



JOINT CITY COUNCIL WORKSHOP WITH PLANNING BOARD

Monday, October 27, 2025 at 5:30 PM

Nautical Landings Office Building Conference Room, located at 106 S. Commerce Street, Suite 1-B
(South door entrance), Port Lavaca, Texas, Port Lavaca TX 77979

PUBLIC NOTICE OF MEETING

The following item will be addressed at this or any other meeting of the city council upon the request of the mayor, any member(s) of council and/or the city attorney:

Announcement by the mayor that council will retire into closed session for consultation with city attorney on matters in which the duty of the attorney to the city council under the Texas disciplinary rules of professional conduct of the state bar of Texas clearly conflicts with the open meetings act (title 5, chapter 551, section 551.071(2) of the Texas government code).

(All matters listed under the consent agenda item are routine by the city council and will be enacted by one motion. There will not be separate discussion of these items. If discussion is desired, that item will be removed from the consent agenda and will be considered separately.)

AGENDA

Council will consider/discuss the following items and take any action deemed necessary.

MEETING PROCEDURE

Public notice is hereby given that the City Council of the City of Port Lavaca, Texas, will conduct a Joint Workshop Session, with the Planning Board, on Monday, October 27, 2025 beginning at 5:30 p.m. at the Nautical Landings Office Building Conference Room, located at 106 S. Commerce Street, Suite 1-B (South door entrance), Port Lavaca, Texas to consider the items listed.

[After publication, any information in a council packet is subject to change during the meeting]

The meeting will also be available via the video conferencing application "Zoom",

Join Zoom Meeting:

<https://us02web.zoom.us/j/83880310709?pwd=biskJX1Af4pJhWMYodphrKfBgJSUqW.1>

Meeting ID: 838 8031 0709

Passcode: 285478

One Tap Mobile

+13462487799,,83880310709#,,,,*285478# US (Houston)

Dial by your location

+12532158782,,83880310709#,,,,*285478# US (Tacoma)

I. ROLL CALL

II. CALL TO ORDER

III. COMMENTS FROM THE PUBLIC

(Limited to 3 minutes per individual unless permission to speak longer is received in advance. You may make public comments as you would at a meeting by logging on with your computer and using "Join Zoom Meeting" information on first page of this agenda).

IV. ITEMS FOR DISCUSSION - *Council will consider/discuss the following items and take any action deemed necessary*

1. Discuss amendments to Ordinance (G-15-25) Chapter 20, Environmental and Health, Article V. - Junk Vehicles, Abandoned Motor Vehicles, Junked Boats, Junked Trailers, Junked Towable Recreational Vehicles, Sec. 20-97 - Unlawful to Maintain a Nuisance; Exceptions. Presenter is Derrick Smith
2. Discuss amendments to Ordinance (G-16-25) Chapter 34, Peddlers, Solicitors, Itinerant Vendors, Garage Sales and Mobile Food Units; Article III, Mobile Food Units; and adding Sec. 34-53 Street Vendors. Presenter is Derrick Smith
3. Discuss amendments to Ordinance (G-17-25) Chapter 36, Signs, Sec. 36-7 Temporary Signs. Presenter is Derrick Smith
4. Discuss amendments to Ordinance Chapter 20, Environmental and Health, Article XII – Litter; Sec. 20-512, Littering, Dumping Prohibited. Presenter is Derrick Smith
5. Review and discuss investigative report and next steps actions on the storm pipe on Harbor Drive West. Presenter is Jody Weaver

V. ADJOURNMENT

CERTIFICATION OF POSTING NOTICE

This is to Certify that the above foregoing notice of a Joint Workshop Session of the City Council of the City of Port Lavaca, Texas, and the Planning Board, to be held **Monday, October 27, 2025 beginning at 5:30 p.m.**, was posted at City Hall, easily accessible to the Public, as of 5:00 p.m., Tuesday, October 21, 2025.

Mandy Grant, *City Secretary*

ADA NOTICE

The Port Lavaca City Hall and Council Chambers are wheelchair accessible. Access to the building is available at the primary north entrance facing Mahan Street. Special parking spaces are located in the Mahan Street parking area. In compliance with the Americans with Disabilities Act, the City of Port Lavaca will provide for reasonable accommodations for persons attending meetings. To better serve you, requests should be received 24 hours prior to the meetings. Please contact City Secretary Mandy Grant at (361) 552-9793 Ext. 230 for assistance.

