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## MEETING NOTICE

The City Council of the City of Woodcreek, Texas will conduct a meeting at Woodcreek City Hall, 41 Champions Circle, Woodcreek, Texas. The meeting will be held on Wednesday, October 25, 2023 at 3:00 PM.

The public may watch this meeting live at the following link:

<https://zoom.us/j/94920411591?pwd=OWc4UGxQZ2k4SDIxRmFVbWRqYUZLdz09>

Meeting ID: 949 2041 1591; Passcode: 307733

A recording of the meeting will be made and will be available to the public in accordance with the Texas Public Information Act upon written request. This notice, as amended, is posted pursuant to the Texas Open Meetings Act (Vernon's Texas Codes Ann. Gov. Code Chapter 551).

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The City of Woodcreek is committed to compliance with the Americans with Disabilities Act. Reasonable modifications and equal access to communications will be provided upon request. Please call the City Secretary's Office at 512-847-9390 for information. Hearing-impaired or speech disabled persons equipped with telecommunications devices for the deaf may call 7-1-1 or may utilize the statewide Relay Texas program at 1-800-735-2988.

Pursuant to Section 30.07, Penal Code (trespass by license holder with an openly carried handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a handgun that is carried openly.

It is anticipated that members of other City Boards, Commissions, Panels and/or Committees may attend the meeting in numbers that may constitute a quorum of the other City Boards, Commissions, Panels and/or Committees. Notice is hereby given that this meeting, to the extent required by law, is also noticed as a meeting of the other City Boards, Commissions, Panels and/or Committees of the City, whose members may be in attendance. The members of the City Boards, Commissions, Panels and/or Committees may participate in discussions on the items listed on this agenda, which occur at this meeting, but no action will be taken by those in attendance unless such action item is specifically listed on an agenda during a regular or special meeting for the respective Board, Commission, Panel and/or Committee subject to the Texas Open Meetings Act.

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The City Council may retire to Executive Session any time during this meeting, under Texas Government Code, Subchapter D. Action, if any, will be taken in open session.

This agenda has been reviewed and approved by the City's legal counsel and the presence of any subject in any Executive Session portion of the agenda constitutes a written interpretation of Texas Government Code Chapter 551 by legal counsel for the governmental body and constitutes an opinion by the attorney that the items discussed therein may be legally discussed in the closed portion of the meeting considering available opinions of a court of record and opinions of the Texas Attorney General known to the attorney. This provision has been added to this agenda with the intent to meet all elements necessary to satisfy Texas Government Code Chapter 551.144(c) and the meeting is conducted by all participants in reliance on this opinion.

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Any citizen shall have a reasonable opportunity to be heard at any and all meetings of the Governing Body in regard to: (1) any and all matters to be considered at any such meeting, or (2) any matter a citizen may wish to bring to the Governing Body's attention. No member of the Governing Body may discuss or comment on any citizen public comment, except to make: (1) a statement of specific, factual information given in response to the inquiry, or (2) a recitation of existing policy in response to the inquiry. Any deliberation of or decision about the subject of the inquiry shall be limited to a proposal to place the subject on the agenda for a subsequent meeting per Texas Local Government code Sec. 551.042

Citizen comments will be allowed at the beginning of every meeting, or alternatively, before an item on the agenda upon which the citizen wishes to speak is to be considered. All citizens will be allowed to comment for **three (3) minutes** per person and shall be allowed more time at the Mayor or Chair's discretion. In addition, citizens may pool their allotted speaking time. To pool time, a speaker must present the names individuals present in the audience who wish to yield their three(3) minutes. Citizens may present materials regarding any agenda item to the City Secretary at or before a meeting, citizens attending any meeting are requested to complete a form providing their name, address, and agenda item/concern, but are not required to do so before speaking and presenting it to the City Secretary prior to the beginning of such meeting. Comments may only be disallowed and/or limited as per Government Code § 551.007(e).

Submit written comments by email to [woodcreek@woodcreektx.gov](mailto:woodcreek@woodcreektx.gov) by **NOON**, the day prior to the meeting. Please include your full name, home or work address, and the agenda item number. Written comments will be part of the official written record only.

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# AGENDA

## CALL TO ORDER

## MOMENT OF SILENCE

## PLEDGES

## ROLL CALL and ESTABLISH QUORUM

## PUBLIC COMMENTS

## CONSENT CALENDAR

1. Approval of Regular City Council Meeting Minutes From October 11, 2023.
2. Discuss and take possible action on a special event request for a city campaign event October 30 in the Triangle area. (Rasco)

## REPORTS FROM OFFICERS AND COUNCIL LIAISONS

3. Report by Mayor
  - a. Reports on Meetings:
    - i. Aqua Texas
    - ii. Hays County
    - iii. Cities of Woodcreek and Wimberley
  - b. Report of discussions to possibly provide reduced cost rain collection tanks for Woodcreek citizens

## REPORT OF SPECIAL (Select or Ad Hoc) COMMITTEES - None

## SPECIAL ORDERS- None

## UNFINISHED BUSINESS AND GENERAL ORDERS- None

## NEW BUSINESS

4. Presentation of the Spirit of Woodcreek Award to Cody Abney. (Pulley)
5. Presentation and Discussion on the Hays County Parks and Open Space Advisory Commission Grant (POSAC), and progress. (Rule)
6. Discussion and possible action to approve Tree Board request for \$1,000 for tree in Triangle Park. (Pulley)
7. Discuss and Take Possible Action Regarding the Installation of A Caution Sign At the SouthEast Side of Jack Miller/CYJ Road and Doolittle Drive. (Bailey)
8. Discuss and Take Possible Act on Launching a Volunteer Program for the City of Woodcreek. (Hines)

## NEW BUSINESS (Cont'd.)

9. Discuss and take possible action on city ordinances and their relation to rainwater collection within the city. (Rasco)
10. Workshop to Discuss Updates to the Ordinance for Chapters 90 in the City of Woodcreek Code of Ordinances Under Title IX: "General Regulations". (Hines)
11. Discuss and Take Appropriate Action to Amend the City of Woodcreek Code of Ordinances at Title IX: "General Regulations", Chapter 90 "Animals" (Hines)
12. Workshop to Discuss Updates to the Ordinance for Chapter 93 in the City of Woodcreek Code of Ordinances Under Title IX: "General Regulations". (Hines)
13. Discuss and Take Appropriate Action to Amend the City of Woodcreek Code of Ordinances at Title IX: "General Regulations, Chapter 93 "Fire Prevention and Safety". (Hines)
14. Workshop to Discuss Updates to the Ordinance for Chapter 94 in the City of Woodcreek Code of Ordinances Under Title IX: "General Regulations". (Hines)
15. Discuss and Take Appropriate Action to Amend the City of Woodcreek Code of Ordinances at Title IX: "General Regulations Safety", and Chapter 94 "Fireworks". (Hines)

## **ANNOUNCEMENTS**

16. Announcement/Reminder of Spooktacular Event on October 29th, 2023. (Grummert)
17. Announcement/Reminder of Arbor Day Event on November 4th, 2023. (Pulley)

## **ADJOURN**

## **POSTING CERTIFICATION**

I certify that the above notice was posted on the **19th day of October, 2023 at 2:00PM**

By:   
**Suzanne J. MacKenzie, City Secretary**

**CITY COUNCIL MEETING (CITY HALL)**  
**October 11, 2023; 6:30 PM**  
**Woodcreek, Texas**

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**MINUTES**

**CALL TO ORDER**

Mayor Rasco Called the Meeting to Order at 6:30P.

**MOMENT OF SILENCE**

**PLEDGES**

**ROLL CALL and ESTABLISH QUORUM**

**PRESENT**

Mayor Jeff Rasco  
Mayor Pro Tem Brent H. Pulley  
Councilmember Linnea R. Bailey  
Councilmember Chrys Grummert  
Councilmember Bob Hambrick  
Councilmember Debra Hines

**STAFF PRESENT**

City Manager, Kevin Rule  
City Secretary, Suzanne Mac Kenzie  
City Attorney, Charles Zech - *A representative of Denton, Navarro, Rocha, Bernal & Zech, P.C.,*  
via Zoom

**PUBLIC COMMENTS**

One Public Comment was Offered.

