications for electrical permits must be personally made by a licensed electrical contractor or licensed electrician ~~The City will accept electrical licenses that are current from any other City provided the appropriate surety bond has been posted with the Building Official.~~

**BO:** Remove "2014 edition" and replace with " 2023 edition per TDLR". The State of Texas minimum requirement for electrical is the 2023 NEC.

**The licenses for Electricians are state issued by TDLR. Remove language for city licensing. Makes it confusing.**

### Sec. 3.02.201. - Residential construction

(a) **Standards.** All mechanical work done within the City limits must be in compliance with the International Residential ~~Code For One- and Two-Family Dwellings Code,~~ 2015 edition. The Building Inspector may authorize minor deviations from the code as long as the work is safe, durable and within the intent of the code.

**BO:** Make above change to reference correct document title.

### Sec. 3.02.251. - Residential construction

(a) **Standards.** All gas work performed within the City limits must be in compliance with the International Residential ~~Code For One- and Two-Family Dwelling Code,~~ 2015 edition. The

## Recommended Ordinance Updates for Construction, Housing and Zoning

Building Inspector may authorize minor deviations from the code as long as the work is considered safe, durable and within the intent of the code.

**BO: Make above change to reference correct document title.**

### Sec. 3.02.301. - Application for permit; blasting permit; penalty.

(a) All applications for permits must be made by the homeowner or the contractor who will perform the work. Should blasting be required for the installation of said system, a permit must be issued in compliance with [Article 3.07](#).

(b) The same penalties shall apply as set forth in [Section 3.02.001](#) of this Article for any violations of the sewer/septic system requirements.

(Ord. No. 4-1, part VIII, § I, 6-13-02)

### Sec. 3.02.303. - On-site sewage facilities.

(a) *Generally.* Where the sanitary sewer is not available, septic systems ~~may~~ **shall** be installed as provided herein according to the plans and specifications as outlined below.

(b) Location near flood area. If the septic system is located within 75 horizontal feet from the 50-year flood level (the 642 elevation line) of Lake Belton, the applicant must get approval from the Corps of Engineers prior to the installation of the system.

(c) Construction standards. Construction standards for on-site sewerage facilities adopted by the Texas State Commission on environmental quality on May 23rd, 2001, ~~and~~ ~~or~~ the most current rules reviewed and approved enforced by the Bell County Public Health District, are further adopted by the City without change prior to the application for permit, and made effective within the City by this Article.

(d) Application for permit.

(1) The application for sewer/septic permit called for by [Section 3.02.301\(a\)](#) shall be known as application for permit to construct on-site sewage facility (OSSF).

(2) A completed site evaluation form which has been approved by a registered professional engineer or a qualified site evaluator must be submitted with the application for OSSF permit.

(3) The application must include a water line locator form as provided by the City.

(4) Application for an OSSF permit must show that the facility and proposed OSSF will meet the requirements for estimated daily sewage flow, application rate and all applicable setback requirements.

## Recommended Ordinance Updates for Construction, Housing and Zoning

(5) Each builder, whether a general contractor or subcontractor, who applies for this permit must have in his possession a copy of the publication referred to in subsection (c) above, and each builder shall confirm in writing on the application form that he has the publication in his possession.

(e) Cesspools and seepage pits prohibited. Cesspools and seepage pits will not be used or approved within the City limits.

(f) Plot plan. All requests for sewer/septic permits which contemplate installation or alteration of septic systems will be accompanied by a plot of the building site showing the exact location of the sewer/septic system.

(g) Penalties. Penalties shall apply as reflected in [Section 3.02.001](#) of this Article for any violations of the sewer/septic system requirement.

(Ord. No. 4-1, part VIII, § III, 6-13-02)

**BO:** Remove "may" and add "shall". There is no other option other than city sewer and OSSF

**CC:** Per City Council review and recommended edits to (c) above at 2/10/2026 meeting..

### Sec. 3.02.351. - One- and two-family dwelling code

The City adopts the International Residential **Code For One- and Two-Family Residential Building Code Dwellings** with the following changes:

**BO:** Make above change to reference correct document title

~~(E) Page 89, R403.1.6, Foundation anchorage:~~

~~Delete: Shall extend a minimum of 7 inches into masonry or concrete:~~

~~Insert: 1/2" x 8" anchors shall extend a minimum of 6 inches into masonry or concrete and be placed within 12 inches of every exterior corner and plate end, and not more than 6 feet on-center on all exterior plates:~~

