



## Town Council Meeting

Monday, June 12, 2023 at 6:00 PM  
102 W. Bailey Street, Ponder, TX 76259

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### NOTICE

**THE TOWN COUNCIL FOR THE TOWN OF PONDER, TEXAS, WILL CONVENE IN REGULAR SESSION AT 6:00 P.M., IN PONDER TOWN HALL, AT 102 W. BAILEY STREET, PONDER.**

### REGULAR SESSION AGENDA

#### CALL TO ORDER

#### ROLL CALL

#### INVOCATION AND PLEDGE OF ALLEGIANCE

**OPEN FORUM FOR CITIZEN INPUT** (Please limit to 5 minutes per person and if you wish to speak on a particular agenda item, please list the agenda item next to your name).

*This is a time for the public to address the Town Council on any subject. However, the Texas Open Meetings Act prohibits the Town Council from discussing issues which the public has not been given seventy-two (72) hours' notice. Issues raised may be referred to Town Staff for research and possible future action.*

#### CONSENT AGENDA

1. Consider and act on approval of the May 8, 2023 and May 16, 2023 minutes.
2. Approval of the May 2023 Financial Statement.

#### ORAL STAFF REPORTS

#### ITEMS OF BUSINESS

3. Swear-in and seat newly elected members of the Town Council and Mayor. Those members are John Bassler as Mayor and John Estes, Nick McGregor and Lael McWilliams as Council Members.

4. Appointment of a new Mayor Pro-Tem to serve for two years.
5. Consider and act on appointments to the Planning & Zoning Board. Those requesting appointments are Jeremy Johnson and Ryan Dobbs.
6. Consider and act on approval of Ordinance 23-05, Outdoor Fire and Burning, amending the Code of Ordinances.
7. Consider and act on approval of Ordinance 23-06 Parking Regulations, amending the code of ordinances.
8. Consider and act on approval of Ordinance 23-07 Sidewalks, amending the code of ordinances.
9. Consider and act on approval of Ordinance 23-08 Lighting, amending the code of ordinances.
10. Consider and act on approval of Ordinance 23-09, Special Events, amending the code of ordinances.

#### **ITEMS FOR NEXT AGENDA**

#### **ADJOURN**

The Town Council reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Texas Government Code, Section 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices) and 551.087 (Economic Development)

#### **CERTIFICATION**

**I hereby certify that the above notice was posted on the bulletin board at the Ponder Town Hall at 102 W. Bailey Street, Ponder, Texas on the 8th day of June 2023, at 11:00 a.m.**

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**Sheri Clearman, Town Secretary**

*If you plan to attend this public meeting and you have a disability that requires special arrangements at the meeting, please contact our office at 940-479-7009. Reasonable accommodations will be made to assist your needs.*



## Town Council Meeting

Monday, May 08, 2023 at 6:00 PM  
102 W. Bailey Street, Ponder, TX 76259

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### NOTICE

**THE TOWN COUNCIL FOR THE TOWN OF PONDER, TEXAS, WILL CONVENE IN REGULAR SESSION AT 6:00 PM ON MONDAY, MAY 8, 2023, IN PONDER TOWN HALL, AT 102 W. BAILEY STREET, PONDER.**

### REGULAR SESSION AGENDA

#### CALL TO ORDER

Mayor Poole called the meeting to order at 6:00 pm.

#### ROLL CALL

##### PRESENT

Mayor Matthew Poole  
Council Member Ginger Deussen  
Council Member Tracy Lynch  
Council Member Brandy Couch  
Mayor Pro-Tem Nick McGregor  
Council Member Lael McWilliams

#### INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor Poole led both.

**OPEN FORUM FOR CITIZEN INPUT** (Please limit to 5 minutes per person and if you wish to speak on a particular agenda item, please list the agenda item next to your name).

*This is a time for the public to address the Town Council on any subject. However, the Texas Open Meetings Act prohibits the Town Council from discussing issues which the public has not been given seventy-two (72) hours' notice. Issues raised may be referred to Town Staff for research and possible future action.*

No one signed up to speak.

## CONSENT AGENDA

Motion to approve the consent agenda made by Council Member Lynch, Seconded by Council Member Couch.

Voting Yea: Council Member Deussen, Council Member Lynch, Council Member Couch, Mayor Pro-Tem McGregor, Council Member McWilliams

1. Approval of the April 10, 2023 Town Council minutes.
2. Acceptance of the April 2023 Financial Statement.

## ORAL STAFF REPORTS

Sheri Clearman - Asked the Council Members to contact her via email to let her know what dates between May 9 and May 17 would be convenient to canvass the votes.

Gary Morris - Reported to the Council that the waterline bore project was running behind. He also reported that the well generators were in and soon to be installed.

Alexandria Mills - Reported slow month, with only five new members. Summer Reading Program is about to begin and will run through August.

Scott Caster - Reported that the PD will be interviewing candidates for the open Officer position and Reserve Officer position later this week.

Andrew Economedes - Slower month so far. According to Texas Forest Service we are still in drought. Local high school boys are new on the FD. Progress on ESD. He showed the map and would like for the Council Members to contact the County Commissioner and County Judge to show support. Denton is saying that they don't want their ETJ in the ESD. Please ask the County to vote for that to be in the ESD. Gives everyone the option to vote on the ESD. Public Hearing will be posted soon and we need to spread the word and if it passes it will go on the November election ballot.

## ITEMS OF BUSINESS

3. Recognition of Officer A. Conover by Chief Caster.

Scott Caster recognized Amy Conover. Ask him for his speech.

He is pushing his officers to be the best. That is a true success for any department.

Amy stated that she is not going anywhere. She is trying to make herself better because this Town is growing. She loves this little Town. She appreciates the opportunity.

4. Conduct a public hearing to hear comment on a variance request from the owners of 212 Clairmont Dr., Ponder, TX. The variance requested is to move from 300' setback to 200' setback in order to build a patio cover.

Motion to open the public hearing made by Mayor Pro-Tem McGregor, Seconded by Council Member Lynch.

Voting Yea: Council Member Deussen, Council Member Lynch, Council Member Couch, Mayor Pro-Tem McGregor, Council Member McWilliams

Ryan Dugger asked if this was a Town ordinance. Sheri Clearman replied that it was.

Motion to close the public hearing made by Mayor Pro-Tem McGregor, Seconded by Council Member Lynch.

Voting Yea: Council Member Deussen, Council Member Lynch, Council Member Couch, Mayor Pro-Tem McGregor, Council Member McWilliams

5. Consider and act on approval of a variance request to move a gas well setback from 300' to 200' in order to build a patio cover at 212 Clairmont Dr., Ponder, TX.

Motion to approve the variance made by Mayor Pro-Tem McGregor, Seconded by Council Member Couch.

Voting Yea: Council Member Lynch, Council Member Couch, Mayor Pro-Tem McGregor, Council Member McWilliams

Voting Nay: Council Member Deussen

Motion passed with 4 yea, 1 nay and 0 abstentions.

6. Consider and act on approval of an agreement between the Town of Ponder and Denton County for Dispatch services.

Motion to approve the agreement made by Mayor Pro-Tem McGregor, Seconded by Council Member McWilliams.

Voting Yea: Council Member Deussen, Council Member Lynch, Council Member Couch, Mayor Pro-Tem McGregor, Council Member McWilliams

7. Consider and act on approval of a Minor Plat for 112 W. James Street, Ponder, TX , Martha's Taco Shop.

Motion to approve the plat without Engineer's comments made by Mayor Pro-Tem McGregor, Seconded by Council Member McWilliams.

Mayor Pro-Tem McGregor stated that he believes the engineer comments were not clear and he was not prepared to approve with conditions because of this.

Voting Yea: Council Member Deussen, Council Member Lynch, Council Member Couch, Mayor Pro-Tem McGregor, Council Member McWilliams

8. Consider and act on approval of a ROW lease agreement, to manage work in the Town of Ponder right-of-way.

Motion to table this item made by Council Member Couch, Seconded by Council Member Deussen.

Voting Yea: Council Member Deussen, Council Member Lynch, Council Member Couch, Mayor Pro-Tem McGregor, Council Member McWilliams

- 9. Discussion, consideration and possible action regarding the Planning & Zoning Board.

Sher Clearman reported to the Council that P&Z members are not showing up at meetings and are not responding to email regarding such.

Mayor Poole suggested that the Council adopt new attendance requirements for the P&Z. He also asked that the Council look over the P&Z ordinance.

Council Member McWilliams suggested that we have a sign made requesting volunteers for our board vacancies.

Sheri Clearman stated that members must live inside the Town limits.

**ITEMS FOR NEXT AGENDA**

PZ Discussion.

**ADJOURN**

The Town Council reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Texas Government Code, Section 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices) and 551.087 (Economic Development)

Motion to adjourn at 6:30 pm made by Council Member Lynch, Seconded by Council Member Deussen.

Voting Yea: Council Member Deussen, Council Member Lynch, Council Member Couch, Mayor Pro-Tem McGregor, Council Member McWilliams

**APPROVE:**

**ATTEST:**

\_\_\_\_\_  
Matthew Poole, Mayor

\_\_\_\_\_  
Sheri Clearman, Town Secretary

Date:\_\_\_\_\_



## Town Council - Special Meeting

Tuesday, May 16, 2023 at 6:00 PM  
102 W. Bailey Street, Ponder, TX 76259

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### NOTICE

THE TOWN COUNCIL FOR THE TOWN OF PONDER, TEXAS, WILL CONVENE IN SPECIAL SESSION AT 6:00 P.M. ON MAY 16, 2023, IN PONDER TOWN HALL, AT 102 W. BAILEY STREET, PONDER.

### REGULAR SESSION AGENDA

#### CALL TO ORDER

#### ROLL CALL

#### PRESENT

Mayor Matthew Poole  
Council Member Ginger Deussen  
Council Member Tracy Lynch  
Council Member Brandy Couch  
Mayor Pro-Tem Nick McGregor

#### ABSENT

Council Member Lael McWilliams

#### INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor Poole led both.

#### ITEMS OF BUSINESS

1. Consider and act on approval of Ordinance 23-04, Canvassing the returns of an election on May 6, 2023.

Motion to approve Ordinance 23-04, canvassing the returns of an election on May 6, 2023 made by Mayor Pro-Tem McGregor, Seconded by Council Member Lynch.

Voting Yea: Council Member Deussen, Council Member Lynch, Council Member Couch,  
Mayor Pro-Tem McGregor

Motion passed with 4 yeas, 0 nays and 0 abstentions.

**ADJOURN**

The Town Council reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Texas Government Code, Section 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices) and 551.087 (Economic Development)

**ADJOURN**

Motion to adjourn at 6:14 pm made by Council Member Lynch, Seconded by Council Member Deussen.

Voting Yea: Council Member Deussen, Council Member Lynch, Council Member Couch, Mayor Pro-Tem  
McGregor

Motion passed with 4 yeas, 0 nays and 0 abstentions.