**CONSENT CALENDAR**

1. Approval of Joint Public Hearing with Planning and Zoning and Woodcreek City Council Meeting Minutes From September 20, 2023.
2. Approval of Special City Council Meeting Minutes From September 20, 2023.
3. Approval of Regular City Council Meeting Minutes From September 27, 2023.
4. Approval of Financial Statements for August 2023. (Rule)
5. Approval of An Addendum to the Special Event Permit for Tree Board's Arbor Day Event at the Triangle in November 2023, Adding Street Closure on Short Side of Brookhollow Drive. (Rule)
6. Approval of Resolution No 2023-10-11, Designating the Official City Newspaper for the City of Woodcreek. (Rule)

Motion was made by Council Member Hines to pass the Consent Agenda with meeting minute edit sent to City Staff to be incorporated into the 20<sup>th</sup> and 27<sup>th</sup>. Motion was seconded by Council Member Hambrick.

A roll call vote was held.

Voting Yea:

Mayor Pro Tem Pulley, Council Member Bailey, Council Member Grummert, Council Member Hambrick, Council Member Hines.

Motion Passed: 5-0-0.

**REPORTS FROM OFFICERS AND COUNCIL LIAISONS - None**

**REPORT OF SPECIAL (Select or Ad Hoc) COMMITTEES - None**

**SPECIAL ORDERS - None**

**UNFINISHED BUSINESS AND GENERAL ORDERS – None**

**NEW BUSINESS**

7. **Discussion and Take Possible Action Regarding The Initial Five(5) Speed Cushions in the City of Woodcreek.** (Pulley)

Motion was made by Mayor Pro Tem Pulley that we proceed with soliciting, through RFPs or otherwise, engineering review and recommendation concerning (1) five possible initial speed cushions in the City of Woodcreek and (2) the feasibility of the proposed type of speed cushions.

Motion was seconded by Council Member Hines.

**6:57P** – Mayor Pro Tem Pulley withdrew his motion.

8. **Discussion and Take Possible Action Regarding Issuing A Request For Qualifications (RFQ) For The Position of City Engineer.** (Pulley)

Motion was made by Mayor Pro Tem Pulley that we discuss and take possible action regarding issuing a Request For Qualifications (RFQ) for the position of City Engineer. Motion was seconded by Council Member Grummert.

**7:11P** – Mayor Pro Tem Pulley withdrew his motion.

**ANNOUNCEMENTS**

Mayor Pro Tem Pulley announced the first City Event to be held at the new Gazebo – the Tree Board’s Arbor Day on November 4, 2023.

City Manager Rule announced the Parks and Recreation Board’s, Third Annual Spooktacular Event on Sunday, October 29, 2023.

**ADJOURN**

Mayor Rasco Adjourned the Meeting at 7:19P.

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**Jeff Rasco, Mayor**

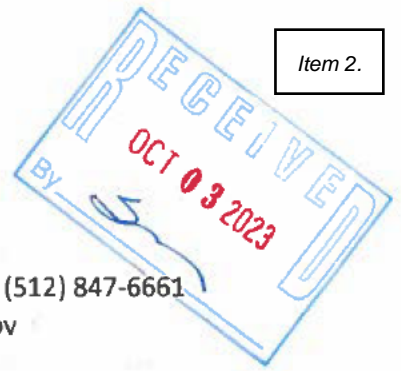
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**Suzanne Mac Kenzie, City Secretary**

DRAFT



Item 2.



### City of Woodcreek

41 Champions Circle • Woodcreek, Texas 78676 • Office: (512) 847-9390 • Fax: (512) 847-6661  
Email: woodcreek@woodcreektx.gov • Website: woodcreektx.gov

### Application for Special Event Permit

Applicant(s) Jeff Rasco

Address [REDACTED]

Home Phone N/A Cell Phone [REDACTED]

Work Phone N/A

Email address [REDACTED]

Event Location Triangle / Gazebo area

Event Name/Description Campaign event by invitation, but

Event Type:  Private Group driveby, expected

Public Event

N/A Alcohol Will Be Available at this Event

N/A Music/Entertainment will be amplified at this Event

N/A Security/Traffic Enforcement will be provided at this Event

\*\*\*\* If any of the above categories are checked please attach additional information \*\*\*\*

Estimated Number of Attendees/Guests 20 + driveby / drop in

Estimated Number of Contractors/Staff 0

Event Date & Starting/Ending Time 10/30/2023 3:00 - 6:00 pm

Estimated Number/Type of Vehicles expected for the event, including suppliers:

5 Automobiles

       Buses

       Box trucks (2 axles)

       Semi-trucks

Other (please identify) bikes, golf carts

OCT 20 2023

Any other information city council may find beneficial in deciding whether or not to grant the special event permit (attach additional documentation if necessary):

We're looking forward to taking advantage of the great improvements to the Triangle and all Woodcreek park areas

§156.082 of the City of Woodcreek Code of Ordinances requires a special event permit for all events which are outside of normal and customary activities associated with the applicable zoning district. Such activities must also comply with all other city ordinances and be harmonious with the zoning district in which it is to take place.

An application for a special event permit shall be made in writing. Application will be approved or denied within 30 days from date all necessary information is received. Unless specifically approved by the City Council all special event permit applications are DENIED.

Music and entertainment shall not be played outdoors after 10 PM or before 12 PM (noon).

Groups that anticipate Special Events of larger than 200 people may be required by City Council to have the following for the issuance of the permit and shall be noted below in conditions of permit:

- EMS personnel on hand per every 200 people in attendance.
- A designated first aid/EMS station for events over 300 people
- Law enforcement/security personnel equal to 1 law enforcement/security personnel for every 100 people in attendance if alcohol is served.
- Additional fees for city services may be required as indicated by permit

**Application Fee:**

**A non-refundable application fee of \$100 must accompany the submission of this form.**

Completed application can be emailed to [woodcreek@woodcreektx.gov](mailto:woodcreek@woodcreektx.gov).

**For City use only:**

Date application, required information and fee received: 10-03-2023

Applicable Zoning Category/Use: \_\_\_\_\_

City Council Vote: Approved or Denied (circle one)      Date: 10-25-2023

Date permit issued to property owner: \_\_\_\_\_ Permit # \_\_\_\_\_

Date applicant notified of denial: \_\_\_\_\_

Reason for denial: \_\_\_\_\_



City Secretary

From: paymentconfirmation@allpaid.com
Sent: Tuesday, October 3, 2023 1:25 PM
To: City of Woodcreek
Subject: APPLICATION FEES Payment Notification



24 Hour Customer Service #: 800-989-7780

APPLICATION FEES CONFIRMATION EMAIL

PLC: CITY OF WOODCREEK DATE: 10/03/23
a00473 41 CHAMPIONS CIRCLE
WOODCREEK, TX 78676
FOR: APPLICATION FEES

TRANSACTION INFORMATION

Name: JEFF RASCO
Street Address: [Redacted]
Phone Number: [Redacted]
Mailing Address: [Redacted]
Email Address: [Redacted]
Application Fees: OTHER

TRANSACTION REFERENCE #: 40005133
TRANSACTION DATE/TIME: 10/03/2023 14:24:53 EDT

BILLING INFORMATION

NAME: JEFF RASCO
ADDRESS: [Redacted]
CITY, STATE ZIP: [Redacted]
PHONE #: [Redacted]
CARD #: [Redacted]

PAYMENT INFORMATION
APPROVAL #: 003669
PAYMENT AMOUNT: \$100.00
SERVICE FEE: \$2.95
TOTAL AMOUNT: \$102.95

The service fee is not refundable.

ATTENTION CITY OF WOODCREEK:
To make corrections, call AllPaid at 800-989-7780, or login to ProviewExp at www.ProViewEXP.com.

Thank you for using AllPaid





# Agenda

Item 3.