**BO:** Why. Delete deletion. This is less restrictive and there is an inch less of uplift protection.

## ARTICLE 3.03. - HOUSING CODE

### Sec. 3.03.003. - Scope; designation of Building Official

~~(c) The City Manager is referred to in this Code as the "Building Official." The City Manager Building Official may delegate his responsibility to the City Building Inspector or other City employee as he deems appropriate.~~

**BO:** Remove 1<sup>st</sup> sentence and the position City Manager in the second sentence and replace with Building Official

## Recommended Ordinance Updates for Construction, Housing and Zoning

### Sec. 3.03.004.- Penalty

Whenever in this Code or in any ordinance of the City an act is prohibited or is made or declared to be unlawful or an offense or a misdemeanor, or wherever in such code or ordinance the doing of any act is required or the failure to do any act is declared to be unlawful, and no specific penalty is provided therefor, the violation of any such provision of this Code or any such ordinance shall be punishable by a fine not to exceed \$1,000.00 in all cases arising under the ordinances of the City that govern fire safety, zoning and public health and sanitation, other than vegetation and litter violations, ~~and not to exceed \$200.00 in all other cases~~; provided that no penalty shall be greater or less than the penalty provided for the same or a similar offense under the laws of the State. Each day or fractional part thereof any violation of this Code or of any ordinance shall continue shall constitute a separate offense.

*BO: Remove "and not to exceed \$200.00 in all other cases" to keep simple. Litter violations are one of the smallest violations of housing code but is shown under \$1000 fine.*

### Sec. 3.03.031. - Created; membership; hearings.

(a) There ~~may be~~ ~~is hereby~~ established in the City a board, ~~in lieu of City Council acting in this capacity,~~ to be called the Housing Board of Adjustments and Appeals, hereinafter referred to within this Article as the Housing Board, which shall consist of five members. The members of the Housing Board shall be appointed by the City Council.

(b) Of the members first appointed, two shall be appointed for a term of one year, two for a term of two years, and one for a term of three years, and thereafter they shall be appointed for terms of four years. Vacancies shall be filled for an unexpired term in the manner in which original appointments are required to be made. ~~Consecutive~~ ~~Continued~~ absence of any member from ~~3.(three)~~ regular meetings of the Housing Board shall render any such member liable to immediate removal from office. Any member of the Housing Board may be removed at any time by a majority vote of the City Council for inefficiency, neglect of duty or malfeasance in office.

(c) Three members of the Housing Board shall constitute a quorum. In varying the application of any provision of this Article or in modifying an order of the Building Official, affirmative votes shall be required. No Housing Board member shall act in a case in which he has a personal interest.

## Recommended Ordinance Updates for Construction, Housing and Zoning

(d) The ~~Building Official~~ City Secretary or designee shall act as Secretary to the Housing Board and shall make a record of all its proceedings.

(e) The Housing Board shall elect a ~~ChairPerson~~ chairman from among its members.

(f) The Housing Board shall establish rules and regulations for its own procedure and for the conduct of hearings not inconsistent with the provisions of this Article. The Housing Board shall meet at regular intervals to be determined by the ~~ChairPerson~~ Chairman, or, in any event, the Housing Board shall meet within ten days after a notice of appeal has been received.

**BO: Do we need to create a Housing Board or can City Council act as Board? Per City Counsel, no need for board at this time.**

**Suggest removing "Building Official" from (d) and replace with City Secretary or designee. The Building Official will be too busy presenting a housing case to the Board to be able to record the minutes of the meeting as well.**

### Sec. 3.03.061. - Duties of Building Official

The Building Official, or his designee, is hereby charged with the duty of enforcing this housing code. For the purposes of the housing code, his ~~designates~~ designate may include the ~~Fire Marshal~~ Director of Emergency Services, Fire Chief, Police Chief or City Manager.

**BO: I was told we do not have an active Fire Marshal for MPR. Suggest removing Fire Marshal and replacing with Fire Chief, Police Chief or City Manager so we have someone that can perform the BO duties in his/her absence.**

*DH Suggestion to include Director of Emergency Services*

### Sec. 3.03.063. - Notice of violation—Service on owner

(c) The notice shall state that, if such repair, reconstruction, alteration, removal or demolition is not voluntarily completed within the stated time as set forth in the notice, the ~~Housing Building~~ Building Official shall schedule the subject property for presentation to the Housing Board of Adjustments and Appeals for their review and decision. The owner and all others with legal interest in the property, as shown by deed records of the County, shall be notified of the date, time and place of the hearing of such case presentation. This notification shall be by certified mail.