COMMUNICATION

SUBJECT: Discuss amendments to Ordinance (G-15-25) Chapter 20, Environmental and Health, Article V. - Junk Vehicles, Abandoned Motor Vehicles, Junked Boats, Junked Trailers, Junked Towable Recreational Vehicles, Sec. 20-97 - Unlawful to Maintain a Nuisance; Exceptions. Presenter is Derrick Smith

INFORMATION:

CITY OF PORT LAVACA

MEETING: OCTOBER 27, 2025

DATE: 10.222025

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: DERRICK SMITH, DEVELOPMENT SERVICES DIRECTOR

SUBJECT: CONSIDER AMENDING CHAPTER 20 - ENVIRONMENTAL AND HEALTH, ARTICLE V. - JUNK VEHICLES, ABANDONED MOTOR VEHICLES, JUNKED BOATS, JUNKED TRAILERS, JUNKED TOWABLE RECREATIONAL VEHICLES, SEC. 20-97. - UNLAWFUL TO MAITAINA NUISANCE; EXCEPTIONS

Our office has received numerous complaints regarding the accumulation of junk vehicles at automotive repair shops that are in public view. These repair shops are also located on major thoroughfares within city limits. Therefore, this is what people see as they travel through our city. These vehicles tend to sit at these locations for months or even years with no improvements made. It is staffs recommendation that these vehicles need to be repaired or removed from public view.

Therefore, staffs recomends amendment to Ch. 20, Article V, Sec. 20-97 be approved.

EXHIBIT “A”

CHAPTER 20 - ENVIRONMENTAL AND HEALTH

ARTICLE V. - JUNK VEHICLES, ABANDONED MOTOR VEHICLES, JUNKED BOATS, JUNKED TRAILERS, JUNKED TOWABLE RECREATIONAL VEHICLES

Sec. 20-97. - Unlawful to maintain a nuisance; exceptions.

a) It shall be unlawful for any person to cause or maintain a public nuisance on the real property of another or to suffer, permit or allow any nuisance to be left or maintained on his own real property; provided that this section shall not apply with regard to:

- (1) Any junk in an enclosed building;
- (2) Any junk, or a part thereof, parked or stored in a lawful manner on private property in connection with the business of a ~~licensed vehicle dealer or~~ licensed junkyard;
- (3) Any junk in an appropriate storage place or depository maintained at a location officially designed and in the manner approved by the city; and
- (4) Any accumulation of junk by a duly licensed junk dealer, **if maintained in an orderly manner, and does not constitute a health hazard.**

b) Junked vehicles or vehicle parts cannot be stored on non residential property as determined by the city future land use plan, at an automotive repair facility, an automotive body shop, an automotive painting facility, or an automotive wrecking or salvage yard, within the city, except that:

- (1) Junked vehicles, including any vehicle parts associated therewith, may be kept inside a completely enclosed building, so long as said vehicles, and vehicle parts, are maintained in an orderly manner, are not a health hazard, are not visible from the street or other public or private property, and complies with the currently adopted International Building Code and International Fire Code;**
- (2) Junked vehicles or vehicle parts stored outside of an enclosed building shall be kept in an area that is completely surrounded and enclosed by a solid fence or wall, as follows:**
 - a. Such fence or wall must be constructed of a material that prevents the junked vehicles or vehicle parts from being visible from the street or other public or private property;**

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- b. The fence or wall must be a height that prevents the junked vehicles and vehicle parts from being visible from the street or other public or private property, in no event shall the wall or fence be less than six feet tall;**
 - c. All fences or walls shall extend downward to within three inches of the ground and shall be plumb and square at all times;**
 - d. Any gates or openings must be built in accordance with the requirements of this section for a fence or wall. Gates shall be closed and securely locked at all times, except during normal hours.**
- (3) Automotive repair facilities and automotive body shops may store no more than two junked vehicles outside of a building or fenced-in area so long as each vehicle is owned by a person other than the owner of the automotive repair facility or automotive body shop, each vehicle is being stored for the purpose of repair, and each vehicle has been stored there for 30 days or less. Automotive repair facilities and automotive body shops may temporarily store up to an additional five junked vehicle outside of a fenced-in area during normal business hours. For purposes of this section, normal business hours shall be Monday through Friday, 8:00 a.m. to 5:00 p.m.**
- (4) Any junked vehicle that is not stored inside a completely enclosed building must be kept neatly parked, maintained in an orderly manner, and cannot be a health hazard.**

(Ord. No. G-8-04, § 2, 11-8-2004; Ord. No. G-5-16, § 1, 4-11-2016)

COMMUNICATION

SUBJECT: Discuss amendments to Ordinance (G-16-25) Chapter 34, Peddlers, Solicitors, Itinerant Vendors, Garage Sales and Mobile Food Units; Article III, Mobile Food Units; and adding Sec. 34-53 Street Vendors. Presenter is Derrick Smith

INFORMATION:

CITY OF PORT LAVACA

MEETING: OCTOBER 27, 2025

DATE: 10.22.2025

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: DERRICK SMITH, DEVELOPMENT SERVICES DIRECTOR

SUBJECT: CONSIDER AMENDING CHAPTER 34 - PEDDLERS, SOLICITORS, ITINERANT VENDORS, GARAGE SALES AND MOBILE FOOD UNITS.

It was brought to our department's attention that we are a lot more stringent on "Street Vendors" than other surrounding communities. Our permitting process does not differentiate between a vendor operating a snow cone/ ice cream truck and a door-to-door salesman.

Currently, a street vendor pays \$100 for one person and \$20 each additional person for a 14 day permit.