- Introductions
- Purple Pipe Master Plan
- Drought Update
- Drought Response
- Customer Communications
- Business Growth



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# Purple Pipe Master Plan

# The Importance of Water Reuse

“In aggregate, population growth leads to Texas’ municipal water users potentially facing water shortages almost 15 times larger in 2070 (approximately 3.1 million acre-feet) than in 2020 (approximately 215,000 acre-feet) unless recommended strategies and projects are implemented.” – 2022 State Water Plan, Texas Water Development Board

KXAN KXAN Austin + Follow

**Water reuse in Hill County imperative to combat water scarcity, report says**

Story by Sam Stark • 22h



KTBC

**Greater Edwards Aquifer Alliance highlights more for water reuse: report**

Carissa Lehmkuhl

Wed, September 27, 2023 at 7:00 PM EDT · 3 min read

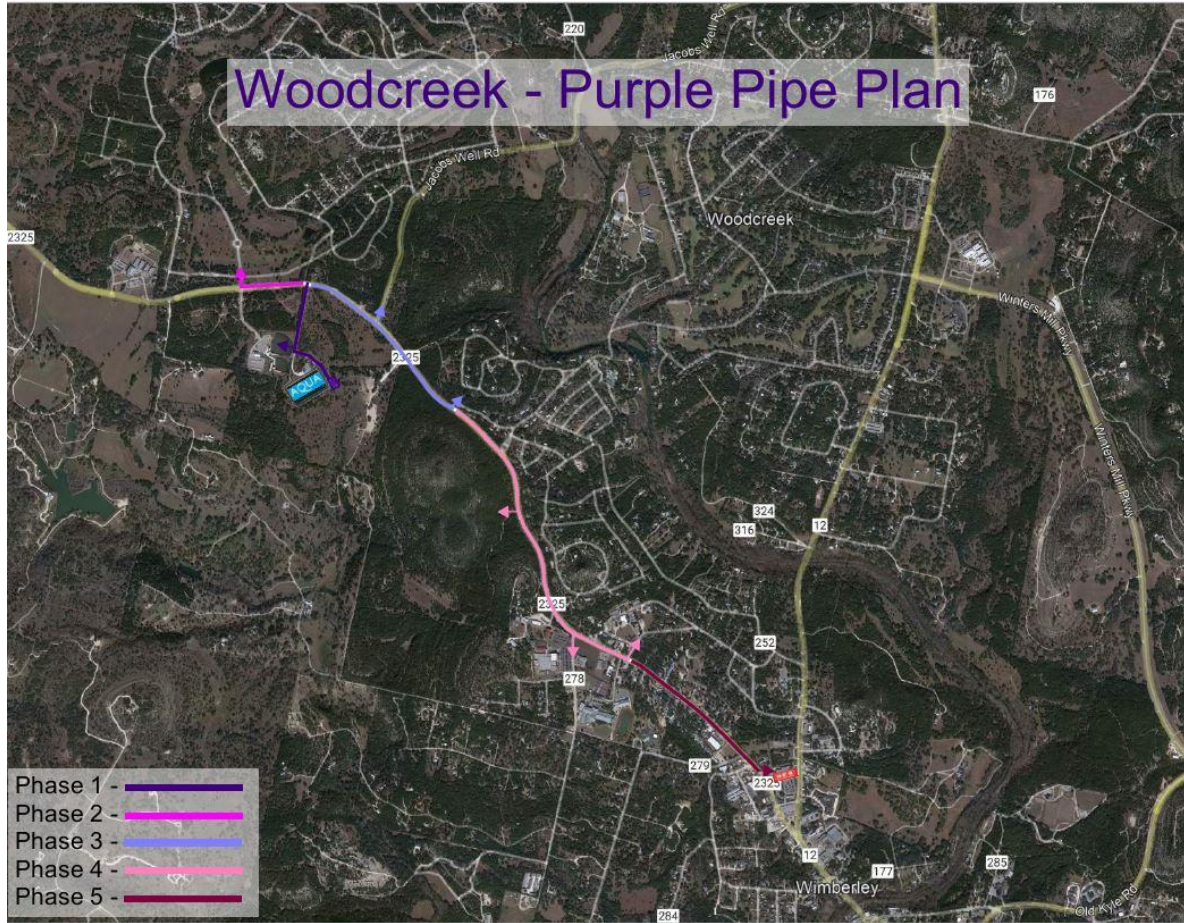
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**AQUA**<sup>SM</sup>

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# Overview of Master Plan



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# Anticipated Cost Estimate

- Phase 1 - \$315,000
- Phase 2 - \$180,000
- Phase 3 - \$525,000
- Phase 4 - \$855,000
- Phase 5 - \$480,000



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# Service to Customers

Item 3.

- 100,000 gpd at WWTP = 3.7-acre inches per day
- 111 acre-inches per month
- If apply 1.5” a week – 18.5 acres watered
- If used ½” per week in the summer per City of Wimberley’s water conservation recommendation – 55.5 acres watered



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# Drought Status

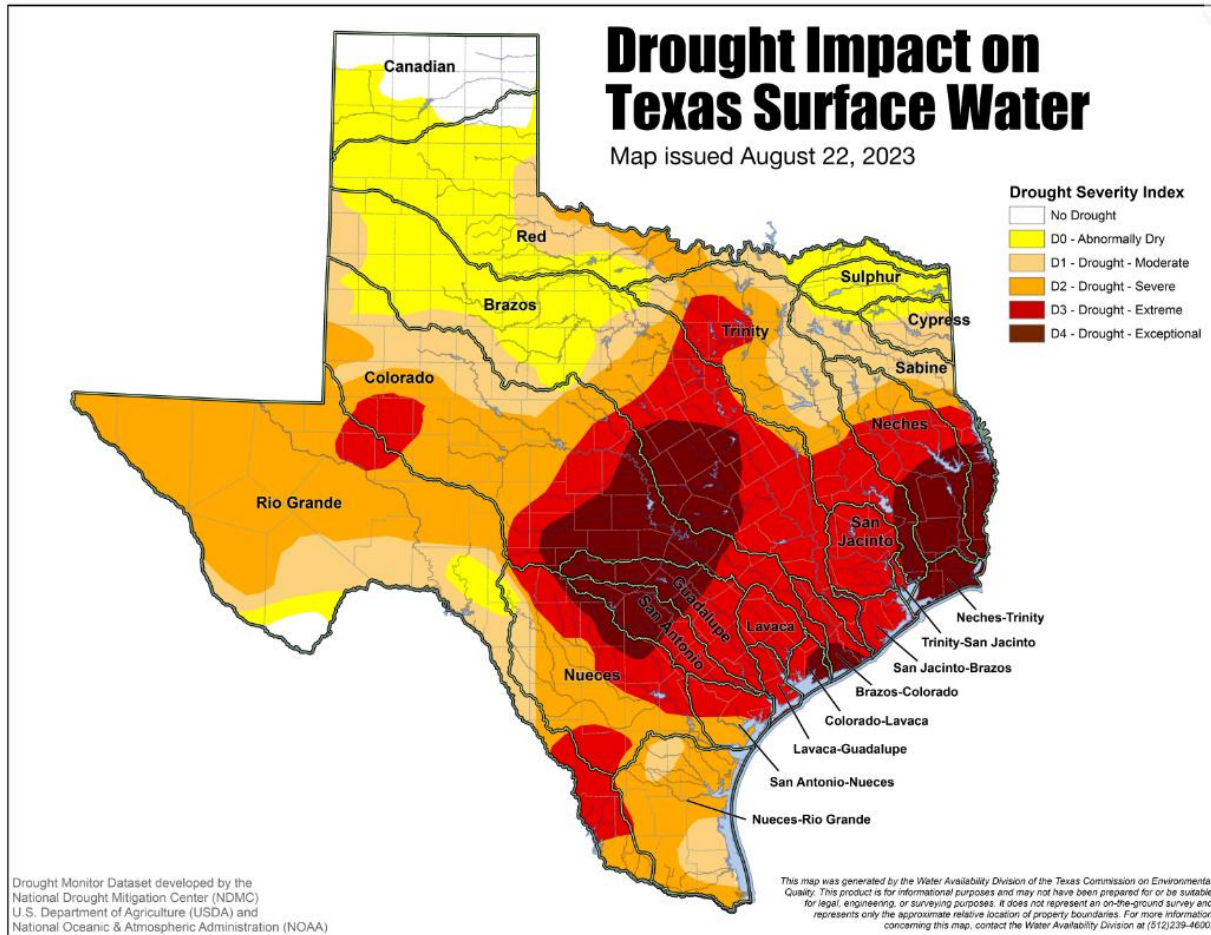
# Current Conditions

- Through September 26, Austin/San Antonio had 85 days over 100°F.
- 45 of those days were consecutive July 8-Aug 21.
- Highest recorded temperature today in 2023 is 110°F on July 17.