**BO: Remove term "Housing" Official and replace with "Building" Official. Its better having a SPOC instead of a Building Official, Housing Official, Health Official, Code Official, etc.**

*DH Suggestion required by certified mail*

## Recommended Ordinance Updates for Construction, Housing and Zoning

~~(3) By publication of such notice in a newspaper of general circulation not less than three times within a 15-day period. This form of notice shall only be used when notice as provided in subsections (1) and (2) above is unobtainable. By posting such notice on or at the property in question.~~

**BO: Remove all language in number 3 and add "By posting such notice on or at the property in question". The state of Texas says by registered mail alone it is considered delivered. Removing would save the city money.**

### CHAPTER 214. MUNICIPAL REGULATION OF HOUSING AND OTHER STRUCTURES

(r) When a municipality mails a notice in accordance with this section to a property owner, lienholder, mortgagee, or registered agent and the United States Postal Service returns the notice as "refused" or "unclaimed," the validity of the notice is not affected, and the notice is considered delivered.

#### Sec. 3.03.101. - Notice of appeal.

~~(a) The Housing Board shall require any appeal by the owner to go directly to District Court, have the power, and it is hereby authorized, to hear any person who may appeal from any decision of the Building Official with respect to the repair, vacation, or demolition of any building, or portion thereof.~~

(b) **Owner** appeal shall be made by written statement, original and two copies, addressed to the board and mailed or delivered in person to the Secretary of the Building Official within ten days after receipt of his final written decision.

(c) **Owner** appeal to the Housing Board shall operate as a stay against all proceedings under the notice of the Building Official until the Housing Board renders a decision.

(d) Upon receipt of the written notice of appeal, the Building Official shall notify the chairman of the Housing Board. The chairman shall call a meeting of the Housing Board to be held within ten days after receipt of the notice of appeal.

(Ord. No. 4-20, § 1-031, 12-14-89)

**CC: City Council meeting on 2/10/2026 adjustment to require owner to go directly to District Court for ruling instead of appealing to City Council, since they act as the Housing Board.**

#### Sec. 3.03.102. - Demolition of property

~~(a) In all instances where the decision of the Building Official requires demolition of property and where, although notice of such order is sent, neither appeal from such order nor compliance with the terms of such order is had, the Building Official shall, after the date set out for the initiation of compliance with the order has passed, file an appeal for such person for the purpose of having such decision reviewed by the Housing Board. The appeal shall be~~

## Recommended Ordinance Updates for Construction, Housing and Zoning

~~filed in the name of the owner of the property ordered demolished and the Building Official shall notify the owner of such action and the time, date and place of the hearing.~~

~~(b) When the Building Official appeals a case in which demolition is required, he shall cause to be printed in a newspaper of the County a list of such buildings, which shall have a heading describing the hearing, the purpose thereof, and the date thereof and shall list all buildings by street address, lot, block, and subdivision, and the owner's name as per tax records of the City.~~

**BO: Remove entire section of 3.03.102. Sec 3.03.101 has the Notice of Appeal procedures that are available to the violators. This is a lot of unnecessary work and cost to city and no other local cities offer this.**

Chapter 214 The Texas Housing Code does not specifically require a Building Official to file an appeal for a demolition order.

### Sec. 3.03.103. - Conduct of hearing

(a) Upon receipt of the notice of appeal, the Building Official shall give written notice to the owner, occupant, mortgagee, and/or all other persons having an interest in the building to appear before the Housing Board on the date specified in the notice to show cause why the order contained in the notice of the Building Official should not be complied with. Such written notice may be ~~served by any Police or Warrant Officer of the City or any other persons of good character or may be sent via Certified mail. the United States mail.~~

**BO: If sending by mail is sufficient then it makes sense to reduce cost by removing requirement for someone to physically serve the notice.**

*DH suggestion by Certified Mail not US mail*

### Sec. 3.03.106. - Appeal to City Council

~~(a) The City Council shall review every case involving a decision of the Housing Board requiring demolition of property for the limited purpose of determining if there is substantiated evidence to support the findings and decision of the Housing Board. The aggrieved party shall file with the City Secretary a written notice of appeal to the City Council within ten days after rendition of the decision of the City Council. City Council may act as the Housing Board of Adjustments. Housing Board. If the aggrieved party shall fail or refuse to do so, then the Building Official shall file a notice of appeal for him.~~

## Recommended Ordinance Updates for Construction, Housing and Zoning

**BO:** Why have Council review every Demo order. They should review appeals received from the violators. They should have confidence in the expert witness of the Building Official and prior proceedings with the Housing Board.