**APPROVE:**

**ATTEST:**

\_\_\_\_\_  
Matthew Poole, Mayor

\_\_\_\_\_  
Sheri Clearman, Town Secretary

**DATE:** \_\_\_\_\_



# Town of Ponder Financial Statement As of May 31, 2023

<b>001 - General Fund</b>	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% of Budget	Budget Remaining
<b>Property &amp; Sales Tax</b>							
001-4001 Property tax	5,780.11	94,541.75	(88,761.64)	1,166,295.96	1,134,955.00	102.76%	(31,340.96)
001-4002 Sales Tax	26,200.49	29,155.00	(2,954.51)	206,209.58	350,000.00	58.92%	143,790.42
001-4003 Street Maintenance Tax	6,556.56	6,830.60	(274.04)	51,558.89	82,000.00	62.88%	30,441.11
001-4019 EDC Tax	13,138.82	11,899.98	1,238.84	103,143.44	142,857.00	72.20%	39,713.56
001-4038 Debt Service Tax Fund	0.00	38,389.63	(38,389.63)	461,107.11	460,860.00	100.05%	(247.11)
Property & Sales Tax Totals	<u>51,675.98</u>	<u>180,816.96</u>	<u>(129,140.98)</u>	<u>1,988,314.98</u>	<u>2,170,672.00</u>	<u>91.60%</u>	<u>182,357.02</u>
<b>Business &amp; Franchise</b>							
001-4004 Franchise Fee	<u>6,364.96</u>	<u>0.00</u>	<u>6,364.96</u>	<u>112,861.92</u>	<u>120,000.00</u>	<u>94.05%</u>	<u>7,138.08</u>
Business & Franchise Totals	<u>6,364.96</u>	<u>0.00</u>	<u>6,364.96</u>	<u>112,861.92</u>	<u>120,000.00</u>	<u>94.05%</u>	<u>7,138.08</u>
<b>Licenses &amp; Permits</b>							
001-4005 Building and Permits	7,215.71	8,330.00	(1,114.29)	111,236.50	100,000.00	111.24%	(11,236.50)
001-4043 Contractor Registration	<u>175.00</u>	<u>83.30</u>	<u>91.70</u>	<u>650.00</u>	<u>1,000.00</u>	<u>65.00%</u>	<u>350.00</u>
Licenses & Permits Totals	<u>7,390.71</u>	<u>8,413.30</u>	<u>(1,022.59)</u>	<u>111,886.50</u>	<u>101,000.00</u>	<u>110.78%</u>	<u>(10,886.50)</u>
<b>Other Revenue Sources</b>							
001-4007 Unappropriated Contingency	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
001-4050 Local Truancy Prevention-	<u>0.00</u>	<u>8.33</u>	<u>(8.33)</u>	<u>275.90</u>	<u>100.00</u>	<u>275.90%</u>	<u>(175.90)</u>
Other Revenue Sources Totals	<u>0.00</u>	<u>8.33</u>	<u>(8.33)</u>	<u>275.90</u>	<u>100.00</u>	<u>275.90%</u>	<u>(175.90)</u>
<b>Fines, Fees &amp; Forfeitures</b>							
001-4009 Administrative Fees	87,417.41	833.00	86,584.41	101,515.13	10,000.00	1015.15%	(91,515.13)
001-4020 Citation - Local	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
001-4021 Citation - State	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
001-4022 Municipal Court Building Security	6.00	10.00	(4.00)	300.37	120.00	250.31%	(180.37)
001-4023 Municipal Technology Fund Fee	8.00	12.50	(4.50)	264.71	150.00	176.47%	(114.71)

# Town of Ponder Financial Statement As of May 31, 2023

<b>001 - General Fund</b>	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% of Budget	Budget Remaining
<b>Fines, Fees &amp; Forfeitures</b>							
001-4027 Citation Child Safety Fund	0.00	15.83	(15.83)	2,618.40	190.00	1378.11%	(2,428.40)
001-4033 Inspection Fees	0.00	0.00	0.00	3,649.80	0.00	0.00%	(3,649.80)
001-4034 Engineering Fees	0.00	833.00	(833.00)	5,474.70	10,000.00	54.75%	4,525.30
001-4044 ROW Fees	66.52	41.65	24.87	154.12	500.00	30.82%	345.88
001-4047 Code Violation Fees	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
001-4051 Municipal Jury Fund	0.00	4.17	(4.17)	5.51	50.00	11.02%	44.49
001-4052 Court Fine Revenue	393.00	208.33	184.67	8,795.70	2,500.00	351.83%	(6,295.70)
001-4053 Court Costs	20.40	166.67	(146.27)	1,105.05	2,000.00	55.25%	894.95
001-4054 Time Payment	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
001-4055 Omnibase Reimbursement Fee	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
<b>Fines, Fees &amp; Forfeitures Totals</b>	<b>87,911.33</b>	<b>2,125.15</b>	<b>85,786.18</b>	<b>123,883.49</b>	<b>25,510.00</b>	<b>485.63%</b>	<b>(98,373.49)</b>
<b>Interest Income</b>							
001-4014 Interest Income	0.00	41.65	(41.65)	127,750.13	500.00	25550.03%	(127,250.13)
<b>Interest Income Totals</b>	<b>0.00</b>	<b>41.65</b>	<b>(41.65)</b>	<b>127,750.13</b>	<b>500.00</b>	<b>25550.03%</b>	<b>(127,250.13)</b>
<b>Lease &amp; Rent Income</b>							
001-4039 Royalties	0.00	416.50	(416.50)	4,022.46	5,000.00	80.45%	977.54
<b>Lease &amp; Rent Income Totals</b>	<b>0.00</b>	<b>416.50</b>	<b>(416.50)</b>	<b>4,022.46</b>	<b>5,000.00</b>	<b>80.45%</b>	<b>977.54</b>
<b>Sales &amp; Receipts</b>							
001-4048 Ponder PID No 1 Revenue	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
<b>Sales &amp; Receipts Totals</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00%</b>	<b>0.00</b>
<b>Transfers In</b>							
001-4056 Capital Project Funds - Texpool	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
<b>Transfers In Totals</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00%</b>	<b>0.00</b>

# Town of Ponder Financial Statement As of May 31, 2023

<b>001 - General Fund</b>	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% of Budget	Budget Remaining
Revenue Totals	<u>153,342.98</u>	<u>191,821.89</u>	<u>(38,478.91)</u>	<u>2,468,995.38</u>	<u>2,422,782.00</u>	<u>101.91%</u>	<u>(46,213.38)</u>

Town of Ponder  
 Financial Statement  
 As of May 31, 2023

<b>001 - General Fund Administrative</b>	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
001-01-5101 Salaries	16,037.50	15,060.14	977.36	139,368.27	180,794.00	77.09%	41,425.73
001-01-5102 Overtime	0.00	0.00	0.00	0.00	500.00	0.00%	500.00
001-01-5107 Employee Insurance	1,161.59	2,998.80	(1,837.21)	13,779.85	36,000.00	38.28%	22,220.15
001-01-5108 Longevity Pay	0.00	224.41	(224.41)	1,712.00	2,694.00	63.55%	982.00
001-01-5109 Payroll Taxes	416.24	541.45	(125.21)	4,446.01	6,500.00	68.40%	2,053.99
001-01-5110 Retirement	921.54	1,019.09	(97.55)	7,611.98	12,234.00	62.22%	4,622.02
001-01-5201 Office Supplies	211.75	416.67	(204.92)	2,163.47	5,000.00	43.27%	2,836.53
001-01-5202 Computer Supplies	0.00	125.00	(125.00)	0.00	1,500.00	0.00%	1,500.00
001-01-5203 Computer Software	0.00	1,249.50	(1,249.50)	6,888.98	15,000.00	45.93%	8,111.02
001-01-5204 Fuel	515.61	499.80	15.81	3,527.33	6,000.00	58.79%	2,472.67
001-01-5209 Uniform Expenses	0.00	50.00	(50.00)	0.00	600.00	0.00%	600.00
001-01-5301 Repair & Maintenance -	1,658.62	2,082.50	(423.88)	24,150.70	25,000.00	96.60%	849.30
001-01-5302 Repair & Maintenance -	0.00	2,082.50	(2,082.50)	10,543.74	25,000.00	42.17%	14,456.26
001-01-5303 Repair & Maintenance -	353.52	1,416.67	(1,063.15)	6,361.71	17,000.00	37.42%	10,638.29
001-01-5304 Miscellaneous Expenses	1,040.00	0.00	1,040.00	7,355.00	0.00	0.00%	(7,355.00)
001-01-5312 EDC Expenses	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
001-01-5313 Street Maintenance Tax	56,350.00	5,949.95	50,400.05	56,350.00	71,428.00	78.89%	15,078.00
001-01-5314 EDC Tax Funds	12,296.59	11,899.98	396.61	118,398.68	142,857.00	82.88%	24,458.32
001-01-5401 Accounting	0.00	833.00	(833.00)	9,500.00	10,000.00	95.00%	500.00
001-01-5402 Ambulance Service	0.00	3,000.00	(3,000.00)	27,000.00	36,000.00	75.00%	9,000.00
001-01-5403 Animal Control	1,002.55	1,125.00	(122.45)	9,357.13	13,500.00	69.31%	4,142.87
001-01-5404 Bank Charges	0.00	416.67	(416.67)	18,332.07	5,000.00	366.64%	(13,332.07)
001-01-5405 Contract Labor	0.00	416.50	(416.50)	1,412.50	5,000.00	28.25%	3,587.50
001-01-5406 Copiers	159.58	174.93	(15.35)	1,166.73	2,100.00	55.56%	933.27
001-01-5407 Dues and Subscriptions	140.98	1,666.00	(1,525.02)	12,858.88	20,000.00	64.29%	7,141.12
001-01-5408 Electricity	3,043.90	2,499.00	544.90	25,143.91	30,000.00	83.81%	4,856.09

Town of Ponder  
 Financial Statement  
 As of May 31, 2023

<b>001 - General Fund Administrative</b>	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
001-01-5409 Engineering Fees	19,802.50	3,332.00	16,470.50	68,632.50	40,000.00	171.58%	(28,632.50)
001-01-5411 Insurance Property/Liability	0.00	1,082.90	(1,082.90)	16,249.51	13,000.00	125.00%	(3,249.51)
001-01-5412 Legal Notices & Publications	22.80	0.00	22.80	22.80	500.00	4.56%	477.20
001-01-5413 Legal Service	5,101.57	833.00	4,268.57	16,478.96	10,000.00	164.79%	(6,478.96)
001-01-5414 Pest Control	0.00	83.30	(83.30)	629.93	1,000.00	62.99%	370.07
001-01-5415 PVFD Funding	0.00	4,166.67	(4,166.67)	100,000.00	50,000.00	200.00%	(50,000.00)
001-01-5416 Postage	94.00	0.00	94.00	447.88	1,000.00	44.79%	552.12
001-01-5417 Tax Assessor Fees	0.00	499.80	(499.80)	5,059.78	6,000.00	84.33%	940.22
001-01-5418 Training Expenses	0.00	0.00	0.00	125.00	1,000.00	12.50%	875.00
001-01-5419 Travel/Mileage Expenses	175.51	0.00	175.51	1,853.09	1,000.00	185.31%	(853.09)
001-01-5420 Telephone Services	3,335.19	2,332.40	1,002.79	18,267.39	28,000.00	65.24%	9,732.61
001-01-5421 Park and Recreation	15,078.92	12,495.00	2,583.92	76,858.45	150,000.00	51.24%	73,141.55
001-01-5422 Planning & Zoning Fees &	10,290.00	4,165.00	6,125.00	55,146.20	50,000.00	110.29%	(5,146.20)
001-01-5424 Inspection Fees	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
001-01-5430 Tech Services	961.71	833.33	128.38	4,222.81	10,000.00	42.23%	5,777.19
001-01-5433 Planner Fees	0.00	0.00	0.00	0.00	15,000.00	0.00%	15,000.00
001-01-5434 Health Inspector Fees	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
001-01-5502 Computers - Capital Expense	4,558.00	416.50	4,141.50	4,558.00	5,000.00	91.16%	442.00
001-01-5506 Codification	0.00	166.60	(166.60)	0.00	2,000.00	0.00%	2,000.00
001-01-5528 Town Hall Project	0.00	4,166.67	(4,166.67)	20,859.47	50,000.00	41.72%	29,140.53
001-01-5531 Robinson Road	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
001-01-5533 Drainage Project	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
001-01-5534 Sports Complex	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
001-01-5536 Future Land	0.00	2,500.00	(2,500.00)	0.00	30,000.00	0.00%	30,000.00
001-01-5537 PD Office Lease	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
001-01-5602 Tax Notes	0.00	38,389.63	(38,389.63)	103,974.75	460,860.00	22.56%	356,885.25