After looking at surrounding communities, I found that our fees are more than double the cost to operate and that other communities provide an annual permit.

Therefore, It is staff's recommendation that amendments be made to Chapter 34 - Peddlers, Solicitors, Itinerant Vendors, Garage Sales and Mobile Food Units

EXHIBIT “A”

CHAPTER 34 - PEDDLERS, SOLICITORS, ITINERANT VENDORS, GARAGE SALES,
~~AND~~ MOBILE FOOD UNITS AND STREET VENDORS

ARTICLE III. - MOBILE FOOD UNITS VENDORS AND STREET VENDORS

Sec. 34-53. - Street vendors.

- (a) It shall be unlawful for any person to sell or offer for sale a snow cone or any prepackaged food including, but not limited to candy, beverages, and ice cream, from a vehicle upon a public street without first obtaining a Street Vendor Permit from the city permit department. The term of permits shall be from January 1 to December 31 of the year of issuance.
- (b) Applications for Street Vendor Permits shall be made on a form provided by the city permit department including at least the following information:
 - (1) The name, date of birth, driver's license number, home address, business address, and business telephone number of the applicant.
 - (2) A description of each vehicle to be used including the make, model, vehicle identification number and license number.
 - (3) A description of the products or services to be sold.
 - (4) Each completed application shall be accompanied by the following:
 - a. a fee for each vehicle as established in appendix A to this Code;
 - b. a certificate of liability insurance for each vehicle, naming the City as an additional insured, in amounts of not less than three hundred thousand dollars (\$300,000.00) for claims of injury to or death of one person, five hundred thousand dollars (\$500,000.00) for all claims for injury to or death of persons arising from a single accident, and one hundred thousand dollars (\$100,000.00) for claims for damage to property; and
- (c) Criminal history check of applicant. Persons applying for a Street Vendors Permit shall provide a state department of public safety criminal history check. Persons who have been convicted of any crime other than a minor traffic violation shall not be issued a Street Vendor Permit. Provided the applicant passes the background check, the permit department shall issue a permit for each vehicle proposed to be operated by the applicant upon compliance with the provisions of (b) above and with other applicable ordinances, and upon certification that each vehicle complies with the following equipment requirements:

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- (1) Vehicles shall be identified on the front and rear thereof by reflective lettering at least eight (8) inches in height stating "CAUTION-STREET VENDOR."
 - (2) Vehicles shall be equipped with amber flashing lights at the front and rear thereof visible from at least five hundred (500) feet in normal daylight.
 - (3) All vehicles conducting sales of goods that generate litter shall be equipped with containers for the deposit of such litter, accessible from the outside of the vehicle.
 - (4) Audible devices used on vehicles shall not be capable of being heard more than three hundred (300) feet from the vehicle.
- (d) It shall be unlawful for any person to sell or offer for sale any goods or services from any street vending vehicle contrary to the following operating requirements:
- (1) Vehicles shall pull as far as practicable to the right-hand curb or edge of the roadway, and shall come to a complete stop, before conducting any sale and during all times when sales are conducted.
 - (2) All sales from vehicles shall be conducted in such a manner that persons do not enter or leave the sales vehicle in order to conduct sales.
 - (3) No sales shall be conducted within any of the following areas:
 - a. Upon any street designated as a collector or an arterial thoroughfare as designated on the adopted thoroughfare master plan.
 - b. Upon any street within a public park.
 - (4) Sales from vehicles shall be made only from the curbside of such vehicles.
 - (5) Amber flashing lights shall be activated each time, and only when a vehicle stops to conduct a sale.
 - (6) Sales shall be conducted only during the time between thirty (30) minutes before sunrise and thirty minutes after sunset.
 - (7) No vendor or vending unit shall restrict, obstruct or interfere with the access of any person to or from a private driveway or in any way create an obstruction to adequate access to property.
 - (8) Vendors shall yield the right-of-way to all other types of traffic and shall not block the reasonable flow of traffic when stopped to conduct sales.

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- (e) Upon the first conviction of an operator of a permitted vehicle for a violation of the requirements of (c) or (d) above, the permit of such vehicle shall be suspended for a period of thirty (30) days. Upon the second such conviction, the permit of the vehicle shall be revoked for the duration of its term.

- (f) Each person conducting sales from vehicles upon streets shall comply with applicable permit or registration requirements of this article, and with applicable health department permit requirements and regulations.

COMMUNICATION

SUBJECT: Discuss amendments to Ordinance (G-17-25) Chapter 36, Signs, Sec. 36-7
Temporary Signs. Presenter is Derrick Smith

INFORMATION:

CITY OF PORT LAVACA

COUNCIL MEETING: OCTOBER 27, 2025

AGENDA ITEM:

DATE: 10-22.2025
TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS
FROM: JODY WEAVER, INTERIM CITY MANAGER
SUBJECT: CONSIDER AMENDMENTS TO TEMPORARY SIGN ORDINANCE

Background:

In a recent review of Section 36-7 Temporary signs in the sign ordinance, we found it lacking some definitions and clarity. I did intend to initiate this discussion at a workshop on October 27, but I had a council member request that this be placed on this agenda. We can still include the topic in the workshop on the 27th for further discussion before a second reading, if this 1st reading passes.