Also, they have the opportunity to file an appeal themselves. The state does not require the Building Official to file the appeal for them as shown above

*DH Suggestion to removing Housing Board and adding that City Council may as the Housing Board of Adjustments*

### **Sec. 3.03.152. - Space and egress requirements**

~~(b) Every dwelling shall contain at least 150 square feet of floor space plus 100 square feet of floor space for each occupant, the floor space to be calculated on the basis of total habitable room area~~

**BO:** Remove all language in Sec 3.03.152 (b). This contradicts the requirements of Zoning Appendix B Table 10.1 Area Regulations. Minimum of any dwelling is 800 square feet

~~(c) Floor area shall be calculated on the basis of habitable room area. However, the closet area and hall area within the dwelling, where provided, may count for not more than ten percent of the required habitable floor area~~

**BO:** Remove second sentence regarding closet and hall allowed as habitable space. Contradicts adopted 2015 IRC Ch. 2 Definitions, "Habitable Space". A space in a building for living, sleeping, eating or cooking. Bathrooms, toilet rooms, closets, halls, storage or utility spaces and similar areas are not considered habitable spaces.

## CHAPTER 6 HEALTH AND SANITATION

### ARTICLE 6.02. - HEALTH OFFICER-BUILDING OFFICIAL

*BO: Remove "Health Officer" and replace with "Building Official" for consistency.*

#### **Sec. 6.02.001. - ~~Office created; appointment; term~~ Employment of Building Official**

~~There is hereby created the office of Health Officer, an executive office of the City. He shall be appointed by the City Council for a term of two years or until his successor is appointed. The initial term shall begin upon passage of this Article and shall terminate June 1, 1985. Thereafter the term shall expire on June 1 in each odd-numbered year. The City of Morgan's Point Resort has a resident representative on the Bell County Public Health District Board. The position of Building Official will be at-will employment with the city of MPR~~

*BO: Remove requirement for the Building Official to be appointed. The BO will be hired for employment by the City of MPR.*

*CC: Per City Council meeting of 2/10/2026, inserted wording for representative on the Bell County Public Health District Board.*

#### **Sec. 6.02.002. - Duties**

It shall be the duty of the ~~Health Officer~~ Building Official to enforce all ordinances containing provisions for the protection of public health, and to make inspections of foodstuffs and of the premises used for storing or selling of provisions as may be provided by ordinance, and he shall perform such other duties and functions as may be required by statute or ordinance

*BO: Replace Health Officer with Building Official for consistency.*

#### **~~Sec. 6.02.003. - Enforcement of rules and orders of Board of Health~~**

~~The Health Officer shall enforce all the rules and orders of the Board of Health and shall attend the meetings of said board when requested to do so by the presiding officer.~~

*BO: MPR does not have an active Board of Health. Sec 6.02.002 describes duties of Building Official regarding enforcing adopted statutes or ordinances.*

#### **Sec. 6.02.004. - Reports and recommendations**

The ~~Health Officer~~ **Building Official** shall make such reports to the City Council as may be required. He shall also make recommendations for rulings, orders or ordinances respecting the public health whenever he is requested to do so, or whenever he deems it necessary or advisable.

**BO: Replace Health Officer with Building Official for consistency.**

#### **Sec. 6.04.002. – Enforcement**

(a) The ~~Chief of Police~~ **Building Official** is hereby designated and charged with enforcing the procedures for abating nuisances under this Article and shall hereinafter be referred to as the "~~Health Official~~" **Building Official**. The ~~Health Official~~ **Building Official** shall conduct administrative hearings as provided by this Article.

(b) The Police Department and its members are hereby authorized under the direction of the ~~Health Official~~ **Building Official** to administer the procedures under this Article, except that any authorized person may abate the nuisance.

(c) The ~~Health Official~~ **Building Official**, police officers, or an authorized designee of the ~~Health Official~~ **Building Official** may enter onto or into, **after proper notice**, any private property for the purposes of enforcing this Article in both discovery and abatement if probable cause exists for such belief.