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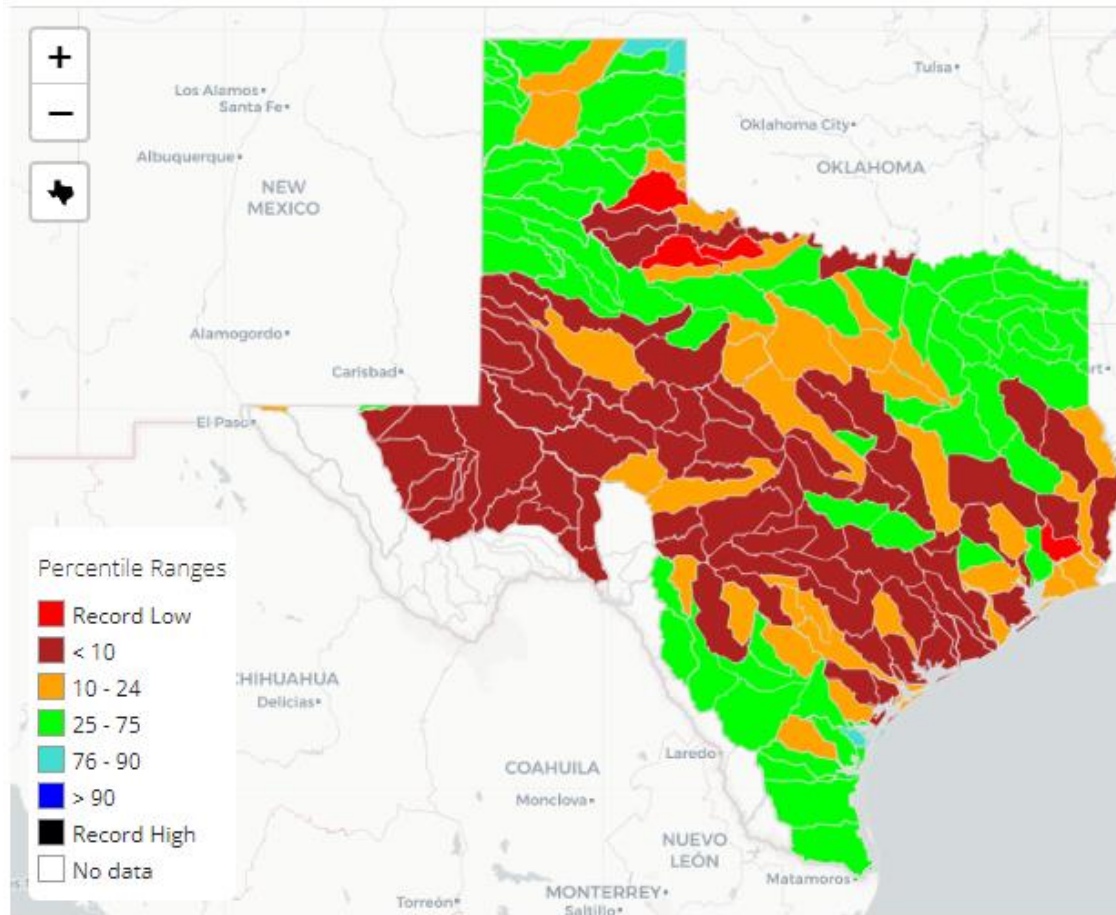
# Current Conditions



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# USGS Monthly Streamflow Percentiles for August 2023

Item 3.



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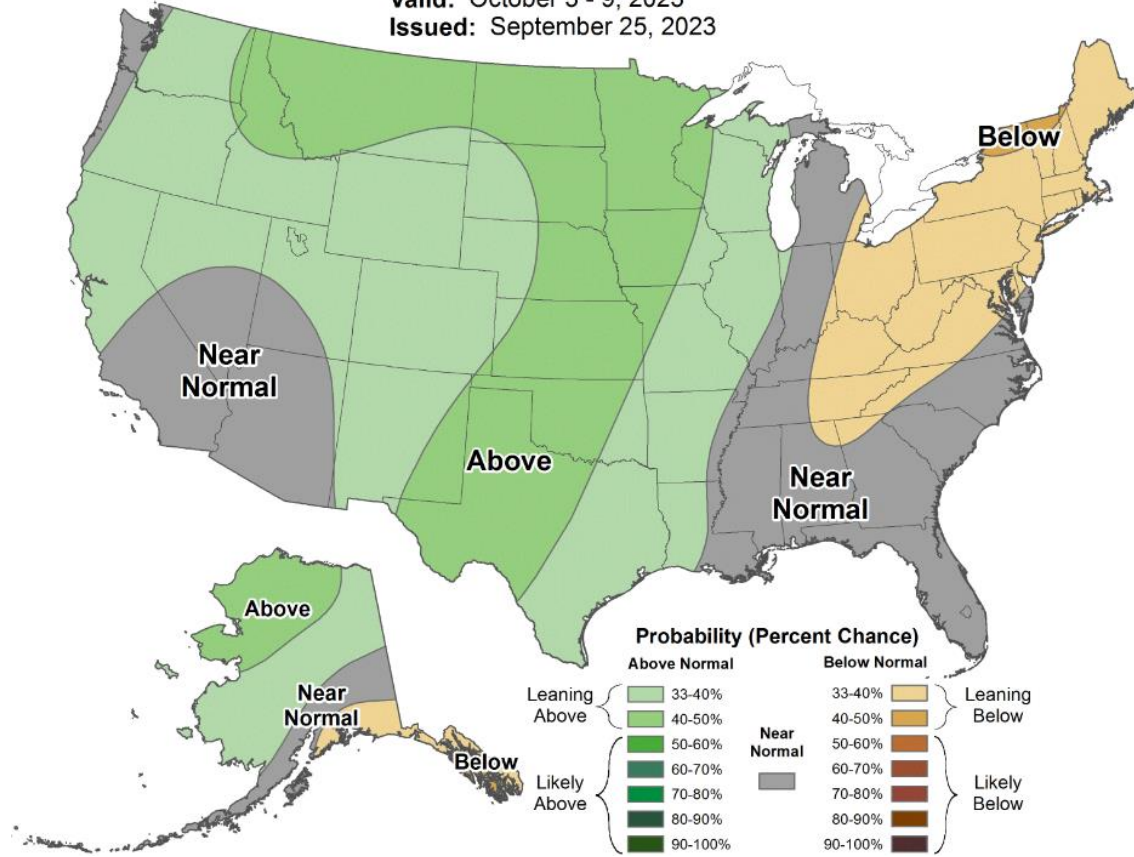
# Current Conditions