Town of Ponder  
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<b>001 - General Fund Administrative</b>	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
001-01-5603 Bond Agent Fees	0.00	104.17	(104.17)	0.00	1,250.00	0.00%	1,250.00
Administrative Totals	<u>154,730.17</u>	<u>131,314.53</u>	<u>23,415.64</u>	<u>1,000,815.46</u>	<u>1,595,317.00</u>	<u>62.73%</u>	<u>594,501.54</u>

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<b>001 - General Fund Public Works</b>	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
001-02-5101 Salaries	1,520.00	0.00	1,520.00	1,520.00	0.00	0.00%	(1,520.00)
001-02-5102 Overtime	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
001-02-5107 Employee Insurance	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
001-02-5108 Longevity Pay	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
001-02-5109 Payroll Taxes	9.30	0.00	9.30	9.30	0.00	0.00%	(9.30)
001-02-5110 Retirement	170.56	0.00	170.56	2,016.56	0.00	0.00%	(2,016.56)
Public Works Totals	<u>1,699.86</u>	<u>0.00</u>	<u>1,699.86</u>	<u>3,545.86</u>	<u>0.00</u>	<u>0.00%</u>	<u>(3,545.86)</u>

Town of Ponder  
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<b>001 - General Fund Police Department</b>	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
001-03-2726 Grant Expenditures	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
001-03-5101 Salaries	30,529.53	32,109.65	(1,580.12)	293,791.06	385,470.00	76.22%	91,678.94
001-03-5102 Overtime	0.00	2,083.33	(2,083.33)	0.00	25,000.00	0.00%	25,000.00
001-03-5107 Employee Insurance	4,606.66	7,996.80	(3,390.14)	39,255.01	96,000.00	40.89%	56,744.99
001-03-5108 Longevity Pay	0.00	174.59	(174.59)	1,368.00	2,096.00	65.27%	728.00
001-03-5109 Payroll Taxes	587.29	624.75	(37.46)	6,550.62	7,500.00	87.34%	949.38
001-03-5110 Retirement	1,852.61	2,499.00	(646.39)	17,539.87	30,000.00	58.47%	12,460.13
001-03-5201 Office Supplies	0.00	124.95	(124.95)	1,039.60	1,500.00	69.31%	460.40
001-03-5203 Computer Software	0.00	333.33	(333.33)	1,638.98	4,000.00	40.97%	2,361.02
001-03-5204 Fuel	1,367.51	1,332.80	34.71	10,258.70	16,000.00	64.12%	5,741.30
001-03-5209 Uniform Expenses	0.00	166.67	(166.67)	828.11	2,000.00	41.41%	1,171.89
001-03-5214 Printer Supplies	0.00	83.33	(83.33)	595.00	1,000.00	59.50%	405.00
001-03-5303 Repair & Maintenance -	601.32	583.10	18.22	16,970.69	7,000.00	242.44%	(9,970.69)
001-03-5304 Miscellaneous Expenses	0.00	333.33	(333.33)	494.73	4,000.00	12.37%	3,505.27
001-03-5317 Repair & Maintenance Radios	0.00	83.33	(83.33)	0.00	1,000.00	0.00%	1,000.00
001-03-5405 Contract Labor	0.00	833.00	(833.00)	0.00	10,000.00	0.00%	10,000.00
001-03-5407 Dues and Subscriptions	155.76	907.97	(752.21)	10,504.25	10,900.00	96.37%	395.75
001-03-5411 Insurance Property/Liability	0.00	0.00	0.00	18,254.54	20,000.00	91.27%	1,745.46
001-03-5412 Legal Notices & Publications	0.00	208.33	(208.33)	0.00	2,500.00	0.00%	2,500.00
001-03-5413 Legal Service	0.00	583.10	(583.10)	0.00	7,000.00	0.00%	7,000.00
001-03-5416 Postage	0.00	0.00	0.00	352.25	1,000.00	35.23%	647.75
001-03-5418 Training Expenses	0.00	250.00	(250.00)	373.49	3,000.00	12.45%	2,626.51
001-03-5419 Travel/Mileage Expenses	0.00	0.00	0.00	126.66	2,500.00	5.07%	2,373.34
001-03-5420 Telephone Services	(0.14)	0.00	(0.14)	1,489.58	3,000.00	49.65%	1,510.42
001-03-5430 Tech Services	686.71	291.67	395.04	2,173.44	3,500.00	62.10%	1,326.56
001-03-5431 Printing	0.00	0.00	0.00	0.00	0.00	0.00%	0.00



Town of Ponder  
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<b>001 - General Fund Police Department</b>	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
001-03-5501 Vehicle	0.00	999.60	(999.60)	0.00	12,000.00	0.00%	12,000.00
001-03-5502 Computers - Capital Expense	0.00	0.00	0.00	0.00	3,600.00	0.00%	3,600.00
001-03-5537 PD Office Lease	0.00	1,000.00	(1,000.00)	0.00	12,000.00	0.00%	12,000.00
001-03-5716 Other Police Equipment	810.73	625.00	185.73	918.73	7,500.00	12.25%	6,581.27
001-03-5720 Denton County	0.00	499.80	(499.80)	0.00	6,000.00	0.00%	6,000.00
001-03-5721 Children's Advocacy Center	0.00	708.05	(708.05)	8,500.00	8,500.00	100.00%	0.00
001-03-5726 Grant Expenditures	0.00	833.00	(833.00)	0.00	10,000.00	0.00%	10,000.00
001-03-5727 Medical & Phsysc.	0.00	0.00	0.00	0.00	500.00	0.00%	500.00
<b>Police Department Totals</b>	<b>41,197.98</b>	<b>56,268.48</b>	<b>(15,070.50)</b>	<b>433,023.31</b>	<b>706,066.00</b>	<b>61.33%</b>	<b>273,042.69</b>

Town of Ponder  
 Financial Statement  
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<b>001 - General Fund Municipal Court</b>	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
001-04-5101 Salaries	0.00	2,490.67	(2,490.67)	0.00	29,900.00	0.00%	29,900.00
001-04-5107 Employee Insurance	0.00	1,000.00	(1,000.00)	0.00	12,000.00	0.00%	12,000.00
001-04-5108 Longevity Pay	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
001-04-5109 Payroll Taxes	0.00	66.64	(66.64)	0.00	800.00	0.00%	800.00
001-04-5110 Retirement	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
001-04-5201 Office Supplies	0.00	41.67	(41.67)	1,299.08	500.00	259.82%	(799.08)
001-04-5202 Computer Supplies	0.00	25.00	(25.00)	0.00	300.00	0.00%	300.00
001-04-5203 Computer Software	0.00	25.00	(25.00)	2,100.00	300.00	700.00%	(1,800.00)
001-04-5418 Training Expenses	0.00	0.00	0.00	261.00	500.00	52.20%	239.00
001-04-5419 Travel/Mileage Expenses	0.00	0.00	0.00	0.00	500.00	0.00%	500.00
001-04-5706 MC Judge	350.00	300.00	50.00	1,650.00	3,600.00	45.83%	1,950.00
001-04-5707 MC Prosecuting Attorney	250.00	250.00	0.00	1,250.00	3,000.00	41.67%	1,750.00
001-04-5711 State Citation Fees	57.00	166.60	(109.60)	5,907.78	2,000.00	295.39%	(3,907.78)
001-04-5713 Court Security	0.00	19.99	(19.99)	0.00	240.00	0.00%	240.00
001-04-5714 Court Technology	0.00	24.99	(24.99)	0.00	300.00	0.00%	300.00
001-04-5717 Child Safety	0.00	701.05	(701.05)	0.00	8,416.00	0.00%	8,416.00
<b>Municipal Court Totals</b>	<u>657.00</u>	<u>5,111.61</u>	<u>(4,454.61)</u>	<u>12,467.86</u>	<u>62,356.00</u>	<u>19.99%</u>	<u>49,888.14</u>

# Town of Ponder Financial Statement As of May 31, 2023

<b>001 - General Fund Library</b>	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
001-05-5101 Salaries	1,644.03	2,485.92	(841.89)	14,335.87	29,843.00	48.04%	15,507.13
001-05-5109 Payroll Taxes	127.42	24.99	102.43	1,107.70	300.00	369.23%	(807.70)
001-05-5110 Retirement	50.12	116.62	(66.50)	547.72	1,400.00	39.12%	852.28
001-05-5538 Library Funding	0.00	833.33	(833.33)	10,000.00	10,000.00	100.00%	0.00
<b>Library Totals</b>	<u>1,821.57</u>	<u>3,460.86</u>	<u>(1,639.29)</u>	<u>25,991.29</u>	<u>41,543.00</u>	<u>62.56%</u>	<u>15,551.71</u>

# Town of Ponder Financial Statement As of May 31, 2023

<b>001 - General Fund Council</b>	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
001-06-5205 City Council Expenses	0.00	0.00	0.00	(1,460.87)	2,000.00	(73.04%)	3,460.87
001-06-5206 Elections	0.00	666.67	(666.67)	0.00	8,000.00	0.00%	8,000.00
001-06-5207 Promotional Items	0.00	625.00	(625.00)	1,516.44	7,500.00	20.22%	5,983.56
Council Totals	0.00	1,291.67	(1,291.67)	55.57	17,500.00	0.32%	17,444.43
Expense Totals	200,106.58	197,447.15	2,659.43	1,475,899.35	2,422,782.00	60.92%	946,882.65

Town of Ponder  
 Financial Statement  
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<b>002 - Water and Sewer Fund</b>	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% of Budget	Budget Remaining
<b>Other Revenue Sources</b>							
002-4006 Miscellaneous	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
002-4007 Unappropriated Contengancy	0.00	23,254.00	(23,254.00)	0.00	279,048.00	0.00%	279,048.00
002-4018 Repair/Emergency Fund	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
Other Revenue Sources Totals	<u>0.00</u>	<u>23,254.00</u>	<u>(23,254.00)</u>	<u>0.00</u>	<u>279,048.00</u>	<u>0.00%</u>	<u>279,048.00</u>
<b>Lease &amp; Rent Income</b>							
002-4008 Rental Income	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
Lease & Rent Income Totals	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00%</u>	<u>0.00</u>
<b>Fines, Fees &amp; Forfeitures</b>							
002-4009 Administrative Fees	0.00	0.00	0.00	30.00	2,800.00	1.07%	2,770.00
002-4010 Tap Fees - Water	600.00	2,915.50	(2,315.50)	24,400.00	35,000.00	69.71%	10,600.00
002-4011 Tap Fees - Sewer	600.00	2,915.50	(2,315.50)	16,200.00	35,000.00	46.29%	18,800.00
002-4012 Impact Fees - Water	3,026.00	12,603.29	(9,577.29)	95,722.00	151,300.00	63.27%	55,578.00
002-4013 Impact Fees - Sewer	4,482.00	18,659.20	(14,177.20)	121,014.00	224,000.00	54.02%	102,986.00
002-4015 Inspection Fees	0.00	1,250.00	(1,250.00)	6,522.00	15,000.00	43.48%	8,478.00
002-4033 Inspection Fees	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
002-4034 Engineering Fees	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
002-4042 Late Fees	3,640.00	2,250.00	1,390.00	23,480.00	27,000.00	86.96%	3,520.00
002-4046 Irrigation Inspections	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
Fines, Fees & Forfeitures Totals	<u>12,348.00</u>	<u>40,593.49</u>	<u>(28,245.49)</u>	<u>287,368.00</u>	<u>490,100.00</u>	<u>58.63%</u>	<u>202,732.00</u>
<b>Interest Income</b>							
002-4014 Interest Income	0.00	1,250.00	(1,250.00)	49,538.32	15,000.00	330.26%	(34,538.32)
Interest Income Totals	<u>0.00</u>	<u>1,250.00</u>	<u>(1,250.00)</u>	<u>49,538.32</u>	<u>15,000.00</u>	<u>330.26%</u>	<u>(34,538.32)</u>