**BO: Remove the requirement of Health Official to be the Chief of Police. Also replace all instances of the position Health Official with Building Official for consistency.**

**CC: Per City Council meeting, we need to indicate proper notice prior to entry into the building. Sec.**

#### **6.04.004. - Prohibited conditions.**

(a) Whatever is dangerous to human health or welfare, or whatever renders the ground, the water, the air, or food a hazard to human health, is hereby declared to be a public health nuisance.

(b) a person may not cause, permit, or allow a public health nuisance described under subsection (c) of this Section on any property or premises within the City limits.

(c) The following specific acts, conditions, and things are declared to constitute public health nuisances [and] are unlawful:

(1) The deposit or accumulation of any filth, carrion, foul, decaying, or putrescent substance or other impure, unwholesome or offensive matter in or upon any building, establishment, ground, property, lot, or street, or in or upon any public or private place, in such a way as to become offensive or objectionable, the overflow of any foul liquids, or the escape of any gases, dusts, fumes, mists, and sprays to such an extent that the same, or any one of them, shall become or be

likely to become hazardous to health or a source of discomfort to persons living or passing in the vicinity thereof;

(2)A polluted well, or cistern, spring, or stream, or the pollution of any body of water used for drinking purposes;

(3)Keeping any building or room in such a state of uncleanness or the crowding of persons in any building or room in such a manner as to endanger the health of the persons dwelling therein;

(4)Allowing cellars, temporary tents or sheds, and/or mobile campers to be used as sleeping rooms. [However, short term rv and mobile campers stays of 14 days or less does not constitute a violation](#);

(5)A building or portion of a building occupied as a dwelling which is not provided with a plentiful supply of pure water directly into the structure via municipal water services;

(6)A building or portion of a building occupied as a dwelling which is not lighted and ventilated by means of at least one window, opening to the outer air, in each room, except windowless rooms which have an approved mechanical ventilation system capable of a change of air every 30 minutes and artificial light provides illumination of six footcandles over the area of the room at a height of 30 inches;

(7)The accumulation of manure, unless it is in a properly constructed container or has been distributed over a yard for fertilization purposes;

(8)Permitting the existence of weeds, brush, rubbish, and all other objectionable, unsightly, or insanitary matter covering or partly covering the surface of any property, lots, or parcels of real estate situated within the City limits. A primitive lot with natural growth and vegetation does not constitute a violation of this Section unless it proves to be a health hazard [and/or wildfire hazard](#) based upon the decision of the official and deemed as such;

(9)Permitting property, lots, or parcels of real estate situated within the City limits to have the surface thereof filled or partly filled with holes or be in such condition that the same holds or is liable to hold stagnant water therein, or from any cause be in such condition as to be liable to cause disease or produce, harbor, or spread disease germs of any nature or tend to render the surrounding atmosphere unhealthy, unwholesome, offensive, or obnoxious;

(10)Permitting the accumulation or collection of any water, stagnant, linger [sic] otherwise, in which the mosquito breeds or which may become a breeding place for mosquitoes;

(11)Permitting the detectible presence of urine or the presence of feces, vomit, and other bodily fluids in or upon any property, including [streets](#) any walkway adjacent to any paved portion of a street abutting the property that may be accessible to the public in such a manner that the presence of any of the foregoing may be detected in the vicinity of the property.

[CC: Adjustments by City Council from their meeting of 2/10/2026](#)

(Ord. No. 14-24, § 14-24d, 12-9-99)

**Sec. 6.04.006. - Notice to abate**

(a) Whenever any public health nuisance exists on property or premises within the City limits in violation of ~~Section 6.04.004~~ of this Article, the ~~Health Official~~ **Building Official** shall provide ~~seven 7~~ **to 30 days depending on extent of violation, violators resources, etc.** written notice to abate the public health nuisance to the owner or occupant of the property or premises.

(b) The notice to abate shall be sent by certified mail, return receipt requested, to the owner or occupant of any property or premises within the City limits on which the public health nuisance exists **and a posting of such notice will be placed on or at the property in question.**

***BO: Add a timeframe to abate a property instead of just setting a time limit across the board. Abatement is not limited to a small task. One property may need the front yard abated, but another property needs to abate 5 acres. You cannot abate 5 acres in 7 days reasonably.***

***Add posting an abatement notice at the property as I post all notices on the properties in question. It alleviates the question of reasonable service to the owner***

**Sec. 6.04.007. – Citations**

The ~~Health Official~~ **Building Official** or his designees are authorized to issue a citation to any person who violates the provisions of ~~Section 6.04.004~~ of this Article