## 8-14 Day Precipitation Outlook



Valid: October 3 - 9, 2023  
 Issued: September 25, 2023



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# Long Term Outlook

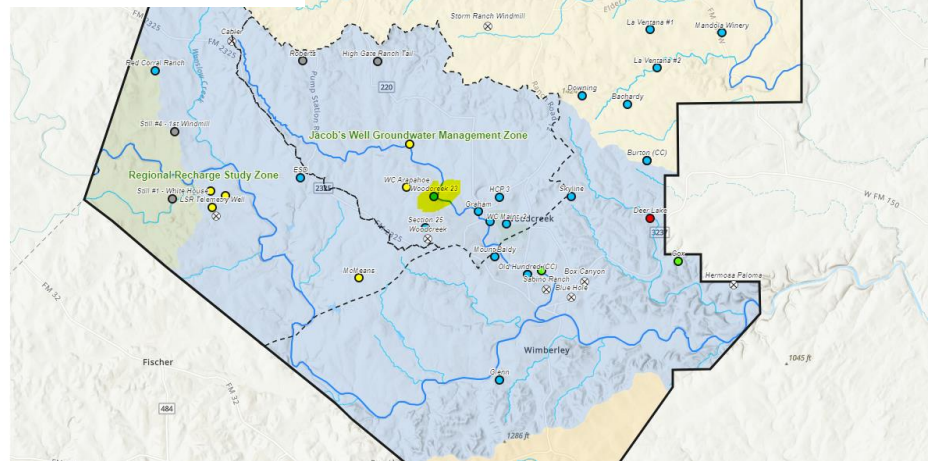
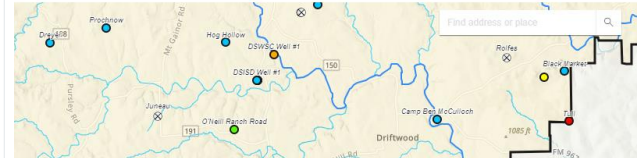
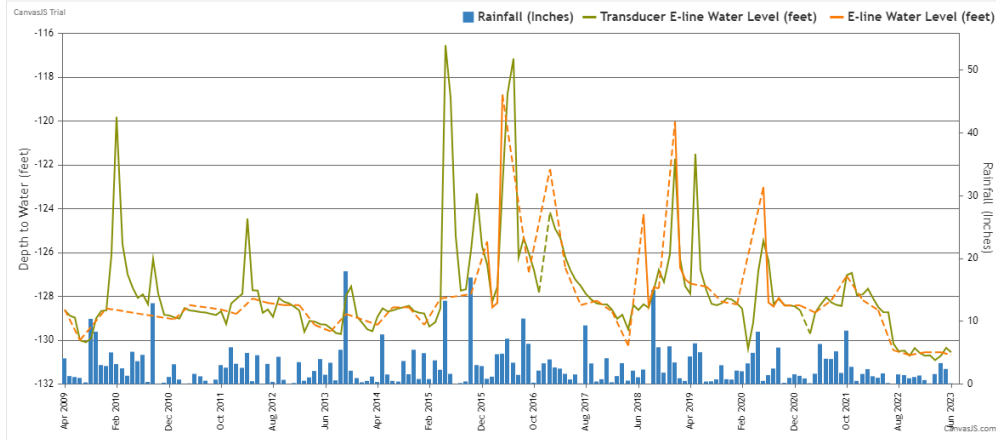
- El Niño is expected to persist.
  - El Niño is anticipated to continue through the Northern Hemisphere winter (with greater than 95% chance through January - March 2024).
  - During El Niño, there's generally more storminess across the southern region of the country. El Niño conditions typically lead to wetter, snowier conditions in Texas and cooler maximum temperatures during the winter.
  - Potential Issues
    - Increased precipitation is not sufficient and provides customers with a false impression
    - Freezing weather and flooding could be an issue at least in some locations over the winter.

# Groundwater Levels

## Woodcreek 23

30° 02' 21" NORTH  
98° 08' 37" WEST

Total Well Depth:284  
Elevation:1050.35



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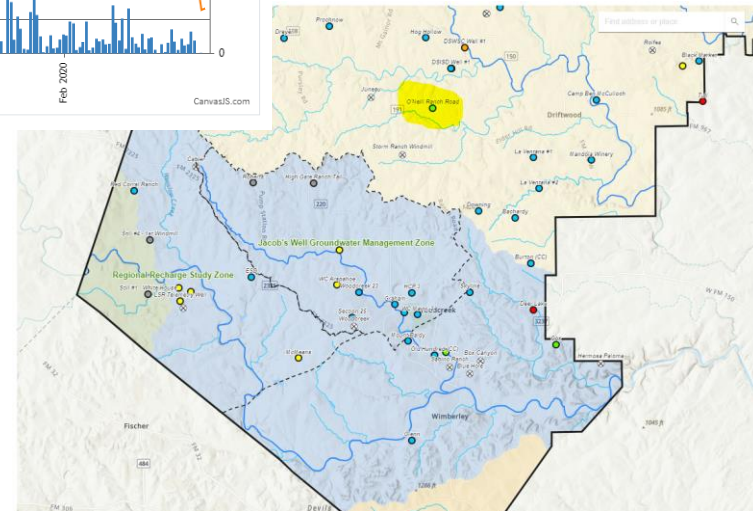
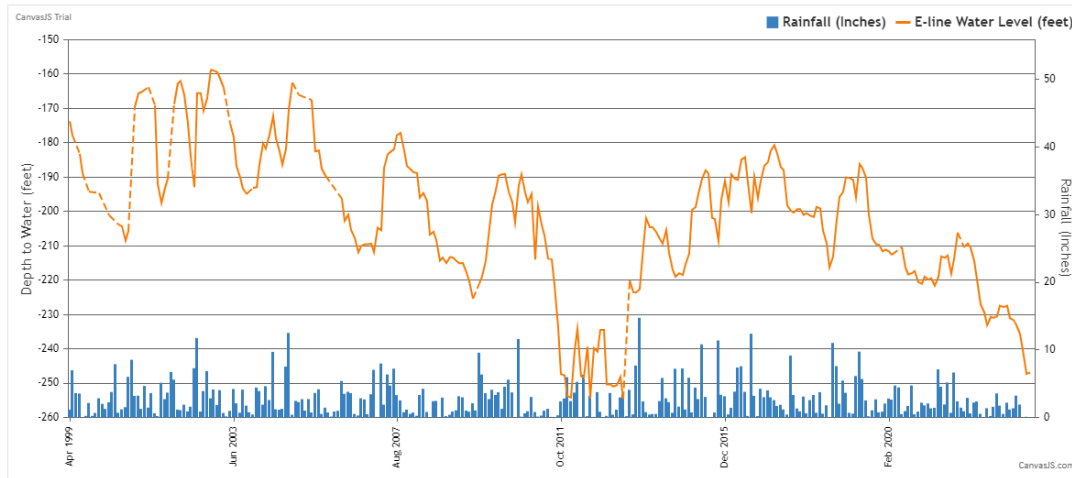


# Groundwater Levels

## O'Neill Ranch Road

30° 07' 33" NORTH  
98° 06' 12" WEST

Total Well Depth:420  
Elevation:1192.59



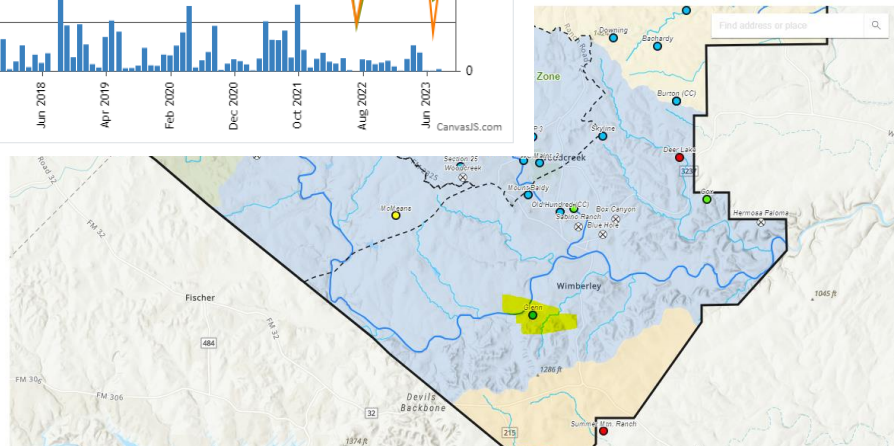
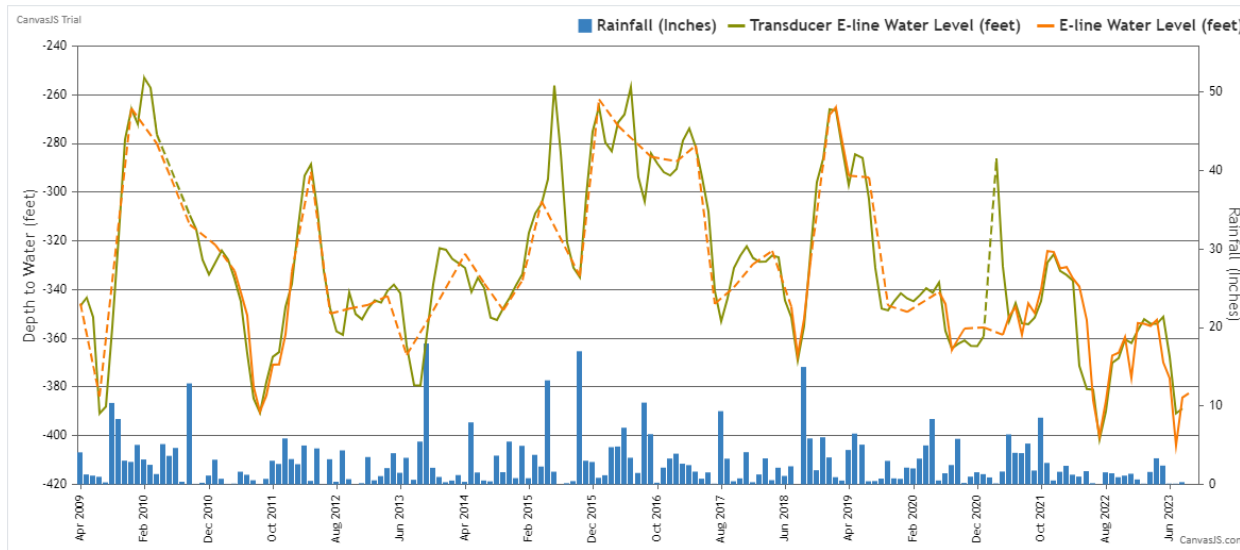
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# Groundwater Levels