The following are listed amendments for consideration to address these concerns, as shown in the attached proposed amended ordinance:

36-1 Definitions:

- A-frame sign - add a maximum size – suggested 12 sf, (3’x4’ sign)
Banner Sign -add additional description and a maximum size**
Combine Construction and Realty Sign – add a maximum size – suggested 64 sf (8’x8’ or 6’x10’ or 5’x12’) for nonresidential and 6 sf with a maximum height of 6 ft for residential areas
Inflatable – the current ordinance has no definition, so we are proposing to add one
Political Sign - the current ordinance has no definition, so we are proposing to add one
Special promotion and event sign - the current ordinance has no definition, so we are proposing to add one. This definition is for promotions and events with a specific start and end date.
Community-oriented Promotional Campaign sign – we are proposing to add this definition and provide rules for this type of sign in the ordinance. This is for promotions that are longer in duration and/or don’t have a specifying start and end date. Examples are the promotional campaigns for the Calhoun County Port and Texas A&M Victoria

36-7 (a)(2): realty signs must follow the same install requirements as construction signs in that if they are greater than 32 sf they must be constructed and tied down to meet the wind loads.

36-7 (c)(4): clarify that political signs must follow the same install requirements as realty and construction signs in that if they are greater than 32 sf they must be constructed and tied down to mee the wind loads.

36-7(d)(5): clarify that the one banner sign/one inflatable rule applies per physical address (not per business) and add that corner lots will be allowed one banner and one inflatable per street.

36-7(d)(6): change wording to say one pennant sign may be installed (instead of permitted) in order to clarify a permit is not required per each pennant, but only per physical address and clarify that corner lots may use the frontage of both streets.

36-7(d)(7): we are proposing language that says the installation of banners, flags, pennants and inflatables must be installed per the manufacturer's recommendation for high wind areas. This is not a requirement to meet the wind load, but typically manufacturer's will provide recommendations for the use/installation of their product in "high wind areas".

36-7(d)(8): Currently the ordinance requires a Temporary sign permit for all banners, flags, pennants and inflatables. There is a \$25 per physical address per year fee that is good for the calendar year. We have experienced challenges getting the permit fee paid even when the installation is in compliance with the ordinance. All of the temporary signs do not require a permit except for banners, flags, pennants and inflatables. An option to consider is to do the same with these as we do with the other temporary signs and not require a permit, but the signs will be required to be removed if they aren't in compliance with the ordinance.

36-7(g): We are proposing to add a category of sign called "Community-oriented Promotional Campaign sign." Examples of these would be the signs promoting the Calhoun County Port and the Texas A&M University - Victoria campus. Because these will be campaigns of unknown duration and unknown content, we would want any such signs greater than 6 sf to go thru a permitting process. As written, this would be a permit that would need to be renewed annually. In this way if the signs are not being taken care of and being allowed to get degraded and faded etc., the permit will not be renewed. In determining whether to issue a permit or not, the proposed content will be reviewed to verify it is community-oriented and not commercial advertising.

**

Rockport: They do not specify a maximum size; allow 2 banner signs for each 200 LF of street frontage.

New Braunfels: Temporary signs of any kind on private property are allowed for no more than 90 days within a calendar year; Only one temporary sign permitted on a lot; maximum banner size is 1.5 sf per one foot length of building length.

Seguin: Maximum banner sign is 4' x 36' (144 sf) and must be mesh. \$30 fee and 14 days max.

Buda: Temporary signs are for a 30-day period. One Temporary sign permit allowed on a lot during any consecutive 4-month period; Max size is 32 sf.

McKinney: Temporary signs are for a 30-day period up to 4 times per year. Maximum size is 50 sf.

EXHIBIT A

Chapter 36 - SIGNS

Sec. 36-1. - Definitions.

A-frame sign. A temporary sign, consisting of two message panels attached by a hinge or similar device along their edge, which is placed on the ground with the base of each panel separated by a sufficient distance to allow the sign to stand upright without support. For the purposes of this definition, A-frame signs include single message panels that are mounted on a wood or metal base which provides the stability and support necessary for the sign to stand upright without attachment to a structure. The maximum total sign area per side is 12 square feet (sf).

Banner sign means any temporary sign other than a pennant, which is made from lightweight material, which is designed to hang from a rope or wire to advertise a business, service, or special event and not mounted in a permanent rigid frame. The maximum size of a banner shall be [REDACTED] sf.

Construction sign means a sign placed by a company participating in the construction of financing on the property on which the sign is placed. The maximum size of a construction sign shall be 64 sf.

Flag means a type of wind device that is specifically designed for display by attaching it to the lanyard of a flagpole. Flags of the United States of America, any state, any city or foreign nations, historical, weather and other official flags of any institution or business. Business flags are designated as flags normally associated with a specific business such as "bait" or "antiques". Any flag not meeting any one or more of these criteria shall be considered a banner sign and shall be subject to regulation as such.