***BO: Replace Health Official with Building Official for consistency.***

**Sec. 6.04.010. - Abatement of dangerous weeds without notice**

(4) An explanation that the property owner has a right to request an administrative hearing by filing a written request with the ~~Health Official~~ **Building Official** not later than the 30th day after the date of the abatement of the weeds

***BO: Replace Health Official with Building Official for consistency.***

~~**Sec. 6.04.011. - Administrative hearing on abatement of weeds.**~~

~~(a) The Health Official shall conduct an administrative hearing on the abatement of the weeds under this Article if, not later than the 30th day after the date of the abatement of the weeds, the property owner files with the Health Official a written request for a hearing.~~

~~(b) The hearing before the Health Official shall be conducted not later than the 20th day after the date a request for a hearing is filed.~~

~~(c) The property owner may testify or present any witnesses or written information relating to the City's abatement of the weeds.~~

~~(d) The City may assess expenses and create liens under this Section as it assesses expenses and creates liens under this Article~~

***BO: Remove all language of Sec. 6.04.011. We have not created this process. We will utilize the Municipal Court that is provided rather than creating more work for everyone that is just not needed.***

#### **Sec. 6.04.012. - Assessment of City's expenses; lien**

(b) To obtain a lien against the property, the Health Official **Building Official or City Secretary** shall file a statement of expenses with the County Clerk.

***BO: Remove "Health Official" and replace it with "Building Official or City Secretary".***

#### **Sec. 6.04.013. - Criminal penalty**

(a) Procedures for abatement and removal of a public health nuisance by the Health Official **Building Official** under this Article are independent and cumulative of criminal penalties provided herein.

***BO: Replace Health Official with Building Official for consistency.***

#### **Sec. 6.05.001. - Definitions**

***Exterior storage*** means storage of goods or items such as household goods, tools, building materials or other items intended to be stored indoors.

***BO: Add the definition exterior storage because a lot of time people are storing items outside that may not necessarily be litter, rubbish, refuse, etc. This allows Code Enforcement to address this common issue.***

~~**Handbill, commercial** means any printed or written matter, any sample or device, dodger, circular, leaflet, pamphlet, paper, or booklet, or any other printed or otherwise reproduced original or copies of any matter of literature:~~

~~(1) Which advertises for sale any merchandise, product, commodity, or thing;~~

~~(2) Which directs attention to any business or mercantile or commercial establishment, or other activity, for the purpose of either directly or indirectly promoting the interest thereof by sales;~~

~~(3) Which directs attention to or advertises any meeting, theatrical performance, exhibition, or event of any kind for which an admission fee is charged for the purpose of private gain or profit; but the terms of this clause shall not apply where an admission fee is charged or a collection is taken up for the purpose of defraying the expenses incident to such meeting, theatrical performance, exhibition, or event of any kind when either of the same is held, given or takes place in connection with the dissemination of information which is not restricted under the ordinary rules of decency, good morals, public peace, safety and good order; provided that nothing contained in this clause shall be deemed to authorize the holding, giving or taking place of any meeting, theatrical performance, exhibition, or event of any kind without a license where such license is or may be required by any law of this State or ordinance of this City; or~~

~~(4) Which, while containing reading matter other than advertising matter, is predominantly and essentially an advertisement, and is distributed or circulated for advertising purposes, or for the private benefit and gain of any person so engaged as advertiser or distributor.~~

~~**Handbill, noncommercial** means any printed or written matter, any sample or device, dodger, circular, leaflet, pamphlet, newspaper, magazine, paper, or booklet, or any other printed or otherwise reproduced original or copies of any matter of literature not included in the definition of a commercial handbill or newspaper.~~

***BO: Remove verbiage referring to Handbills. This is not a common practice anymore.***

#### **Sec. 6.05.008. - Throwing from vehicle**

~~No person, while a driver or passenger in a vehicle, shall throw or deposit litter upon any street or other public place within the City or upon private property.~~

***BO: Remove Sec 6.05.008. This is not a housing violation, but rather a moving violation***

#### **Sec. 6.05.009. - Litter blown from or deposited by vehicle**

~~No person shall drive or move any truck or other vehicle within the City unless such vehicle is so constructed or loaded as to prevent any load, contents or litter from being blown or deposited upon any street, alley or other public place.~~