Town of Ponder  
 Financial Statement  
 As of May 31, 2023

<b>002 - Water and Sewer Fund</b>	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% of Budget	Budget Remaining
<b>Sales &amp; Receipts</b>							
002-4016 Water Sales	90,781.18	79,968.00	10,813.18	686,335.37	960,000.00	71.49%	273,664.63
002-4017 Bulk Water Sales	3,262.77	2,082.50	1,180.27	12,752.51	25,000.00	51.01%	12,247.49
002-4031 Meter Deposit Refunds	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
002-4041 Sewer Sales	51,357.74	45,815.00	5,542.74	377,069.61	550,000.00	68.56%	172,930.39
Sales & Receipts Totals	<u>145,401.69</u>	<u>127,865.50</u>	<u>17,536.19</u>	<u>1,076,157.49</u>	<u>1,535,000.00</u>	<u>70.11%</u>	<u>458,842.51</u>
<b>Licenses &amp; Permits</b>							
002-4035 Septic Inspections Permit	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
002-4045 Irrigation Permit	210.00	100.00	110.00	1,715.00	1,200.00	142.92%	(515.00)
Licenses & Permits Totals	<u>210.00</u>	<u>100.00</u>	<u>110.00</u>	<u>1,715.00</u>	<u>1,200.00</u>	<u>142.92%</u>	<u>(515.00)</u>
<b>Transfers In</b>							
002-4056 Capital Project Funds - Texpool	0.00	0.00	0.00	53,776.02	0.00	0.00%	(53,776.02)
Transfers In Totals	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>53,776.02</u>	<u>0.00</u>	<u>0.00%</u>	<u>(53,776.02)</u>
Revenue Totals	<u><u>157,959.69</u></u>	<u><u>193,062.99</u></u>	<u><u>(35,103.30)</u></u>	<u><u>1,468,554.83</u></u>	<u><u>2,320,348.00</u></u>	<u><u>63.29%</u></u>	<u><u>851,793.17</u></u>

# Town of Ponder Financial Statement As of May 31, 2023

<b>002 - Water and Sewer Fund Administrative</b>	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
002-01-5101 Salaries	920.00	0.00	920.00	16,123.00	0.00	0.00%	(16,123.00)
002-01-5107 Employee Insurance	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
002-01-5108 Longevity Pay	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
002-01-5109 Payroll Taxes	53.36	0.00	53.36	492.19	0.00	0.00%	(492.19)
002-01-5110 Retirement	241.40	0.00	241.40	2,119.67	0.00	0.00%	(2,119.67)
002-01-5408 Electricity	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
002-01-5410 Gas Heating	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
002-01-5411 Insurance Property/Liability	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
002-01-5420 Telephone Services	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
<b>Administrative Totals</b>	<b>1,214.76</b>	<b>0.00</b>	<b>1,214.76</b>	<b>18,734.86</b>	<b>0.00</b>	<b>0.00%</b>	<b>(18,734.86)</b>

# Town of Ponder Financial Statement As of May 31, 2023

<b>002 - Water and Sewer Fund Public Works</b>	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
002-02-5101 Salaries	18,479.12	11,556.04	6,923.08	163,063.11	138,728.00	117.54%	(24,335.11)
002-02-5102 Overtime	0.00	416.50	(416.50)	0.00	5,000.00	0.00%	5,000.00
002-02-5107 Employee Insurance	3,667.58	4,831.40	(1,163.82)	32,074.36	58,000.00	55.30%	25,925.64
002-02-5108 Longevity Pay	0.00	109.95	(109.95)	2,048.00	1,320.00	155.15%	(728.00)
002-02-5109 Payroll Taxes	214.60	518.12	(303.52)	2,690.19	6,220.00	43.25%	3,529.81
002-02-5110 Retirement	1,204.20	1,499.40	(295.20)	9,669.45	18,000.00	53.72%	8,330.55
002-02-5201 Office Supplies	62.71	250.00	(187.29)	1,303.55	3,000.00	43.45%	1,696.45
002-02-5202 Computer Supplies	0.00	166.60	(166.60)	0.00	2,000.00	0.00%	2,000.00
002-02-5203 Computer Software	0.00	1,333.33	(1,333.33)	1,638.98	16,000.00	10.24%	14,361.02
002-02-5204 Fuel	515.61	541.45	(25.84)	2,667.53	6,500.00	41.04%	3,832.47
002-02-5208 Chemical Supplies	60.00	999.60	(939.60)	4,686.55	12,000.00	39.05%	7,313.45
002-02-5209 Uniform Expenses	0.00	0.00	0.00	773.10	750.00	103.08%	(23.10)
002-02-5210 Labs & Locates	289.90	333.33	(43.43)	1,501.30	4,000.00	37.53%	2,498.70
002-02-5212 Mechanical Supplies	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
002-02-5301 Repair & Maintenance -	158.35	416.50	(258.15)	772.85	5,000.00	15.46%	4,227.15
002-02-5302 Repair & Maintenance -	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
002-02-5303 Repair & Maintenance -	411.46	874.65	(463.19)	4,618.92	10,500.00	43.99%	5,881.08
002-02-5304 Miscellaneous Expenses	489.68	999.60	(509.92)	10,484.47	12,000.00	87.37%	1,515.53
002-02-5305 Emergency Repair	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
002-02-5306 Sanitary.Sewers	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
002-02-5307 Lift Stations	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
002-02-5308 WWTP	0.00	0.00	0.00	682.50	0.00	0.00%	(682.50)
002-02-5309 Water Systems	7,206.85	5,831.00	1,375.85	41,700.15	70,000.00	59.57%	28,299.85
002-02-5310 Water Towers/Tanks	1,462.48	8,330.00	(6,867.52)	21,696.56	100,000.00	21.70%	78,303.44
002-02-5311 Meters and Settings	2,362.32	4,166.67	(1,804.35)	20,613.41	50,000.00	41.23%	29,386.59
002-02-5315 Water Wells Repair	0.00	5,000.00	(5,000.00)	44,767.08	60,000.00	74.61%	15,232.92



Town of Ponder  
 Financial Statement  
 As of May 31, 2023

<b>002 - Water and Sewer Fund Public Works</b>	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
002-02-5316 Septic Inspection Permit	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
002-02-5401 Accounting	5,101.57	833.00	4,268.57	14,601.57	10,000.00	146.02%	(4,601.57)
002-02-5404 Bank Charges	0.00	249.90	(249.90)	145.00	3,000.00	4.83%	2,855.00
002-02-5405 Contract Labor	15,775.00	4,165.00	11,610.00	72,646.50	50,000.00	145.29%	(22,646.50)
002-02-5406 Copiers	0.00	125.00	(125.00)	0.00	1,500.00	0.00%	1,500.00
002-02-5407 Dues and Subscriptions	2,758.21	2,832.20	(73.99)	34,332.48	34,000.00	100.98%	(332.48)
002-02-5408 Electricity	5,764.02	6,664.00	(899.98)	47,808.38	80,000.00	59.76%	32,191.62
002-02-5409 Engineering Fees	682.50	2,082.50	(1,400.00)	2,512.50	25,000.00	10.05%	22,487.50
002-02-5410 Gas Heating	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
002-02-5411 Insurance Property/Liability	0.00	1,666.00	(1,666.00)	15,125.20	20,000.00	75.63%	4,874.80
002-02-5412 Legal Notices & Publications	0.00	208.25	(208.25)	0.00	2,500.00	0.00%	2,500.00
002-02-5413 Legal Service	3,540.00	2,082.50	1,457.50	18,411.54	25,000.00	73.65%	6,588.46
002-02-5414 Pest Control	0.00	74.97	(74.97)	629.93	900.00	69.99%	270.07
002-02-5416 Postage	968.12	666.40	301.72	6,109.67	8,000.00	76.37%	1,890.33
002-02-5418 Training Expenses	0.00	166.67	(166.67)	461.00	2,000.00	23.05%	1,539.00
002-02-5419 Travel/Mileage Expenses	0.00	66.67	(66.67)	0.00	800.00	0.00%	800.00
002-02-5420 Telephone Services	1,310.52	749.70	560.82	7,519.20	9,000.00	83.55%	1,480.80
002-02-5423 Miscellaneous	775.00	1,166.20	(391.20)	1,775.00	14,000.00	12.68%	12,225.00
002-02-5425 Computer Lease	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
002-02-5426 Waste Disposal	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
002-02-5430 Tech Services	686.70	541.45	145.25	2,849.15	6,500.00	43.83%	3,650.85
002-02-5435 Lead/Copper 120 Water	0.00	2,082.50	(2,082.50)	0.00	25,000.00	0.00%	25,000.00
002-02-5501 Vehicle	0.00	1,332.80	(1,332.80)	0.00	16,000.00	0.00%	16,000.00
002-02-5502 Computers - Capital Expense	2,752.00	0.00	2,752.00	6,086.00	8,000.00	76.08%	1,914.00
002-02-5503 Mower	0.00	0.00	0.00	25,000.00	0.00	0.00%	(25,000.00)
002-02-5504 Sewer Repair - Smoke Test	0.00	0.00	0.00	0.00	0.00	0.00%	0.00

Town of Ponder  
 Financial Statement  
 As of May 31, 2023

<b>002 - Water and Sewer Fund Public Works</b>	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
002-02-5505 Mini Excavator	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
002-02-5506 Codification	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
002-02-5507 MPRG - Zoning Ordinance	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
002-02-5508 Thermostats - Digital	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
002-02-5509 Video Camera	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
002-02-5510 Well #6	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
002-02-5511 156 Water Line	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
002-02-5512 Phone System	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
002-02-5516 "10" Water System	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
002-02-5521 WWTP Improvements	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
002-02-5522 PRV ALTITUDE VALVE	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
002-02-5523 John Deere - Due to General	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
002-02-5526 Vehicles	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
002-02-5527 Capital Improvements	415.00	20,825.00	(20,410.00)	8,430.00	250,000.00	3.37%	241,570.00
002-02-5530 Public Works Annex	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
002-02-5535 2018 A CO Projects	0.00	0.00	0.00	50,026.01	0.00	0.00%	(50,026.01)
002-02-5539 12" Waterline - Ferti	1,475.00	0.00	1,475.00	76,480.09	0.00	0.00%	(76,480.09)
002-02-5540 WWTP Land Purchase	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
002-02-5541 12" Waterline - City	0.00	0.00	0.00	25,058.50	0.00	0.00%	(25,058.50)
002-02-5542 Old Town Water System	0.00	0.00	0.00	605.00	0.00	0.00%	(605.00)
002-02-5543 James St Pump Station	935.00	0.00	935.00	3,737.50	0.00	0.00%	(3,737.50)
002-02-5602 Tax Notes	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
002-02-5603 Bond Agent Fees	0.00	208.25	(208.25)	500.00	2,500.00	20.00%	2,000.00
002-02-5604 Bond Payment	0.00	27,471.59	(27,471.59)	131,385.33	329,791.00	39.84%	198,405.67
002-02-5605 Tap Reimbursement Fee	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
002-02-5715 Meter Deposits Payable	0.00	0.00	0.00	0.00	0.00	0.00%	0.00

Town of Ponder  
Financial Statement  
As of May 31, 2023

<b>002 - Water and Sewer Fund Public Works</b>	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
002-02-5719 Contingency Funds	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
Public Works Totals	79,523.50	124,434.69	(44,911.19)	919,687.61	1,502,509.00	61.21%	582,821.39