Inflatable means any temporary advertising device or sign that requires air or gas to be sealed or inflated to maintain shape and is used for the purpose of advertising, promotion, or attracting attention, including balloons, figures, or similar devices.

Pennant sign means a piece or series of similar pieces of lightweight plastic, fabric or other material, whether or not containing a message of any kind attached to a structure, rope, wire, or string, designed to move in the wind and attract attention to a business, product, service, or activity.

Political sign means a temporary sign that advocates for the election or defeat of a candidate or ballot measure in a local, state, or federal election. The maximum size of a political sign shall be 64 sf.

Realty sign means a temporary sign used to advertise a real estate development site or to advertise that real estate is for sale, rent or lease. The maximum size of a realty sign shall be 64 sf.

Special promotion and event sign means a temporary sign that advertises a unique or limited duration event or campaign, such as a grand opening, seasonal sale, product launch, community fair, or similar occasion. These signs are not intended for ongoing advertising of regular business operations.

Community Promotional Goodwill Campaign sign means a temporary sign which promotes a positive community-oriented spirit in conjunction with a community spirit campaign and are not commercial advertising.

Sec. 36-7. - Temporary signs.

(a) Construction and Realty signs shall conform to the following:

~~(1) Such signs shall be located on premises no more than 30 days prior to the start of construction and removed no later than 15 days after construction is completed.~~ Such signs shall be used only temporarily during relevant periods of development or listing. Such signs become abandoned signs upon occupancy of the premises.

(2) Signs that have an area of 32 square feet or more must be constructed and tied down to meet the wind code. Signs that have less square footage may sit on the ground and be held in place by sandbags.

(3) One construction sign may be used on a lot; corner lots are allowed one sign per street.

(4) Within primarily residential areas, such signs shall be no greater than six square feet and a maximum height of 6 feet.

~~(5)~~ Permit not required.

~~(b) Realty signs shall conform to the following:~~

~~(1) If on a site being developed it shall be the same as subsection (a)(1) of this section.~~

~~(2) If located on a property for sale or lease, the sign may remain on the premises until the new owner or renter takes possession of the property.~~

~~(3) Permit not required.~~

~~(e)~~ b) Political signs shall conform to the following:

(1) Such signs shall not be placed in public rights-of-way except at polling places.

(2) Such signs shall be removed no later than 15 days following the election for which they are posted, except signs at polling places, which shall be removed immediately after the polling place closes.

(3) Such signs shall be placed a minimum of 25 feet apart.

(4) Signs with an effective area greater than 362 square feet shall not be placed within the city limits any sooner than 60 days prior to the election and must be installed a specified in subsection (a)(2) of this section.

~~(5) Such signs shall not be restricted on private real property except as permitted by V.T.C.A., Local Government Code § 216.903.~~

~~(6 5)~~ Permit not required.

~~(d c)~~ Banners, flags, pennants, and inflatables shall conform to the following:

(1) Such signs shall be allowed for each calendar year.

(2) Such signs shall not be torn, tattered, ripped or faded.

(3) Flags of the United States of America, any state, any city or foreign nations, historical, weather and other official flags of any institution or business. Business flags are designated as flags normally associated with a specific business such as "bait" or "antiques". Such signs hung inside a place of business shall not constitute a sign and will not require a permit. Any flag not meeting any one or more of these criteria shall be considered a banner sign and shall be subject to regulation as such.

(4) Such signs and inflatables shall not encroach any public right-of-way, shall not create a sight obstruction for vehicular or pedestrian traffic and shall not be attached to any public or franchised utility pole, support wire or tree.

(5) One banner sign and one inflatable may be used per ~~place of business~~ physical address; corner lots are allowed one banner sign and one inflatable per street.

(6) One pennant sign may be ~~permitted~~ installed each 25 feet per lot frontage; corner lots may use the frontage of both streets.

Example: A lot front up to 49 feet may place one pennant sign; a 50-foot lot front may place two pennant signs, a 75-foot lot front may place three signs, etc.

(7) Banners, flags, pennants and inflatables must be securely installed per the manufacturer's recommendation for high-wind areas.

~~(7 8)~~ Permit required.

(e) A-frame signs shall conform to the following:

(1) Placement. An approved A-frame sign shall conform to the following placement standards:

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a. Establishments with a main customer entrance directly facing a public street or sidewalk may place an a-frame type sign on the public sidewalk in front of the establishment.

b. The sign shall not obstruct traffic control signs or devices. Signs may not impede or hinder the vision of drivers or bicyclists. Signs may not obstruct pedestrian or ADA traffic.

(2) Time limit. An approved A-frame sign shall only be placed within the working business hours of the business for which the sign is identifying.

(3) Permit not required.