**BO: Remove Sec 6.05.009. This is not a housing violation, but rather a moving violation**

**Sec. 6.05.012. - Distribution of handbills**

~~(a) Depositing in public place. No person shall throw or deposit any commercial or noncommercial handbill in or upon any sidewalk, street or other public place within the City.~~

~~(b) Placing under windshield wiper of vehicles. No person shall throw or deposit any commercial or noncommercial handbill under the windshield wiper of any vehicle.~~

~~(c) Depositing on uninhabited or vacant premises. No person shall throw or deposit any commercial or noncommercial handbill in or upon any private premises which are temporarily or continuously uninhabited or vacant.~~

~~(d) Distributing or depositing at posted premises. No person shall throw, deposit or distribute any commercial or noncommercial handbill upon any private premises, if requested by anyone thereon not to do so, or if there is placed on such premises in a conspicuous position near the entrance thereof a sign bearing the words: "No Trespassing," "No Peddlers or Agents," "No Advertisements," or any similar notice indicating in any manner that the occupants or owners of such premises do not desire to be molested or have their right of privacy disturbed, or to have any such handbills left upon such premises.~~

~~(e) Depositing at inhabited private premises:~~

~~(1) Generally. In case of inhabited private premises which are not posted, any person, unless requested by anyone upon such premises not to do so, may place or deposit any such handbill in or upon such inhabited private premises, if such handbill is so placed or deposited as to secure or prevent such handbill from being blown or drifted about such premises or sidewalks, streets, or other public places, and except that mailboxes may not be so used when so prohibited by Federal postal law or regulations.~~

~~(2) Exemption for mail and newspapers. The provisions of this Section shall not apply to the distribution of mail by the United States, nor to newspapers, except that newspapers shall be placed on private property in such a manner as to prevent their being carried or deposited by the elements upon any street, sidewalk or other public place, or upon private property.~~

**BO: Remove verbiage referring to Handbills. This is not a common practice anymore**



Chapter 14 -

APPENDIX B. - ZONING ORDINANCE

Section 3. - Definitions

~~Approved Fence Materials: materials normally manufactured for, used as, and recognized as, fencing materials such as: wrought iron or other decorative metals suitable for the construction of fences, fired masonry, concrete, stone, metal tubing, wood planks, chainlink and vinyl composite manufactured specifically as fencing materials. Fence materials must also be materials approved for exterior use that are weather and decay-resistant. The provisions of this Ordinance are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this Code, provided that any such alternative has been approved by the Building Official, or his designee. An alternative material, design or method of construction shall be approved where the Building Official finds that the proposed design is satisfactory and complies with the intent of the provisions of this Code, and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this Ordinance in quality, strength, effectiveness, fire resistance, durability, and safety.~~

*BO: Remove definition. HB 2439 removed the city's ability to regulate materials.*

~~Building: Any structure intended for shelter, occupancy, housing or enclosure for persons, animals or chattel. When separated by dividing walls without openings, each portion of such structure so separated shall be deemed a separate building.~~

*BO: We need to use the definitions as shown in the IRC as much as possible for consistency.*

2015 IRC- Building shall mean any one- and two-family dwelling or portion thereof, including townhouses, that is used, or designed or intended to be used for human habitation, for living, sleeping, cooking or eating purposes, or any combination thereof, and shall include accessory structures thereto

~~Carport: Is defined as a detached structured that is open on all sides designed or used to shelter vehicles.~~

*BO: A carport can be attached to a structure and still be considered a carport. I suggest replacing this verbiage and replacing it with verbiage from IZC*

2015 IZC- A carport is a structure that is open on not less than 2 sides and has floor surfaces made of approved noncombustible material. Carports that are not open on two or more sides must comply with garage regulations.

~~Certificate of Occupancy: An official certificate issued by the City through the Building Official for the approved use and occupancy which indicates conformance with or approved conditional waiver from the zoning regulations and authorizes legal use of the~~

~~premises for which it is issued; may be referred to as an Occupancy Permit. that the structure complies substantially with the plans and specifications that have been submitted to, and approved by the City.~~

*BO: I suggest the additions to be more specific about what a C of O is*

~~City Building Official: City Manager of the City of Morgan's Point Resort, Texas. The City Building Official shall perform all the duties necessary for the processing of permit applications. The City Building Official has the duty to receive, review, approve, modify or reject all applications for the issuance by the City of Building permits. No building permit shall be issued without the written approval of the Building Official. The Building Official shall have the authority to grant variances on setback lines and, side and rear lot lines. The City Building Official may also perform the duties of City Building Inspector.~~

*BO: Remove the City Manager requirement for consistency. Also, the BO should not have the authority to grant variances. This is a P and Z task.*

**Recreational Vehicle (RV):** A portable or mobile living unit used for temporary human occupancy away from the place of permanent residence of the occupants and self propelled (motorized) or tow behind. Also see heavy load vehicle. A recreational vehicle park is an area or commercial campground for RVs and similar vehicles or trailers to reside, park, rent, or lease on a temporary basis.