Town of Ponder  
 Financial Statement  
 As of May 31, 2023

<b>002 - Water and Sewer Fund Sewer</b>	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
002-07-5101 Salaries	3,394.48	11,556.04	(8,161.56)	25,458.60	138,728.00	18.35%	113,269.40
002-07-5102 Overtime	0.00	166.67	(166.67)	0.00	2,000.00	0.00%	2,000.00
002-07-5107 Employee Insurance	0.00	0.00	0.00	1.79	0.00	0.00%	(1.79)
002-07-5108 Longevity Pay	0.00	110.00	(110.00)	0.00	1,320.00	0.00%	1,320.00
002-07-5109 Payroll Taxes	0.00	520.62	(520.62)	0.00	6,250.00	0.00%	6,250.00
002-07-5110 Retirement	0.00	833.00	(833.00)	0.00	10,000.00	0.00%	10,000.00
002-07-5201 Office Supplies	0.00	0.00	0.00	0.00	1,000.00	0.00%	1,000.00
002-07-5202 Computer Supplies	0.00	0.00	0.00	0.00	1,000.00	0.00%	1,000.00
002-07-5204 Fuel	0.00	333.20	(333.20)	808.27	4,000.00	20.21%	3,191.73
002-07-5208 Chemical Supplies	0.00	791.35	(791.35)	5,237.78	9,500.00	55.13%	4,262.22
002-07-5209 Uniform Expenses	0.00	0.00	0.00	0.00	750.00	0.00%	750.00
002-07-5212 Mechanical Supplies	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
002-07-5301 Repair & Maintenance -	0.00	333.20	(333.20)	302.45	4,000.00	7.56%	3,697.55
002-07-5303 Repair & Maintenance -	0.00	874.65	(874.65)	5,237.55	10,500.00	49.88%	5,262.45
002-07-5306 Sanitary.Sewers	103.68	3,332.00	(3,228.32)	103.68	40,000.00	0.26%	39,896.32
002-07-5307 Lift Stations	0.00	1,832.60	(1,832.60)	4,475.00	22,000.00	20.34%	17,525.00
002-07-5308 WWTP	6,152.64	12,495.00	(6,342.36)	26,354.94	150,000.00	17.57%	123,645.06
002-07-5316 Septic Inspection Permit	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
002-07-5405 Contract Labor	0.00	1,666.00	(1,666.00)	0.00	20,000.00	0.00%	20,000.00
002-07-5408 Electricity	3,563.96	4,166.67	(602.71)	34,009.24	50,000.00	68.02%	15,990.76
002-07-5411 Insurance Property/Liability	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
002-07-5420 Telephone Services	0.00	166.67	(166.67)	7.50	2,000.00	0.38%	1,992.50
002-07-5432 Tank Demolition	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
002-07-5504 Sewer Repair - Smoke Test	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
002-07-5505 Mini Excavator	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
002-07-5527 Capital Improvements - King	0.00	0.00	0.00	0.00	0.00	0.00%	0.00

Town of Ponder  
Financial Statement  
As of May 31, 2023

<b>002 - Water and Sewer Fund Sewer</b>	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% Budget Used	Budget Remaining
002-07-5529 WWTP - Expansion	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
002-07-5532 Mini-Excavator Trailer	0.00	1,250.00	(1,250.00)	8,670.43	15,000.00	57.80%	6,329.57
002-07-5535 2018 A CO Projects	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
002-07-5540 WWTP Land Purchase	0.00	0.00	0.00	11,911.25	0.00	0.00%	(11,911.25)
002-07-5541 12" Waterline - City	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
002-07-5604 Bond Payment	0.00	27,471.59	(27,471.59)	24,467.69	329,791.00	7.42%	305,323.31
Sewer Totals	<u>13,214.76</u>	<u>67,899.26</u>	<u>(54,684.50)</u>	<u>147,046.17</u>	<u>817,839.00</u>	<u>17.98%</u>	<u>670,792.83</u>
Expense Totals	<u><u>93,953.02</u></u>	<u><u>192,333.95</u></u>	<u><u>(98,380.93)</u></u>	<u><u>1,085,468.64</u></u>	<u><u>2,320,348.00</u></u>	<u><u>46.78%</u></u>	<u><u>1,234,879.36</u></u>

Form #2204 Rev 9/2017

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Government Filings Section  
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Austin, TX 78711-2887  
512-463-6334  
FAX 512-463-5569  
Filing Fee: None



OATH OF OFFICE

IN THE NAME AND BY THE AUTHORITY OF THE STATE OF TEXAS,  
I, \_\_\_\_\_, do solemnly swear (or affirm), that I will faithfully  
execute the duties of the office of \_\_\_\_\_ of  
the State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws  
of the United States and of this State, so help me God.

\_\_\_\_\_  
Signature of Officer

Certification of Person Authorized to Administer Oath

State of Texas  
County of Denton

Sworn to and subscribed before me on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

(Affix Notary Seal,  
only if oath  
administered by a  
notary.)

\_\_\_\_\_  
Signature of Notary Public or  
Signature of Other Person Authorized to Administer An  
Oath

**Sheri Clearman**

\_\_\_\_\_  
Printed or Typed Name

## Sheri Clearman

---

**From:** Jeremy Johnson <jeremyjohnson@bloomfieldhomes.net>  
**Sent:** Wednesday, May 10, 2023 11:30 AM  
**To:** Sheri Clearman  
**Subject:** P&Z

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

I would like to be on the planning and zoning committee. I know there's a meeting this evening so let me know if I can attend.

Thank you,

Jeremy Johnson  
682-251-3125

## Sheri Clearman

---

**From:** Ryan Dobbs <ryan@ryandobbslaw.com>  
**Sent:** Monday, May 8, 2023 6:48 PM  
**To:** Sheri Clearman  
**Subject:** FW: Volunteering for Board/Comission

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Caution! This message was sent from outside your organization.

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Hi Sheri,

I am interested in volunteering for the P&Z Commission/Board. The email I sent before is below, for reference. I had spoken with Mayor Poole at the candidate forum and you and I spoke over the phone a couple of weeks ago. I look forward to serving, if asked.

Thank you,

Ryan

### Ryan E. Dobbs

ATTORNEY | ADVOCATE | ADVISOR

#### RYAN DOBBS LAW, PLLC

165 S. Kimball Avenue  
 Suite 110  
 Southlake, Texas 76092  
 817-525-2257 office  
 214-392-1242 mobile



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---

**From:** Ryan Dobbs <ryan@ryandobbslaw.com>  
**Date:** Tuesday, April 25, 2023 at 8:49 PM  
**To:** sclearman@pondertx.com <sclearman@pondertx.com>  
**Subject:** Volunteering for Board/Comission

Hi Sheri,



I believe you and I spoke over the phone last week about my willingness to volunteer to serve on a board or commission. I was at the candidate forum tonight and spoke with Mayor Poole. He urged me to email you about my interest and mention that I spoke with him tonight. I would be interested in volunteering for the EDC or filling a spot on the Planning and Zoning Commission (if that were a need). Please let me know what, if anything, I need to do beyond expressing interest to you about volunteering. My address is 216 Lakewood, in Clairmont Estates.

Thank you,

Ryan

**Ryan E. Dobbs**

ATTORNEY | ADVOCATE | ADVISOR

**RYAN DOBBS LAW, PLLC**

165 S. Kimball Avenue

Suite 110

Southlake, Texas 76092

817-525-2257 office

214-392-1242 mobile



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**TOWN OF PONDER  
ORDINANCE NO. 23-07**

**AN ORDINANCE OF THE TOWN OF PONDER, AMENDING BY ADDING TO THE TOWN OF PONDER CODE OF ORDINANCES, CHAPTER 92 OFFENSES AND NUISANCES.**

**WHEREAS**, the Town of Ponder has enacted a Code of Ordinances, containing rules for the Town; and

**WHEREAS**, said Code must from time to time be amended; and

**WHEREAS**, the Town Council for the Town of Ponder, Texas has determined that it is necessary and expedient to amend said Code to add sections;

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PONDER, TEXAS:**

That the Town of Ponder Code of Ordinance be amended as shown in Exhibit A attached to this Ordinance.

**PASSED AND APPROVED BY THE TOWN COUNCIL OF THE TOWN OF PONDER, TEXAS, THIS 12th day of June, 2023.**

**APPROVED:**

\_\_\_\_\_  
**John Bassler, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Sheri Clearman, Town Secretary**

---

**CHAPTER 92 OFFENSES AND NUISANCES.  
OUTDOOR FIRE AND BURNING**

**§ 92.20 Regulation of fire used for waste elimination.**

For the purpose of maintaining the health, safety, and welfare of the residents and community, and as waste collection services are available within the Town of Ponder, the following acts are declared to be nuisances in violation of this Code:

- (A) The burning of anything other than natural materials. Natural materials include but are not limited to: leaves, yard clippings, tree trimmings, etc.
- (B) Any burning of brush, trimmings, or scrap without first contacting Denton County Dispatch to ensure it is a burn day. (Denton County Dispatch: (940) 349-1640)
- (C) Any burning of brush, trimmings, or scrap without first notifying City Hall of your intent to burn waste. (City Hall (940) 479-2396)
- (D) Failure to contain fire using common methods. Open fires are strictly forbidden. Some common methods of fire containment include but are not limited to: metal barrels, fire rings, fire pits with fireproof border, stone circle, etc.
- (E) Failure to attend fire until out, and secondary ignition no longer possible. For the purpose of this section, *'attend'* shall mean a responsible adult within line of sight of the fire at all times, and *'secondary ignition no longer possible'* shall mean the fire has been flooded with water or the remains are able to be handled with bare hands.
- (F) Failure to provide and keep within easy access a fire suppressant. Easy access suppressants include but are not limited to: fire extinguishers, residential water spigot with hose, sand, etc.
- (G) The Chief of Police, Fire Chief, their designees or assigns, or a uniformed Police Officer shall have authority to enforce this section.

Cross reference(s)—Penalty, see § 10.99.

**§ 92.21 Exclusions to regulation.**

Nothing in this subchapter (*OUTDOOR FIRE AND BURNING*, §92.20 & 92.21) is intended to regulate or prohibit outdoor fire for the purpose of cooking or recreation. Outdoor grilling, smoking of food, fire features with containment grating or mesh, chimineas, and other recreational or food preparation specific fire use is expressly excluded from regulation.

**TOWN OF PONDER  
ORDINANCE NO. 23-06**

**AN ORDINANCE OF THE TOWN OF PONDER, REPEALING AND  
REPLACING THE TOWN OF PONDER CODE OF ORDINANCES,  
CHAPTER 71, PARKING REGULATIONS**

**WHEREAS**, the Town of Ponder has enacted a Code of Ordinances, containing rules for the Town; and

**WHEREAS**, said Code must from time to time be amended; and

**WHEREAS**, the Town Council for the Town of Ponder, Texas has determined that it is necessary and expedient to amend the Code to replace all sections;

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF  
PONDER, TEXAS:**

That the Town of Ponder Code of Ordinance be amended as shown in Exhibit A attached to this Ordinance.

**PASSED AND APPROVED BY THE TOWN COUNCIL OF THE TOWN OF PONDER,  
TEXAS, THIS 12th day of June, 2023.**

**APPROVED:**

\_\_\_\_\_  
**John Bassler, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Sheri Clearman, Town Secretary**

## Chapter 71 PARKING REGULATIONS

### § 71.01 Definitions.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

**Bus:** means:

- (A) a motor vehicle used to transport persons and designed to accommodate more than 10 passengers, including the operator: or
- (B) a motor vehicle, other than a taxicab, designed and used to transport persons for compensation.

**Commercial Motor Vehicle:** means a motor vehicle, other than a motorcycle or moped, designed or used primarily to transport property. The term includes a passenger car reconstructed and used primarily for delivery purposes. The term does not include a passenger car used to deliver the United States mail.