(f) Special promotions and event signs temporarily displayed to advertise special promotions, events, and grand openings shall conform to the following:

(1) Such signs shall be limited to one sign per 25 feet of street frontage;

(2) Such sign shall not be erected more than 30 days prior to the event and removed not more than three days after the event;

(3) Subject to approval by the code official as to the size, location and method of erecting;

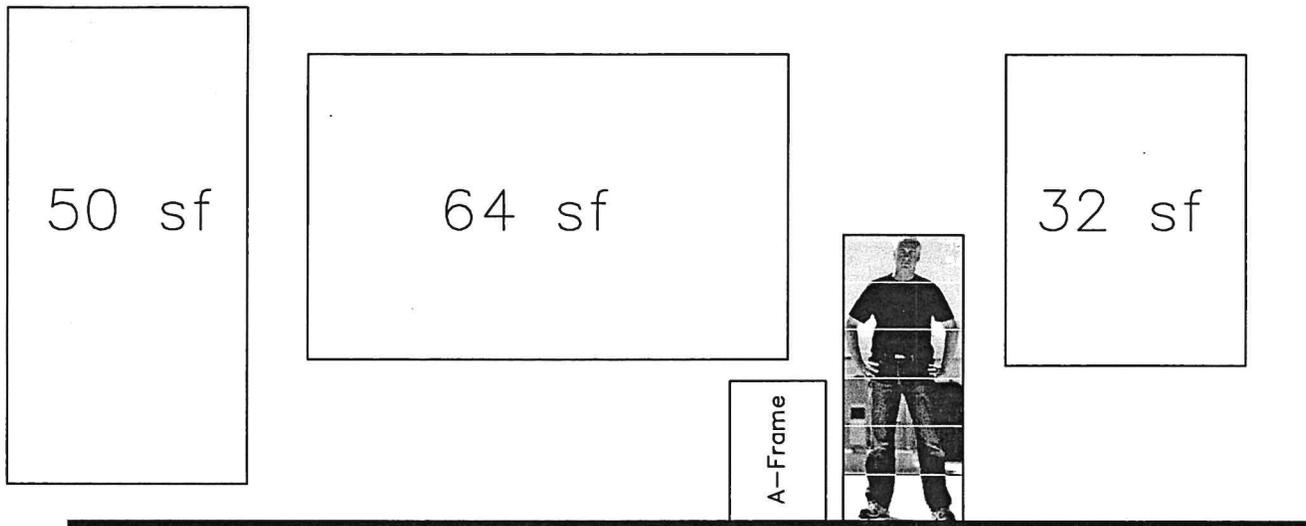
(4) Permit not required.

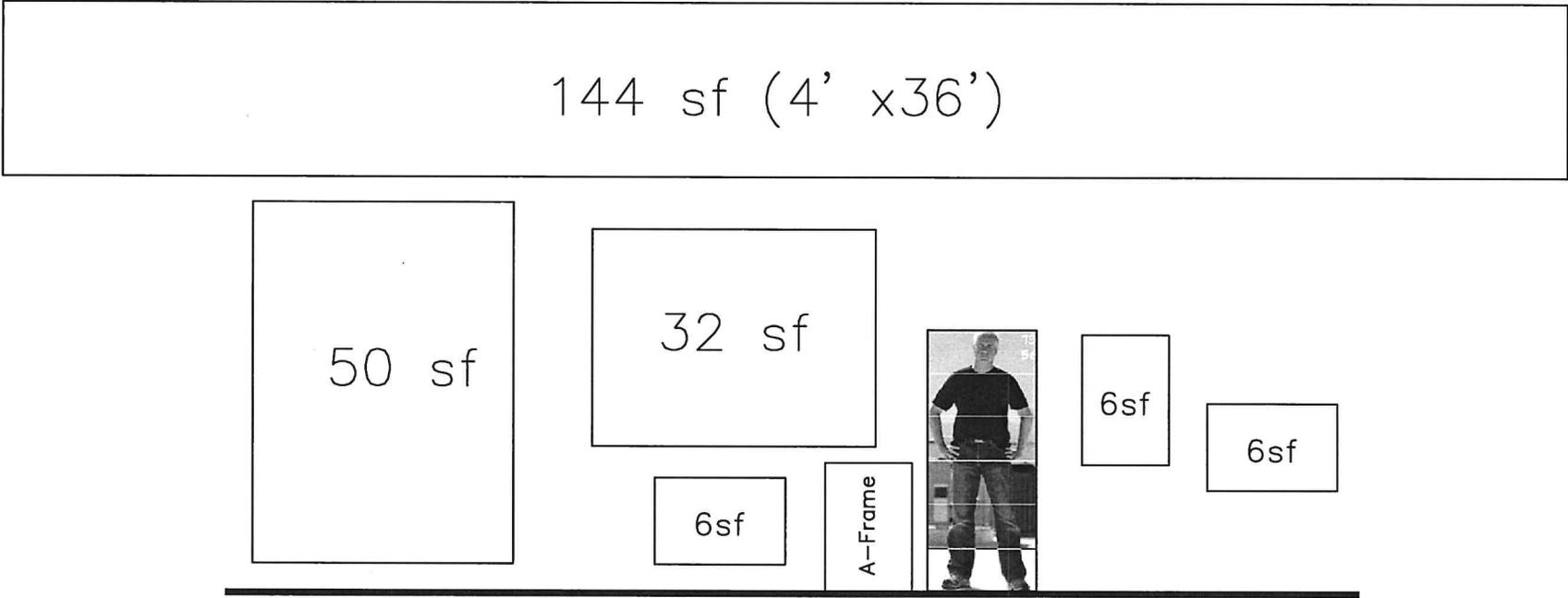
g) Community-oriented Promotional Campaign signs:

(1) Community-oriented promotional campaign signs which are 6 sf or less in size may be installed on private property and kept in good condition without a permit.