## Glenn

29° 58' 08" NORTH  
98° 06' 53" WEST

Total Well Depth:680  
Elevation:1080.00



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# Current Water Restrictions

Item 3.

| PWS ID    | Water Systems       | Stage of Restriction | Ground Water District          | Source Water                     |
|-----------|---------------------|----------------------|--------------------------------|----------------------------------|
| TX1050068 | Cardinal Valley     | Stage 4              | Hays Trinity GCD               | Groundwater, Trinity             |
| TX1050029 | Chaparral           | Stage 3              | Barton Springs Edwards Aquifer | Groundwater, Edwards and Trinity |
| TX1050082 | Copper Hills        | Stage 3              | Barton Springs Edwards Aquifer | Groundwater, Edwards and Trinity |
| TX1050080 | Granite Creek       | Stage 4              | EAA                            | Groundwater, Edwards             |
| TX1050043 | Leisurewoods        | Stage 3              | Barton Springs Edwards Aquifer | Groundwater, Edwards             |
| TX1050077 | Meadow Woods        | Stage 4              | EAA                            | Groundwater, Edwards             |
| TX1050111 | Mountain Crest      | Stage 4              | Hays Trinity GCD               | Groundwater, Trinity             |
| TX1050100 | Oak Meadows         | Stage 4              | EAA                            | Groundwater, Edwards             |
| TX1050134 | Sierra West         | Stage 3              | Barton Springs Edwards Aquifer | Groundwater, Middle Trinity      |
| TX1050058 | Southwest Territory | Stage 3              | Barton Springs Edwards Aquifer | Groundwater, Edwards and Trinity |
| TX1050037 | Woodcreek I         | Stage 4              | Hays Trinity GCD               | Groundwater, Trinity             |
| TX1050039 | Woodcreek II        | Stage 4              | Hays Trinity GCD               | Groundwater, Trinity             |



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# Biggest Challenge

Item 3.



**AQUA**<sup>SM</sup>

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# Drought Contingency Planning

- Current plan from 2020 and a full review and revision is planned before 2024.
  - Operational triggers (i.e. well run times, tank levels) for restrictions need updating.
  - Communication plans and templates require revision.
    - Need to establish an ongoing irrigation schedule and smart watering practices communication strategy.
  - Excessive use levels for at least stages 3 and 4 need specific criteria developed.
  - More specific criteria are needed for the reduction in restriction level.



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# Drought Response

# Overview of Drought Operations

Item 3.

- Recognize drought.
- Work with Compliance to establish excessive use numbers.
- Provide adequate notification to customers about water restrictions.
- Monitor water usage & pumping numbers.
- Work with customers to bring them into compliance.
- Install restrictor if they continue to ignore drought restrictions.



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# Flow Restrictors

- Flow restrictors are the main enforcement action Aqua can take
  - A restrictor, restricts the flow and pressure so that there is water into the home, but there is not enough pressure to operate a sprinkler system.
  - We install a restrictor after a customer has been identified as an excessive water user.
  - They are left on for at least one billing cycle.



# Types of Leak Detection Used

Item 3.

- During a drought the ground shifts as soil loses water and shrinks, sometimes causing additional leaks in service lines and mains.
- Acoustical
  - Using listening devices on valves, hydrants, & water meters
- Satellite
  - Using satellite imaging to see possible moist areas
  - Need boots on the ground to locate/pinpoint actual leaks
- Typically, we see leaks in older parts of a water system, due to age of the pipes.

# Leak Detection

Item 3.

| Investigation:                                  | Detection Point/s:                          | Likely leaking Asset:                       | Cover:                                   |
|---|---|---|--|
| <b>2 Logans Run Woodcreek 2</b>                 |   |   |  |
| Acoustic AI <input checked="" type="checkbox"/> | Main Valve <input type="checkbox"/>         | Main <input type="checkbox"/>               | Concrete <input type="checkbox"/>        |
| Surfaced water <input type="checkbox"/>         | Curb Stop <input type="checkbox"/>          | Service <input type="checkbox"/>            | Asphalt <input type="checkbox"/>         |
| other <input checked="" type="checkbox"/>       | Meter Stop <input type="checkbox"/>         | Utility Side <input type="checkbox"/>       | Brick <input type="checkbox"/>           |
|   | Hydrant <input checked="" type="checkbox"/> | Customer Side <input type="checkbox"/>      | Gravel <input type="checkbox"/>          |
|   | Ground Mic <input type="checkbox"/>         | Fittings <input type="checkbox"/>           | Soil <input checked="" type="checkbox"/> |
|   | other <input type="checkbox"/>              | Hydrant <input checked="" type="checkbox"/> | Other <input type="checkbox"/>           |
|   | Visual <input type="checkbox"/>             | Valve <input type="checkbox"/>              | Meter pit <input type="checkbox"/>       |
| Estimation of Leak (GPM)                        |   |   |  |
| 4GPM  |   |   |  |

**Bug Mode**  
Bug sensors successfully updated.  
sessionID  
c8m2  
26.02.21 Small Leak

|        |                                    |                      |
|--------|------------------------------------|----------------------|
| Notes: | Correlation Session IDs: b84g bd9k | Sweep IDs: c8m2 dn82 |
|--------|------------------------------------|----------------------|




to Jacobs Well Community Garden. No Aux Valve visible leak appears to have worsened after operator wor



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# Leak Detection

Item 3.

| Investigation:   | Detection Point/s:                             | Likely leaking Asset:                    | Cover:                                   |
|--|--|--|--|
| <b>44 sprucewood across street</b>   |  |  |  |
| Acoustic AI <input checked="" type="checkbox"/>  | Main Valve <input type="checkbox"/>            | Main <input checked="" type="checkbox"/> | Concrete <input type="checkbox"/>        |
| Surfaced water <input type="checkbox"/>  | Curb Stop <input checked="" type="checkbox"/>  | Service <input type="checkbox"/>         | Asphalt <input type="checkbox"/>         |
| other <input type="checkbox"/>   | Meter Stop <input type="checkbox"/>            | Utility Side <input type="checkbox"/>    | Brick <input type="checkbox"/>           |
|  | Hydrant <input type="checkbox"/>               | Customer Side <input type="checkbox"/>   | Gravel <input type="checkbox"/>          |
| Estimation of Leak (GPM)   | Ground Mic <input checked="" type="checkbox"/> | Fittings <input type="checkbox"/>        | Soil <input checked="" type="checkbox"/> |
| 4GPM   | other <input type="checkbox"/>                 | Hydrant <input type="checkbox"/>         | Other <input type="checkbox"/>           |
|  | Visual <input type="checkbox"/>                | Valve <input type="checkbox"/>           | Meter pit <input type="checkbox"/>       |
|    |  |  |  |
| Notes:   | Correlation Session IDs:                       | hn3z                                     | d3j5                                     |
|  | Sweep IDs                                      | sphv                                     | 2v2k                                     |
| <p><b>We would have bet money this leak was close to the meter box on Aqua side but all our technology took us down the street to a leak on the main where we marked it up. 88.9 feet from meter pit</b></p>   |  |  |  |