**Pole Trailer:** means a vehicle without motive power:

- (A) designed to be drawn by another vehicle and secured to the other vehicle by pole, reach, boom, or other security device; and
- (B) ordinarily used to transport a long or irregularly shaped load, including poles, pipes, or structural members, generally capable of sustaining themselves as beams between the supporting connections.

**Public Alley:** See ‘Public Right of Way’

**Public Right of Way:** Shall mean any street, alley, road, boulevard, or other similar infrastructure dedicated to public use through plat filed with Denton County Appraisal District.

**Public Street:** See ‘Public Right of Way’

**Recreational Vehicle (RV):** Shall mean a vehicle, either motorized or nonmotorized, that is designed for temporary human habitation for uses including recreational camping or seasonal use. Examples include but are not limited to; motorhomes, campervans, coaches, caravans, travel trailers, camper trailers, fifth-wheel trailers, and popup campers.

**Road Tractor:** means a motor vehicle designed and used to draw another vehicle but not constructed to carry a load independently or a part of the weight of the other vehicle or its load.

**Semi-Trailer:** means a vehicle with or without motive power, other than a pole trailer:

- (A) designed to be drawn by a motor vehicle and to transport persons or property; and
- (B) constructed so that part of the vehicle's weight and load rests on or is carried by another vehicle.

**Trailer:** means a vehicle, other than a pole trailer, with or without motive power:

- (A) designed to be drawn by a motor vehicle and to transport persons or property; and

(B) constructed so that no part of the vehicle's weight and load rests on the motor vehicle.

Truck-Tractor: means a motor vehicle designed and used primarily to draw another vehicle but not constructed to carry a load other than a part of the weight of the other vehicle and its load.

### § 71.02 General parking restrictions.

- (A) It shall be unlawful and a violation of the provisions of this section for any person to cause, allow, permit, or suffer any vehicle registered in the name of or operated by the person:
- (1) To be stopped or parked upon or adjacent to a public street or alley so that any portion of the vehicle, including but not limited to, any objects carried in or upon the vehicle, protrude into the main-traveled portion of the street or alley;
  - (2) To be parked on any street or alley in the town for a period of time longer than 24 hours;
  - (3) To park any bus, pole trailer, recreational vehicle, road tractor, semi-tractor, trailer, or truck tractor;
    - (A) In a residential zoned area; and
    - (B) upon a public right of way; and
    - (C) regardless of marking or signage as described in §71.03 of this chapter.
  - (4) To be parked if the vehicle be a truck-tractor, road tractor, trailer, semi-trailer, pole trailer, bus, recreational vehicle, or any commercial motor vehicle, upon an improved public street, alley, parkway, boulevard or public property, or other improved roadway easements; and nothing herein shall authorize the parking of mobile homes in any location, public or private, unless pursuant to a permitted use authorized by the zoning ordinance or regulations of the building official. This division shall not apply to:
    - (a) Street construction, maintenance and repair equipment;
    - (b) Trucks, equipment, trailers and vehicles used by public service utility companies engaged in repairing or extending public service utilities;
    - (c) Other vehicles when actually parked at a designated loading zone;
    - (d) Municipal vehicles in the course of performance of town business; or
    - (e) When it is lawful to park a commercial motor vehicle for the purpose of accepting or delivering transportable goods.
  - (5) To utilize a vehicle or RV as a living or sleeping quarters for more than 14 days within a 6-month period of time without obtaining a Temporary Living Quarters Permit. A Temporary Living Quarters Permit may be obtained at City Hall. Temporary Living Quarters Permit fees may be waived in the case of extenuating circumstance such as general health and safety concerns, dangerous structures, weather or fire damage to primary structure, etc.
- (B) It is an affirmative defense to prosecution under this section that the vehicle had a mechanical defect, making it unsafe to proceed further, in which event it shall be lawful to stand or park the vehicle during the time necessary to make emergency repairs.
- (C) When any vehicle is found parked in violation of any provision of this section, that fact shall be prima facie evidence that the person in whose name it is registered is guilty of a violation of this section.
- (D) The chief of police, his designee or assign, or a duly commissioned police officer of the town shall enforce this section (§ 71.02).

(2000 Code, § 10.101) (Ord. 113, passed 11-2-1987)

Cross reference(s)—Penalty, see § 71.99.

State law reference(s)—Authority to regulate parking, Tex. Transportation Code, § 542.202(2).

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**§ 71.03 No Parking Signage and Markings.**

The chief of police or other town official designated by the town council shall cause the no-parking area to be maintained and marked as designated by this section. All such areas shall be clearly indicated by appropriate signs or markings on the pavement.

(2000 Code, § 10.102(b)) (Ord. 70, passed 12-6-1984)

Cross reference(s)—Penalty, see § 71.99.

**§ 71.99 Penalty.**

- (A) Any person who violates any provision of this chapter for which no penalty is provided shall be subject to the terms of § 10.99.
- (B) Any person, firm or corporation violating any of the provisions of § 71.02 shall be deemed guilty of a Class C misdemeanor and upon final conviction thereof fined in accordance with the general penalty provision found in § 10.99 of this Code.
- (C) Any person, firm or corporation violating any of the provisions of § 71.02 shall be deemed guilty of a misdemeanor and upon final conviction thereof, fined in accordance with the general penalty provision found in § 10.99 of this Code. Each and every day such violation shall continue shall constitute a separate offense and shall be punishable as such hereunder.

(2000 Code, §§ 10.101, 10.102) (Ord. 70, passed 12-6-1984; Ord. 113, passed 11-2-1997)

**TOWN OF PONDER  
ORDINANCE NO. 23-07**

**AN ORDINANCE OF THE TOWN OF PONDER, AMENDING AND  
ADDING TO THE TOWN OF PONDER CODE OF ORDINANCES,  
CHAPTER 74, SIDEWALKS**

**WHEREAS**, the Town of Ponder has enacted a Code of Ordinances, containing rules for the Town; and

**WHEREAS**, said Code must from time to time be amended; and

**WHEREAS**, the Town Council for the Town of Ponder, Texas has determined that it is necessary and expedient to amend the Code to and add sections;

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PONDER, TEXAS:**

That the Town of Ponder Code of Ordinance be amended as shown in Exhibit A attached to this Ordinance.

**PASSED AND APPROVED BY THE TOWN COUNCIL OF THE TOWN OF PONDER, TEXAS, THIS 12th day of June, 2023.**

**APPROVED:**

\_\_\_\_\_  
**John Bassler, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Sheri Clearman, Town Secretary**



## Chapter 74 SIDEWALKS

### §§ 74.01 Maintenance of sidewalks by property owners or occupants.

- (A) It shall be the exclusive duty, obligation, responsibility and liability of owners or occupants of real property abutting upon streets within the territorial limits of the Town of Ponder, as listed in division (B) below, **at their own cost and expense**, to maintain and keep the sidewalks bordering their property, level and free of depressions, excavations, elevations, inequalities, obstacles, obstructions or encroachments, or any other defect, natural or artificial, above or below ground level, or which overlap, impinge upon or appropriate any part of the sidewalk area or the space eight feet above it.
- (B) The location to which division (A) above applies is all sidewalks and structures erected in a public right-of-way which has been dedicated to public use by plat filed with the Denton County Appraisal District.
- (C) Any persons violating any provision of this section shall be deemed guilty of a misdemeanor after having been served notice of violation as described in §74.02 and punished by a fine in accordance with the penalty provision found in §74.03.
- (D) It shall be the duty of the Chief of Police, his designee or assign, or a registered Code Enforcement Officer to inspect or cause to be inspected all Public Right of Way sidewalks within the territorial limits of the town, for the purpose of enforcement of this sub-chapter (§74.01).

### § 74.02 Sidewalk maintenance: Enforcement procedure and notice requirements

In the event that the owner or occupant of any lot, tract, parcel of land, or portion thereof, situated within the corporate limits of the town, shall fail to comply with §74.01, then the Chief of Police, his designee or assign, or a registered Code Enforcement Officer may issue Notice of Violation to the owner.

- (A) The notice may be issued:
  - (1) Personally, to the owner (and occupant if applicable) in writing;
  - (2) By letter addressed to the owner at the owner's post office address as listed within records held at the Denton County Appraisal District, and occupant at the address where the violation exists if the property is not occupied by the owner; or
  - (3) If personal service cannot be obtained or the owner's post office address is unknown:
    - (a) By publication at least twice within ten consecutive days;
    - (b) By posting the notice on or near the front door of each building on the property to which the violation relates; or
    - (c) By posting the notice on a placard attached to a stake driven into the ground on the property to which the violation relates, if the property contains no buildings.
- (B) This notice must contain;
  - (1) The property address where the violation exists;
  - (2) A description of the violation;
  - (3) Grant no less than 10-days to abate the violation;
  - (4) Contain language informing of the possibility of fine or lien if compliance is not obtained; and

(5) Contain language informing that a notice of violation will only be given once per calendar year, and future violations of this same code could result in fine or lien without further notice.

### **§ 74.03 Sidewalk maintenance: Penalty**

Any person, or any owner or occupant, or agent of any owner or occupant, violating any of the terms of §74.01 shall be subject to a fine, upon conviction in the municipal court, which shall not exceed \$200.00, and each and every day that the premises shall remain in a condition which violates the terms of §74.01 shall constitute a separate and distinct offense. Upon the trial of any person brought before the court, the court is authorized to fix a time within which any such person may be allowed to abate the violation, if in the judgment of the court, the action is deemed advisable.

### **§ 74.04 Sidewalk maintenance: Authority of the town to abate and notice requirements**

If the owner of property in the town does not comply with a municipal ordinance or requirement under this subchapter within ten days of a notice of a violation as described in §74.02, the town may:

- (1) Do the work or make the improvements required; and
- (2) Pay for the work done or improvements made and charge the expenses to the owner of the property; and
- (3) Fine the owner or occupant of the property as described in § 74.03; and
- (3) The town may assess expenses and create liens against the property where the violation existed. A lien created under this section is subject to the conditions under §74.05.

### **§ 74.05 Assessment of expenses; lien.**

- (A) The Town of Ponder may assess expenses incurred under § 74.04 against the real estate on which the work is done or improvements made.
- (B) To obtain a lien against the property, the mayor, municipal health authority or other municipal official designated by the mayor must file a statement of expenses with the County Clerk of Denton County. The lien statement must state the name of the owner, if known, and the legal description of the property. The lien attaches upon the filing of the lien statement with the county clerk.
- (C) The lien obtained by the Town of Ponder is security for the expenditures made and interest accruing at the rate of ten percent on the amount due from the date of payment by the town.
- (D) The lien is inferior only to:
  - (1) Tax liens; and
  - (2) Liens for street improvements.
- (E) The Town of Ponder may bring a suit for foreclosure in the name of the town to recover the expenditures and interest due.
- (F) The statement of expenses or a certified copy of the statement is prima facie proof of the expenses incurred by the town in doing the work or making the improvements.
- (G) The remedy provided by this section is in addition to the remedy provided by §74.03 of this chapter.
- (H) The Town of Ponder may foreclose a lien on property under this subchapter in a proceeding relating to the property brought under Tex. Tax Code Subchapter E, Chapter 33.

## Title VII – Chapter 74 - Sidewalk

Rewrite commentary – Andrew Mills

### **Reason for rewrite:**

The sidewalk code, as written, is unclear and not broad enough to be useful. It does not offer any procedure for abating sidewalk violations, nor any authority to compel compliance. It also seems to only apply to certain commercial areas, offering no coverage anywhere else within the town.

Most municipalities regulate sidewalks to one degree or another for public safety reasons. The verbiage changes would more clearly apply these codes to the entirety of the town and cover such issues as parking blocking the sidewalk, grass or dirt accumulation on top of the sidewalk, tree limbs growing too low over the sidewalk. Etc. These issues represent a clear danger to pedestrians using the sidewalk, children specifically, who commonly leave the sidewalk and veer into the street to go around obstacles/obstructions.