(2) Community promotional signs greater than 6 sf in size will require a Temporary sign permit good for one-year.

VARIOUS SIGN SIZES COMPARED TO A 6'-1" MAN





40 LF

20 LF

60 sf
(Rockport)



COMMUNICATION

SUBJECT: Discuss amendments to Ordinance Chapter 20, Environmental and Health, Article XII – Litter; Sec. 20-512, Littering, Dumping Prohibited. Presenter is Derrick Smith

INFORMATION:

CITY OF PORT LAVACA

MEETING: October 27, 2025 AGENDA ITEM _____

DATE: 10/20/2025

TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS

FROM: DERRICK SMITH, DEVELOPMENT SERVICES DIRECTOR

SUBJECT: Consider amendments to Chapter 20 – Environmental and Health; Article XII – Litter of the City’s Code of Ordinances

In an effort to control illegal dumping, code enforcement spent numerous hours videoing and investigating the accumulation of discarded tires and medical waste at Harbor Refuge. Code Enforcement was able to identify an individual that continually dumped medical waste. A citation was mailed to the individual with a court date to appear before the municipal judge. However, the judge reviewed the case and refused to pursue the case, due to no penalty clause in the littering ordinance.

Therefore, staff recommends the addition of the penalty clause and additional definitions to the article.

Attachments:

- Proposed Chapter 20 – Environmental and Health; Article XII – Litter (Reference to the Texas Code of Criminal Procedure is informational only)

ARTICLE XII. - LITTER

Sec. 20-511. Definitions.

Containers. City-approved metal or heavy plastic receptacles or city-owned dumpsters used for the storage or disposal of solid wastes, and pedestrian litter containers provided on public sidewalks and elsewhere for the disposal of litter by pedestrians.

Debris. Any dirt, concrete, rocks, brick or other building materials not being used for on-site improvements pursuant to a duly issued building permit.

Junk. Means all worn-out, worthless, and discarded matter.

Litter. Any solid waste, trash, debris, rubbish, refuse, garbage or junk not placed in a container includes but is not limited to yards, grounds, driveways, entranceways, passageways, parking areas, working areas, storage areas, vacant lots and recreation facilities owned by private individuals, firms, corporations, institutions and organizations.

Public property. Includes but is not limited to streets, street medians, roads, road medians, catchbasins, sidewalks, strips between streets and sidewalks, alleys, lanes, public rights-of-way, public parking lots, school grounds, parks, publicly owned recreation facilities and municipal bodies of water and waterways.

Refuse. means the term shall refer to residential and commercial refuse and bulk waste, commercial debris and stable matter generated at a residential or community unit unless context otherwise requires.

Rubbish. Any garbage, trash and other discarded articles and materials.

(Ord. No. G-8-23 , § 1(exh. A), 9-11-2023)

Sec. 20-512. Littering, dumping prohibited.

(a) It shall be unlawful for any person to throw, discard, place or deposit litter in any manner or amounts on any public or private property within the corporate limits of the city except in containers.

(b) Persons placing litter in public receptacles shall do so in such a manner as to prevent the litter from being carried or deposited by the elements.

(c) Any person who causes or permits the dumping of litter on right-of-way of any public highway, street, easement or thoroughfare, or upon any public park, private property, or on any premises, or in any container, without legal permission; or who causes, maintains or permits the accumulation of litter which creates an unsanitary condition or permits or encourages the accumulation or breeding of vectors, is guilty of an infraction.

(Ord. No. G-8-23 , § 1(exh. A), 9-11-2023)

Sec. 20-513. Litter from motor vehicle.

It shall be unlawful for any person, while a driver or passenger in or upon a motor vehicle, to throw or deposit litter, garbage, rubbish, or refuse or the like onto public or private property.

(Ord. No. G-8-23 , § 1(exh. A), 9-11-2023)

Sec. 20-514. Violation and penalty; continuing violations.

A person who violates any other provision of this Code shall be punished upon conviction thereof by a fine not to exceed five hundred dollars (\$500.00).

A person who violates any provision of this Code pertaining to fire safety or public health and sanitation, including the dumping of refuse, shall be punished upon conviction thereof by a fine not to exceed two thousand dollars (\$2,000.00).

A separate offense shall be deemed committed upon each day during or on which a violation occurs or continues.