*BO: Add " or tow behind" to include all Rv's. I also believe we should define temporary basis at this location, 29 days?*

**Structural Alterations:** Any change in the supporting members of a building, such as bearing walls or partitions, columns, beams, or girders, foundations or any substantial change in the roof or in the exterior walls.

*BO: Add "foundations" to structural alterations*

**Temporary Basis:** 29 or less days in the same location. 30+ days will be considered permanent basis.

*BO: Add definition of temporary basis.*

## **Section 10. - Single-family Residential. Modified**

~~G. Storage of any kind is prohibited on any vacant lot which is not adjacent to a main dwelling owned by the same owner.~~

*BO: There are problems with excessive outside storage. It creates an environment conducive to pests, etc.*

## **Section 12. - Manufactured Housing**

**2. Modular or industrialized housing units including Tiny Homes.**

*BO: Tiny Homes seem to fit in this category and which are getting very popular.*

~~B. All required skirting shall be of a texture and color similar to the materials used in the construction of the manufactured home unit.~~

*BO: HB 2439 removed municipality ability to regulate appearance of materials*

### Section 13. - Recreational Vehicle/Camper

~~D. No permanent structures such as porches, awnings, sheds, fences~~

*BO: Add verbiage to deter adding permanent structures at RV spots.*

### Section 15. - Specific Use Permit

The Planning Commission, ~~Building Official~~ or City Council may require additional information or drawings (such as building floor plans), operating data and expert evaluation or testimony concerning the location, function and characteristics of any building or use proposed.

*BO: Add "Building Official" because I should also be reviewing SUP's.*

The Zoning Commission, ~~Building Official~~ and City Council shall consider the following criteria in determining the validity of the Specific Use Permit request:

*BO: Add "Building Official" because I should also be reviewing SUP's.*

C. No Specific Use Permit shall be granted unless the applicant, owner and grantee or [of] the Specific Use Permit shall be willing to accept and agree to be bound by and comply with the written requirements of the Specific Use Permit, as attached to the site plan drawing (or drawings) and approved by the Zoning Commission, ~~Building Official~~ and City Council.

*BO: Add "Building Official" because I should also be reviewing SUP's.*

### Section 16. - Off-street Parking and Loading Requirements

~~B. The street right-of-way between the paved roadway and the property line of adjacent property shall be available for parking of passenger cars and light trucks of not more than one ten carrying capacity.~~

*BO: Remove B due to water meter boxes are not traffic rated and Public Works need access to these ROW areas.*

### Section 18. - Accessory Building and Use Requirements

A. An accessory building shall not be used for commercial purposes and shall not be rented in districts zoned other than C/R Commercial/Retail ~~Single Family Residential (SFR), Multifamily Residential (MFR), or Manufactured Housing (MH).~~

*BO: Remove zones so theres no question with AG*

**Section 19. - Landscape Requirements—Residential. Modified**

**19.2 Landscape Requirements**

A. The street right-of-way between the paved roadway and the property line of adjacent property shall be available for parking of passenger cars and light trucks of not more than one ton carrying capacity.

*BO: Remove A due to water meter boxes are not traffic rated and Public Works need access to these ROW areas.*

**Section 20. - Screening Fence and Wall Standards**

**20.4 General Requirements.**

~~A. No fence material shall be used to construct a fence except for those listed and regulated in this Chapter or other City ordinances.~~

*BO: Remove A. HB 2439 removed municipality ability to regulate appearance of materials*

B. *Construction in front yards.*

1. All fences constructed in the front yard of a residential property shall:

a) Be no taller in height than sixty (60") inches as defined in Section 20.05, G, when opacity is fifty percent (50%) or greater.

b) Be no taller in height than forty-eight (48") inches as defined in Section 20.05, G, when opacity is less than fifty (50%) percent.

c) Not impede the vision triangle.

~~d) Not be constructed using chainlink.~~

*BO: Remove D. HB 2439 removed municipality ability to regulate appearance of materials*