### **Major changes:**

Authority – Previous code had no enforcement authority listed.

Scope – Previous code seemed to indicate that this code only applied to “certain commercial property”, then went on to further define these areas as possibly including non-commercial areas. I did not like the confusing verbiage. I removed the commercial reference as there are many sidewalks in areas other than commercial.

Maintenance responsibility – Previous code listed “users” of sidewalks within the list of those responsible for maintenance. I have removed this. Previous code also places the burden on the owner/occupant of the property where the violation exists. Should we want to remove this burden, you can simply remove the yellow highlighted text.

Notice/Penalty/authority to abate/lien – Previous code made sidewalk issues a violation of code but did not offer any penalty or procedure for the town to take action to abate these violations. I added these tools.

Fine – Previous code cross referenced §10.99 as penalty. This is our general ‘catch-all’ for any violations of code. Due to the elements of a sidewalk violation, §10.99 sets the fine amount at “not to exceed \$500.” I found this to be high when compared to the penalty section associated with other property maintenance violations, which are set at “not to exceed \$200”. I have rewritten the penalty section to resemble this lower fine amount.

**TOWN OF PONDER  
ORDINANCE NO. 23-08**

**AN ORDINANCE OF THE TOWN OF PONDER, AMENDING AND  
ADDING TO THE TOWN OF PONDER CODE OF ORDINANCES,  
CHAPTER 154, PLANNING AND ZONING**

**WHEREAS**, the Town of Ponder has enacted a Code of Ordinances, containing rules for the Town; and

**WHEREAS**, said Code must from time to time be amended; and

**WHEREAS**, the Town Council for the Town of Ponder, Texas has determined that it is necessary and expedient to amend the Code to and add sections;

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PONDER, TEXAS:**

That the Town of Ponder Code of Ordinance be amended as shown in Exhibit A attached to this Ordinance.

**PASSED AND APPROVED BY THE TOWN COUNCIL OF THE TOWN OF PONDER, TEXAS, THIS 12th day of June, 2023.**

**APPROVED:**

\_\_\_\_\_  
**John Bassler, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Sheri Clearman, Town Secretary**

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### § 154.35 Supplemental district regulations.

- (A) *Childcare centers.*
- (B) *Construction yards, field offices and other temporary buildings.*
- (C) *Fences.*
- (D) *Manufactured home parks.*
- (E) *Multi-family residence.*
- (F) *Patio homes.*
- (G) *Radio, television and microwave towers.*
- (H) *Residence hotels.*
- (I) *Service stations.*
- (J) *Sexually-oriented businesses.*
- (K) *Single-family attached dwelling (town-house).*
- (L) *Swimming pools.*
- (M) *Shopping center.*
- (N) *Commercial C-1 and C-2 building materials.*
- (O) *Lighting regulations.*
  - (1) *Applicability.* All outdoor electrically powered illuminating devices shall be installed in conformance with the provisions of this section, the building code and the electrical code of the town as applicable and under appropriate permit and inspection. Unless otherwise stated, this chapter does not regulate lighting in public road rights-of-way.
  - (2) *Definitions.* For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning:
    - Building official.* Town council or its designee.
    - Fixture.* The assembly that holds the lamp in a lighting system. It includes the elements designed to give light output control, such as a reflector (mirror) or defractor (lens), the ballast, housing and attachment parts.
    - Foot-candle.* A unit of illuminance amounting to one lumen per square foot.
    - Full cutoff fixture.* A fixture that allows no emission above a horizontal plane through the fixture.
    - Fully shielded.* A luminaire constructed or shielded in such a manner that all light emitted by the luminaire, either directly from the lamp or indirectly from the luminaire, is projected below the horizontal plane through the luminaries' lowest light emitting part as determined by photometric test or certified by the manufacturer.
    - Glare.* Direct lighting emitted from a luminary that causes reduced vision or temporary blindness.

*High pressure sodium (HPS).* A high-intensity discharge lamp where radiation is produced from sodium vapor at relatively high partial pressures (100 torr). HPS is essentially point source light.

*Horizontal plane.* A line horizontal to the lowest point on the fixture from which light is emitted.

*IESNA.* Illuminating Engineering Society of North America.

*Incandescent lamp.* Any lamp that produces light by heating a filament through use of an electric current.

*Light source.* A device (such as a lamp) which produces visible energy as distinguished from devices or bodies which reflect or transmit light such as a luminaire.

*Light trespass.* Light from an artificial light source that is intruding into an area where it is not wanted or does not belong.

*Low pressure sodium (LPS).* A discharge lamp where the light is produced by radiation from sodium vapor at a relatively low partial pressure (about 0.001 torr). LPS is a tube source monochromatic light.

*Luminaire.* A device or fixture containing a light source and means for directing and controlling the distribution of light from the source.

*Luminance.* The physical quantity corresponding to the brightness of a surface (e.g., lamp, luminaire, sky or reflecting material) in a specified direction. It is the luminous intensity of an area of the surface divided by that area. The unit is a candela per square meter.

*Mercury lamp.* A high intensity discharge lamp where light is produced by radiation from mercury vapor.

*Metal halide lamp.* A high intensity discharge lamp where light is produced by radiation from metal halide vapor.

*Nonessential lighting.* Lighting that is not required to ensure the security, safety and the general welfare of the public and the premises.

*Partially shielded.* Shielding so that the lower edge of the shield is at or below the centerline of the light source or lamp so as to minimize light transmission above the horizontal plane, or at least 90% of the emitted light projects below the horizontal plane as evidenced by the manufacturer's photometric data.

*Photometric.* Quantitative measurements of light levels and distribution.

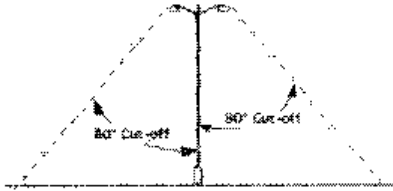
*Shielding.* A physical structure intended to restrict emitted light.

*Spill light.* Light emitted by the lighting installation that falls outside the boundaries of the property on which the installation is sited.

- (3) *Outdoor lighting plan.* An outdoor lighting plan must be submitted separately from any required site plan or landscape plan on all multi-family and nonresidential public or private properties, including rights-of-way, public easements, franchises and utility easements for approval by the building official. An outdoor lighting plan shall be submitted prior to issuing a building permit. Plans shall include the following:
- (a) A layout of the proposed fixture locations;
  - (b) The light source;
  - (c) The luminous area for each proposed light source with proposed foot-candle measurements;
  - (d) The type and height of the light fixture or of the light source above grade;
  - (e) The type of illumination; and
  - (f) At the discretion of the town, a photometric plan may be needed.

(4) General.

- (a) Unless otherwise provided herein, illumination, where required by this section, shall have intensities and uniformity ratios in accordance with the current recommended practices of the Illuminating Engineering Society of North America (IESNA), as from time to time amended.
- (b) Unless otherwise provided herein, all building lighting for security or aesthetics will be fully-shielded type. Wall pack type fixtures are acceptable only if they are fully-shielded with 80° cut-off.



- (c) No use or operation in any multi-family or nonresidential district shall be located or conducted so as to produce glare, or either direct or indirect illumination across the bounding property line from a source of illumination into a residentially zoned property, nor shall any such light be of such intensity as to create a nuisance or detract from the use and enjoyment of adjacent property. For the purposes of this section, a nuisance shall be defined as more than 0.5 of one foot-candle of light measured at the residential property line, or 2.25 of one foot-candle of light measured at any adjoining nonresidential property line, unless the nonresidential property is of a similar use and utilizes similar lighting parameters.
- (d) Halogen lights are prohibited; and
- (e) Shielding shall be required in all outdoor lighting installations as specified below.

Lamp Type	Shielding
Low pressure sodium (LPS)	Fully shielded, with 80° cut-off
High pressure sodium (HPS)	Fully shielded, with 80° cut-off
Metal halide	Fully shielded, with 80° cut-off
Mercury vapor	Fully shielded, with 80° cut-off
Halogen	Prohibited
Fluorescent	Fully shielded, with 80° cut-off
Incandescent	Fully shielded, with 80° cut-off
Any light source 50 watts and under	Unshielded permitted
Low intensity neon, krypton or argon discharge tubes	Unshielded permitted

(5) Illumination.

- (a) *Measurement.* Illumination levels of outdoor lighting shall be measured by a qualified professional, or other reliable authority satisfactory to the town, according to generally accepted IESNA methods, or using commercially available light measuring devices.
  - (1) Should need arise, illumination level measurements made by the Town of Ponder or contracted professional under the direction of the Town of Ponder may be challenged. This challenge shall be at sole financial burden of the challenger without recourse, compensation, or any restitution, implied or otherwise. Illumination level measurement services obtained by the challenger must comply with §154.35 (O) (5) (a) above.
- (b) *Computation of illumination.* Illumination at a point may be computed in lieu of measurement. Computation methods shall consist of a generally accepted IESNA method, using certified photometric data furnished by the fixture manufacturer, lamp manufacturer, photometric laboratory, or other reliable authority satisfactory to the town. Computations shall be based on new, properly

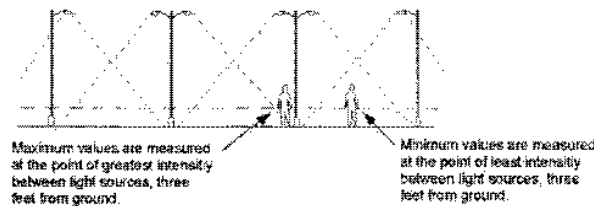
seasoned lamps, diffusers and other appurtenances in place, and with proper regard taken for mounting height, relative elevation, natural and manmade objects.

- (c) *Limitations on neighboring property.* The limit of illumination on neighboring property from one establishment shall be by zoning of the neighboring property. Maximum computed or measured foot-candles at the neighboring property line shall not exceed:

Foot-Candles	
Land Use Type	Horizontal
Single-family and two-family residential districts	0.5
Nonresidential districts	2.25

(6) *Multi-family and nonresidential illumination.*

- (a) All nonessential lighting shall be turned off after business hours, leaving only necessary lighting for site security.



- (b) Security lights must be fully shielded.
- (c) Parking lots and vehicle movement areas shall not exceed a maximum illumination value of ten foot-candles nor a minimum illumination value of 1.0 foot-candles. Lamps in decorative lantern type fixtures shall not exceed a maximum of 100 watts. Total pole and fixture height shall not exceed a maximum of 32 feet, measured from grade at the base. Taller poles may be considered in some situations upon approval of the zoning board of adjustments.
- (d) The lighting must be fully-shielded to prevent direct glare and/or light trespass. The lighting must also be substantially contained to the target area.
- (e) The maximum outdoor initial computed or measured illuminant level on the establishment property shall not exceed 20 foot-candles outdoors at any point, except that lighting under canopies (such as service stations) shall not exceed 40 foot-candles.
- (f) Illumination levels exceeding the maximum permitted must receive prior approval by the zoning board of adjustment.

(7) *Public and semi-public recreational facilities.*

- (a) Any light source permitted by this section may be used for lighting of outdoor recreational facilities (public or private), such as, but not limited to, football fields, soccer fields, baseball fields, softball fields, tennis courts, or show areas, provided all of the following conditions are met:
  1. Any illumination level exceeding a maximum of 20 foot-candles must receive prior approval by the zoning board of adjustments;
  2. All fixtures used for event lighting shall be fully shielded, or be designed or provided with sharp cut-off capability, so as to minimize up-light, spill-light, and glare; and
  3. All events shall be scheduled so as to complete all activity before or as near to 10:30 p.m. as practical, but under no circumstances shall any illumination of the playing field, court or track be permitted after 11:00 p.m. except to conclude a scheduled event that was in progress before 11:00 p.m. and circumstances prevented concluding before 11:00 p.m.
- (8) *Prohibited.* Unless otherwise authorized, the following shall be prohibited except upon prior approval by the zoning board of adjustments.