Such penalties shall apply to all violations of provisions of this Code which occur after the effective date of this section regardless of any contrary penalty provision contained in the various ordinances when originally approved and adopted.

*****NOT TO BE INCLUDED IN THE ORDINANCE*****

Texas Code Of Criminal Procedure

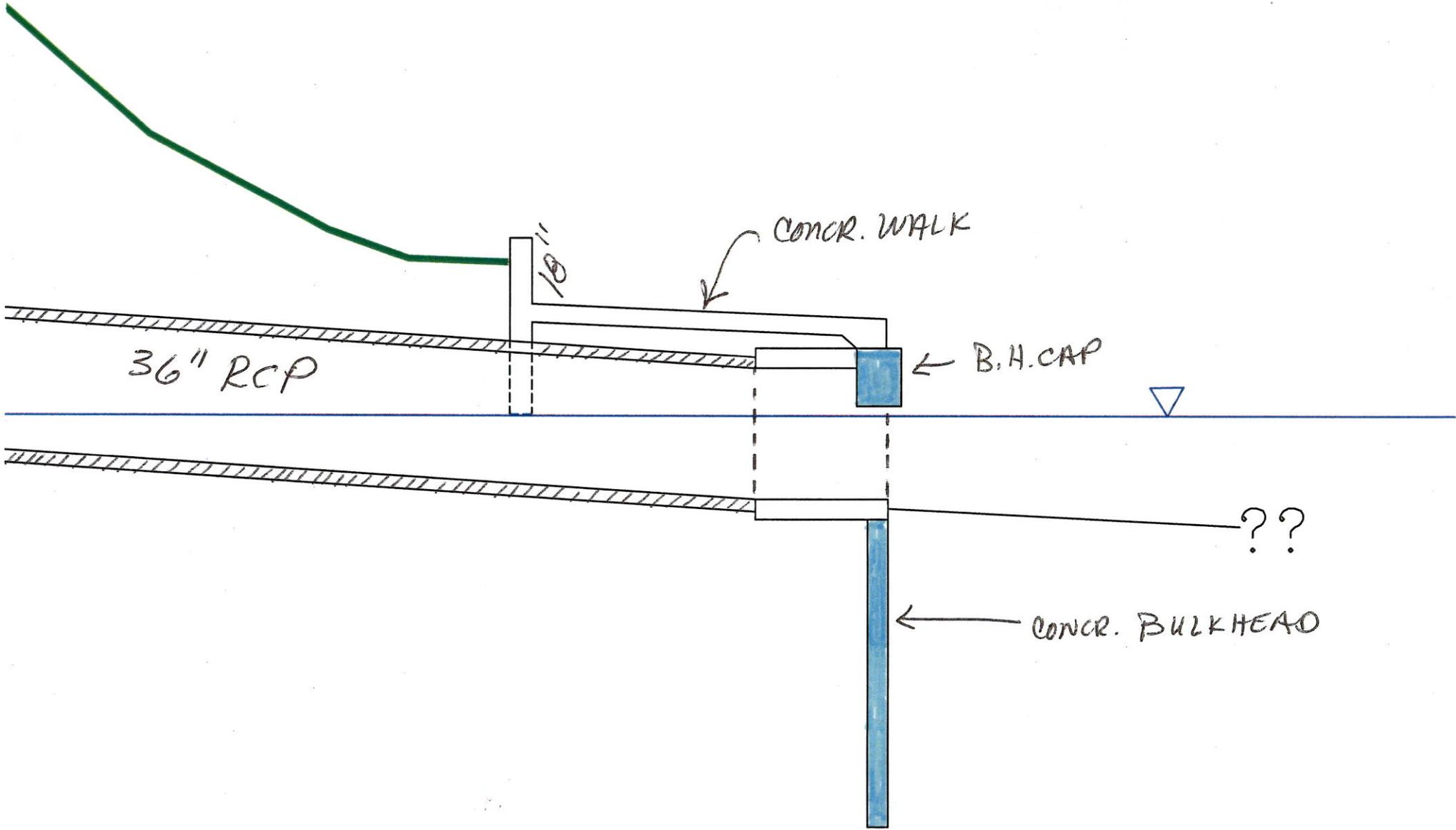
Art. 4.14. JURISDICTION OF MUNICIPAL COURT. (a) A municipal court, including a municipal court of record, shall have exclusive original jurisdiction within the territorial limits of the municipality in all criminal cases that: (1) arise under the ordinances of the municipality; and (2) are punishable by a fine not to exceed: (A) \$2,000 in all cases arising under municipal ordinances that govern fire safety, zoning, or public health and sanitation, other than the dumping of refuse; (B) \$4,000 in cases arising under municipal ordinances that govern the dumping of refuse; or (C) \$500 in all other cases arising under a municipal ordinance.

Secs. 20-515—20-520. Reserved.

COMMUNICATION

SUBJECT: Review and discuss investigative report and next steps actions on the storm pipe on Harbor Drive West. Presenter is Jody Weaver

INFORMATION:



10.24.2025