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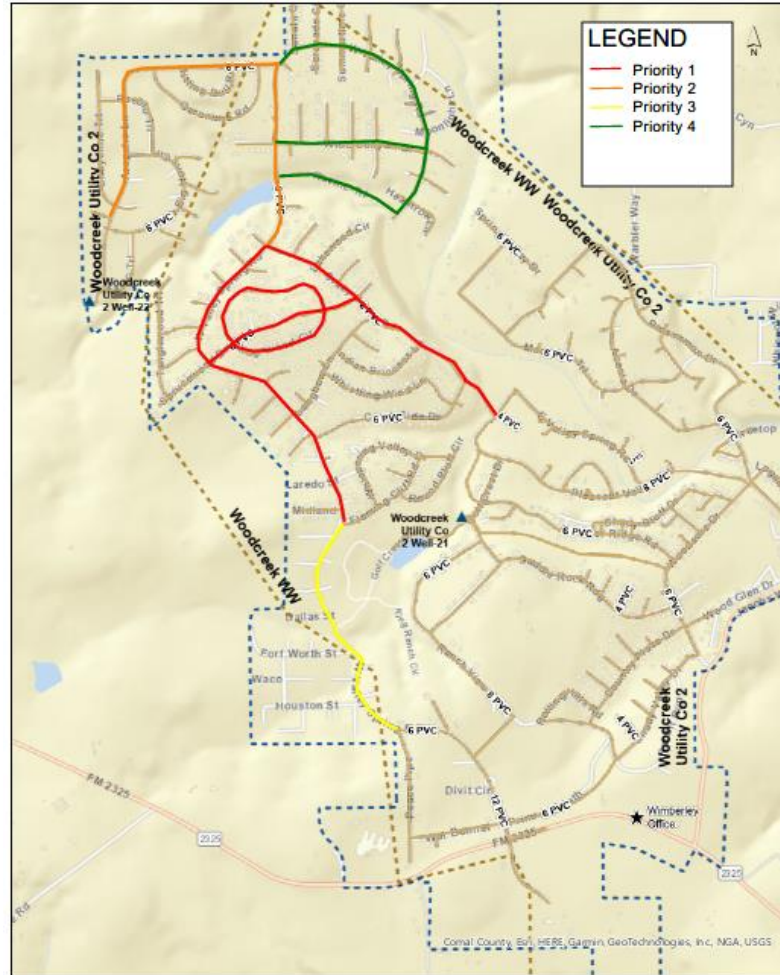
# Leak Detection



Not all leaks are where we think. We had to dig several feet in each direction to find the actual leak.

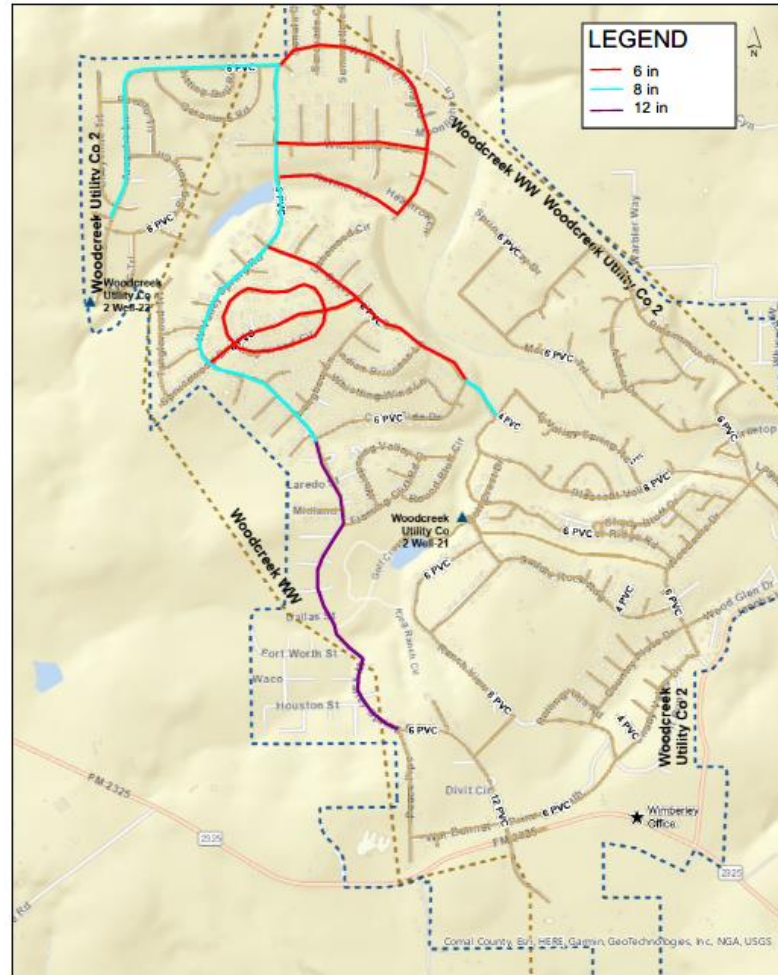
# Water Main Replacement Priorities

Item 3.



# Water Main Replacement Diameters

Item 3.



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# Customer Communications

# Drought Communications

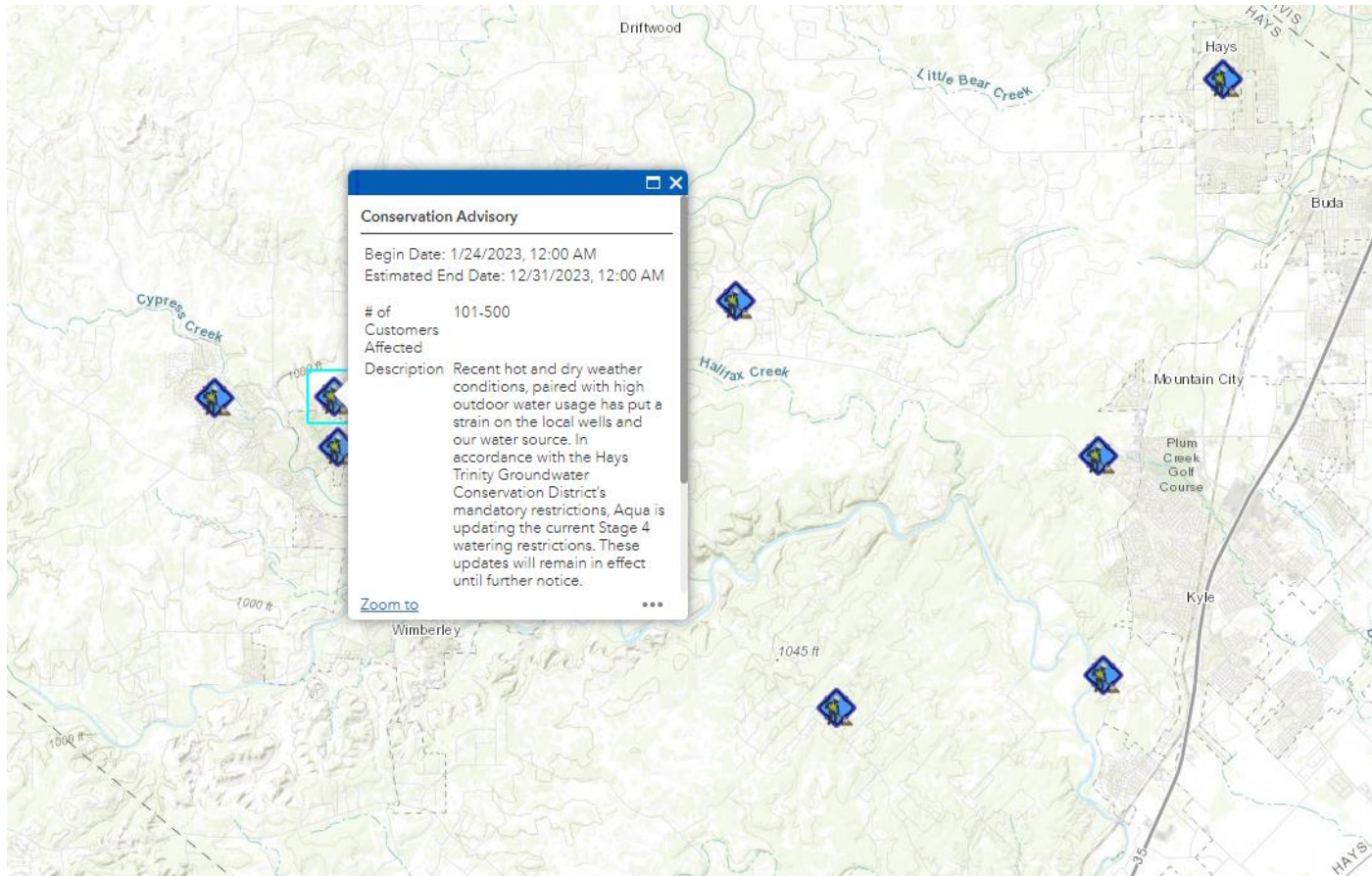
- Water restriction notices are mailed out each time we reach a new stage. For example, moving from Stage 2 to Stage 3.
  - In the case of Hays County, the area has been under restrictions consistently since 2022, so a reminder was sent out at the beginning of the year, and then again as we moved through restriction stages.
  - This year we included additional information about indoor and outdoor conservation and xeriscaping.
- Paid social media advertising in targeted areas.
- Conservation reminders were sent out using our WaterSmart Alert system that contacts customers via phone, text message and/or email.
- Drought signs are placed in affected communities with a QR code to the Disruption Map.
- All restrictions are kept current on the Disruption Map for customers to reference.