- (a) The use of laser source light or any similar high intensity light for outdoor advertising or entertainment, when projected above the horizontal, is prohibited.
- (b) The operation of searchlights for advertising purposes is prohibited.
- (c) Halogen lights are prohibited.
- (9) *Exemptions.* The following are exempt from the outdoor lighting requirements of this chapter:
- (a) All temporary emergency lighting needed by the police or fire departments or other emergency services, as well as all vehicular luminaries;
- (b) All hazard warning luminaries required by federal regulatory agencies, except that all luminaries used must be red and must be shown to be as close as possible to the federally required minimum lumen output requirement for the specific task;
- (c) Any luminaries of 75 watts or less, provided the accumulated illumination does not exceed 75 watts; and
- (d) Seasonal decorative lighting.
- (10) *Temporary exemptions.*
- (a) Upon approval by the building official, temporary exemptions from the requirements of this subsection (O) for a period not to exceed 30 days may be approved.
- (b) Any person may submit a written request for a temporary exemption request. The request shall contain the following information:
1. Specific exemption(s) requested;
  2. Type/use of outdoor lighting fixture involved;
  3. Duration of time requested;
  4. Type of lamp and calculated foot-candles;
  5. Total wattage of lamp(s);
  6. Proposed location of fixtures;
  7. Previous temporary exemption requests;
  8. Physical side of fixtures and type of shielding provided; and
  9. Such other data or information as may be required by the Building official.
- (c) Requests for renewal of exemptions shall be processed in the same way as the original request. Each renewal shall be valid for not more than 14 days or a time period designated by the building official.
- (d) Approval for temporary exemptions will be based on the effect of location and use of outdoor lighting fixture.
- (11) *Nonconforming lighting.* All luminaries lawfully in place prior to the date of this section shall be considered as having legal nonconforming status. However, any luminary that replaces a legal nonconforming luminary, or any legal nonconforming luminary that is moved, must meet the standards of this section.
- (12) *Authorized special exceptions.* A special exception may be granted by the zoning board of adjustments, subject to compliance with any and all conditions as the zoning board of adjustments may impose for the protections of public health or safety.
- (13) *Penalty.* Any person, firm or corporation violating any of the provisions of §154.35 (O) shall be deemed guilty of a misdemeanor; and any person, firm or corporation found guilty thereof shall be fined in accordance with the general penalty provision found in § 10.99 of this Code for each such conviction. Each and every day such violation continues shall constitute a separate offense.

(Ord. 00-20 § 13, passed 9-6-2000; Am. Ord. 04-29, passed 12-13-2004; Am. Ord. 04-30, passed 7-12-2004; Am. Ord. 05-18, passed 6-13-2005; Am. Ord. 06-15, passed 6-12-2006; Am. Ord. 20-15, passed 10-5-2020)

**TOWN OF PONDER  
ORDINANCE NO. 23-09**

**AN ORDINANCE OF THE TOWN OF PONDER, AMENDING BY ADDING  
TO THE TOWN OF PONDER CODE OF ORDINANCES, CHAPTER 110,  
GENERAL REGULATIONS**

**WHEREAS**, the Town of Ponder has enacted a Code of Ordinances, containing rules for the Town;  
and

**WHEREAS**, said Code must from time to time be amended; and

**WHEREAS**, the Town Council for the Town of Ponder, Texas has determined that it is necessary and  
expedient to amend said Code to add sections;

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF  
PONDER, TEXAS:**

That the Town of Ponder Code of Ordinance be amended as shown in Exhibit A attached to this  
Ordinance.

**PASSED AND APPROVED BY THE TOWN COUNCIL OF THE TOWN OF PONDER,  
TEXAS, THIS 12th day of June, 2023.**

**APPROVED:**

\_\_\_\_\_  
**John Bassler, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Sheri Clearman, Town Secretary**

## **SPECIAL EVENT REGULATIONS**

### **§ 110.30 Purpose.**

In order to better plan for events, festivals, and other organized activities that may take place within the territorial limits of the Town of Ponder, a Special Event Permit shall be required for all events involving large numbers of attendees. The purpose of this Permit shall be to inform the town of the proposed event and allow for any impact upon Town resources, citizens, and general health and safety. The provisions of this article are not intended to place unnecessary burden on any individuals right to assembly or speech.

### **§ 110.31 Definitions.**

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

**Attendee** – Individual persons, either known or unknown to the Orchestrator, who attend any function, part or whole, of an event regardless of participation.

**Orchestrator** – Any person, firm, corporation, or group who plans an event which may draw a crowd of 50 or more Attendees.

**Special Event** – A temporary event, gathering, or organized activity whether public or private, advertised or not, regularly or irregularly scheduled, involving 50 or more attendees, or having one or more of the following;

- (1) Closing, blocking, or impacting the regular use of a public right of way;
- (2) Blocking or restricting city-owned property;
- (3) Sale or distribution of merchandise, food, or beverage on city-owned property;
- (4) Outdoor consumption of alcohol;
- (5) Erection of tents, shading devices (awnings, canopies, covers, etc.), crowd control devices, or use of temporary parking accommodation;
- (6) Installation of a stage, band-shell, trailer, van, portable building, grandstand, or bleachers;
- (7) Placement of portable toilets;
- (8) Placement of additional waste containers; or
- (9) Having impact on public health or safety.

**Temporary Signage** – Signage mounted or displayed in such a way that it is easily removable without damage or permanent impact to the surface to which it was affixed. Temporary Event Signage may only be placed on the site of the property permitted to host the event. Temporary signage may be erected no earlier than 3 days prior to the scheduled event, and must be removed no later than 3 days after its conclusion. Temporary Event Signage includes but is not limited to; parking location directions, general information posting, restroom location advertisement, sale or menu boards, wind devices such as flags and banners related to the event, etc. Unofficial traffic control signage is expressly forbidden.

### **§110.32 Permit Required.**

- (A) A Special Event Permit shall be required for all events wherein 50 or more Attendees are expected.
- (B) The permit required in subsection (A) of this section shall not apply to the following;
  - (1) Owners or occupants of residentially zoned property on which there exists a residential home;
  - (2) Events orchestrated by the Ponder Independent School District, taking place on property owned by the Ponder Independent School District;
  - (3) Events orchestrated by the Town of Ponder, taking place on property owned by the Town of Ponder;
  - (4) Events without financial motivation, where the function of the event is primarily religious, political, protest, or free speech related, and which does not otherwise impact the Town of Ponder, Its citizens, health and safety, or the free and uninterrupted use of its public right of ways.
- (C) It shall be unlawful to orchestrate a Special Event without first obtaining a Special Event Permit from the Town of Ponder.
- (D) It shall be unlawful to fail to disclose, whether intentional or accidental, any planned activity, part, portion, or function of an event that may affect the health, safety, morals, or general welfare of Attendees or the town.
- (E) The Town of Ponder Chief of Police, his deputy or assign, or any person designated by Town Council shall have the authority to enforce the provisions of this subchapter.

Cross reference(s) – Penalty, see §110.99

**§ 110.33 Application.**

- (A) *Forms.* A person seeking issuance of a Special Event Permit shall file an application with the Planning and Zoning Coordinator on forms provided by him or her. An application for Special Event Permit must be submitted 14 days prior to the planned start of the Special Event.
- (B) *General Information.* An application for Special Event Permit shall contain the following information;
- (1) The name, address, and telephone number of the person seeking the permit;
  - (2) Any participating organizations name, address, and telephone number of the headquarters of the organization and of the authorized and responsible heads of such organization;
  - (3) The name, address, and telephone number of the person who will be overseeing the Special Event and who will be responsible for the people participating;
  - (4) The dates when the Special Event will begin and end;
  - (5) The hours when the Special Event will open and close;
  - (6) The address, location, or other description of the property to be used;
  - (7) The number of attendees expected;
  - (8) Additional restroom accommodations (if applicable); and
  - (9) A statement of disclosure regarding any of the following;
    - (a) Temporary or overflow parking accommodation;
    - (b) Distribution, sales, or allowed use of alcohol;
    - (c) Use of fire, outdoor cooking, pyrotechnic devices, or temporary heating equipment;
    - (d) Use of temporary electrical equipment;
    - (e) Use of temporary signage;
    - (f) Nuisance management plans specifically regarding noise, odor, and trash;
    - (g) Any activity that may affect the health, safety, morals, or general welfare of Attendees, the Town of Ponder, or its citizens.
- (C) *Insurance and Security.* If applicable, the Orchestrator shall provide proof of comprehensive general liability insurance covering its operations within the town for bodily injury and property damage in the minimum amount of \$500,000.00 combined single limit on a per occurrence basis. The Chief of Police may impose additional insurance or security requirements, as necessary. The Orchestrator shall ensure that all required policies and security measures remain in full force and effect during the entirety of the Special Event. Insurance liability coverage amounts subject to increase based on size and scope of event (Example: large concert, carnival, inclusion of mechanical rides, etc.).

**§110.34 Indemnification.**

The Orchestrator shall agree to indemnify and hold harmless the Town of Ponder, its officers, agents, and employees from and against any and all claims, losses, damages, causes of action, suits, and liability of every kind, including all expenses of litigation, court costs and attorney's fees, for injury to or death of any person, or for damage to any property, arising out of or in connection with the activities performed by the orchestrator within the town, whether the injuries, death, or damages are caused by the town's sole negligence or the joint negligence of the town and any other party.

**§ 110.35 Duties of Orchestrator.**

- (A) The Orchestrator shall comply with all permit directions and conditions and with all applicable laws and ordinances.
- (B) The Orchestrator or other person heading or leading the Special Event shall publicly display the Special Event Permit in a conspicuous place, at the location of the Special Event, for the duration of the Special Event.

**§ 110.36 Notice or rejection or revocation of application.**

- (A) The Planning and Zoning Coordinator shall act upon the application for a Special Event Permit under this subchapter within three days after the filing thereof. If the Planning and Zoning Coordinator disapproves the application, they shall mail to the applicant within seven days after the date upon which the application was filed, a Notice of Rejection, stating the reason for denial of the permit.

- (B) The Mayor or two Councilmembers shall have the authority to revoke a permit issued under this subchapter. If the Mayor or Council revokes an approved application, they shall instruct the Town Secretary to mail to the applicant within seven days after the date upon which the application was filed, a Notice of Revocation, stating the reason for denial of the permit.

**§ 110.37 Appeal procedure of permit denied.**

- (A) Any person aggrieved shall have the right to appeal the rejection or revocation of a Special Event Permit to the town council. The appeal must be made within three business days after receipt of a Notice of rejection or Notice of Revocation. The town council shall act upon the appeal at its next meeting.
- (B) The Chief of Police, upon being informed of either rejection or revocation of a permit for a Special Event, shall be empowered to prevent said event from occurring.

**§ 110.38 Notice to town and other officials upon issuance of Special Event Permit.**

Immediately upon the issuance of a permit under this subchapter, the Planning and Zoning Coordinator shall send a copy thereof to the following;

- (A) The Mayor and Councilmembers;
- (B) The Fire Chief;
- (C) The Town Engineer; and
- (D) The Chief of Police

**§ 110.99 Penalty.**

- (A) Any person who violates any provision of this chapter for which no penalty is provided shall be subject to the terms of § 10.99.
- (B) Any person, or any owner or occupant, or agent of any owner or occupant, violating any of the terms of § 110.15 through 110.38 shall be subject to a fine, upon conviction in the municipal court, as provided for in the general penalty provision found in § 10.99 of this Code, and each and every day that the premises shall remain in a condition in violation of the terms of this subchapter shall constitute a separate and distinct offense. Upon the trial of any person brought before the court, the court is authorized to fix a time within which the person may be allowed to abate the violation, if in judgment of the court, the action is deemed advisable.