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# Disruption Map



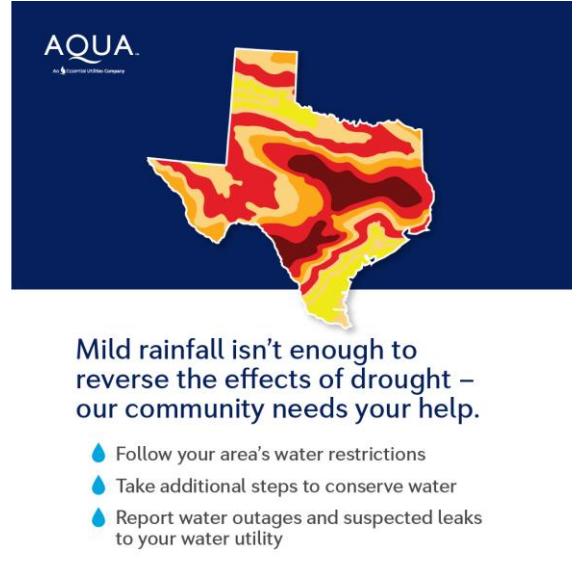
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# Paid Social Media Campaigns



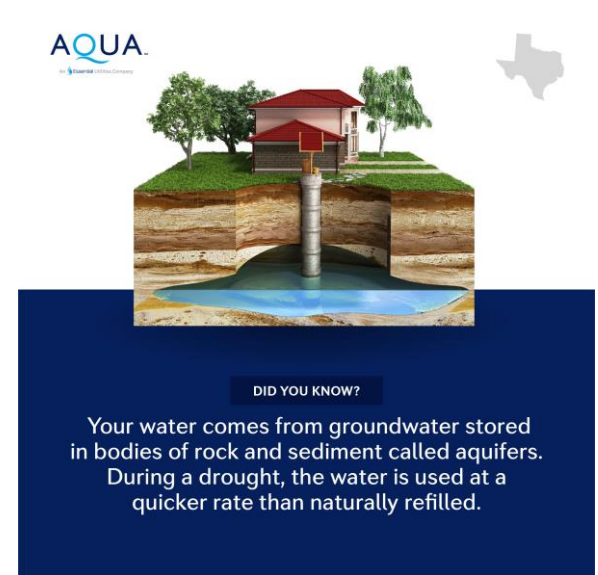
**Our source water is in danger.**

Overuse is draining our resources. We need your cooperation to conserve water and refill the aquifers below our feet.



**Mild rainfall isn't enough to reverse the effects of drought – our community needs your help.**

- Follow your area's water restrictions
- Take additional steps to conserve water
- Report water outages and suspected leaks to your water utility





**DID YOU KNOW?**

Your water comes from groundwater stored in bodies of rock and sediment called aquifers. During a drought, the water is used at a quicker rate than naturally refilled.

Drought messaging began running on social media at the beginning of August, targeting users in Hays County. Ads link to the Texas Water Conservation website.

# Texas Water Conservation Webpage


Service Alerts | 

Customers
Partner With Us
All About Water
About Aqua
Pay My Bill

## Please Conserve Water

*Texas is Experiencing Severe Drought - Please Help By Conserving Water*

Your cooperation is critical to helping us ensure an adequate water supply as we face prolonged periods of extreme drought.

*Mandatory water restrictions are being implemented throughout the state as we work to maintain an adequate water supply. View current restrictions for your community [here](#).*

## Why is Conservation so Important

At Aqua Texas, we rely on both groundwater and surface water for our water sources, but our communities are using these resources faster than nature can replenish them. Prolonged drought, overconsumption and aging reservoirs are expediting the need to conserve water **now**.

## What You Can Do to Conserve Water

Everyone plays a role in water conservation. The most important thing you can do is follow your community's water use restrictions.

Here are other things you can do to help:

- Kitchen
  - Only run the dishwasher when it's full.
  - Plug the sink or use a wash basin if washing dishes by hand. Don't let the water run.
- Bathroom
  - Turn off the tap while shaving or brushing teeth.
  - Turn off the water while soaping up.
- Laundry Room
  - Wash only full loads of laundry or use the appropriate load size selection on the washing machine.
- Outdoor
  - Use a broom, not a hose, to clean driveways, patios and sidewalks.
  - Avoid watering your lawn or garden in the middle of the day.

# Ongoing Communications

- Monthly updates sent to the City of Woodcreek and Woodcreek POA Board.
- In-person briefings and meetings are being scheduled to answer customer questions.
- Planning an Open House event for Wimberley-area customers.



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# Future Communications

- More education, earlier in the year around drought, water restrictions, and the importance of following them.
- Video shorts explaining topics like the Disruption Map, groundwater recharge, and how water gets to your home.
- Lunch and Learn events to explain landscaping or xeriscaping amid drought.



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# Business Growth

# Overview of Business Growth Strategy

- Currently limiting service to customers within Aqua TX CCN or adjacent to serve boundary.
  - All requests for service have been directed to the County/City for plat approval before service from Aqua TX.
- Strategizing for sensible growth in the area

# Requests for Service

- To date, growth we've curtailed:
  - 350+ connection water/wastewater requests for service
  - 320-acre residential development
  - 18-acre residential development
  - Multifamily water/wastewater request for service
  - Lange Rd request for service
  - Comanche Trl. request for service
  - Cadenhead request for service
- Growth is inevitable but there's a way it can be done sensibly.



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# Sensible Growth

- Developers, in conjunction with the City, are interested in water reuse.
- Currently have requests for reuse water.



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# Summary

- We are doing everything we can do reduce our influence on Jacob's Well
  - Aqua has purchased additional land outside the Jacob's Well Management Zone
  - We have results from the pump test. We are putting together a report for the public and plan to have that out shortly.
- We are building a brand-new wastewater treatment plant to be able to treat wastewater for reuse. The reused water would mainly be used for lawn irrigation, so we can save potable water for drinking and home use.
- We are spending more than \$3M to replace underground infrastructure to limit water loss through leaks or broken water mains.
- We have also partnered to implement acoustical leak detection technology to be proactive about water loss.



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# *Spirit of Woodcreek* AWARD

*The City of Woodcreek thanks*

## **Cody Abney**

*for the extraordinary service and hard work he has provided to his neighbors and to this community – as well as the “stitches” he has received in so doing. He truly represents the Spirit of Woodcreek.*

The City of  
**Woodcreek**  
IN THE MIDST OF THE TEXAS HILL COUNTRY

Intersection  
Jack Miller &  
Doolittle

Item 7.



Residents who live on Doolittle Dr. and Wildwood Circle would like a caution sign at the stop sign on the southeast side of Jack Miller (exiting Camp Young Judea) saying Through Traffic Does Not Stop. The situation is that vehicles exiting JYJ just stop and go assuming this is a 4 way stop which it is not. They are not suggesting more stop signs, only a caution sign for those exiting CYJ.

Pictures from March

52

3





Camp Young Judea Road facing NE and proposed site of Caution Sign: **Cross Traffic Does Not Stop**



Jack Miller Intersection with Doolittle



Doolittle Drive Facing NW



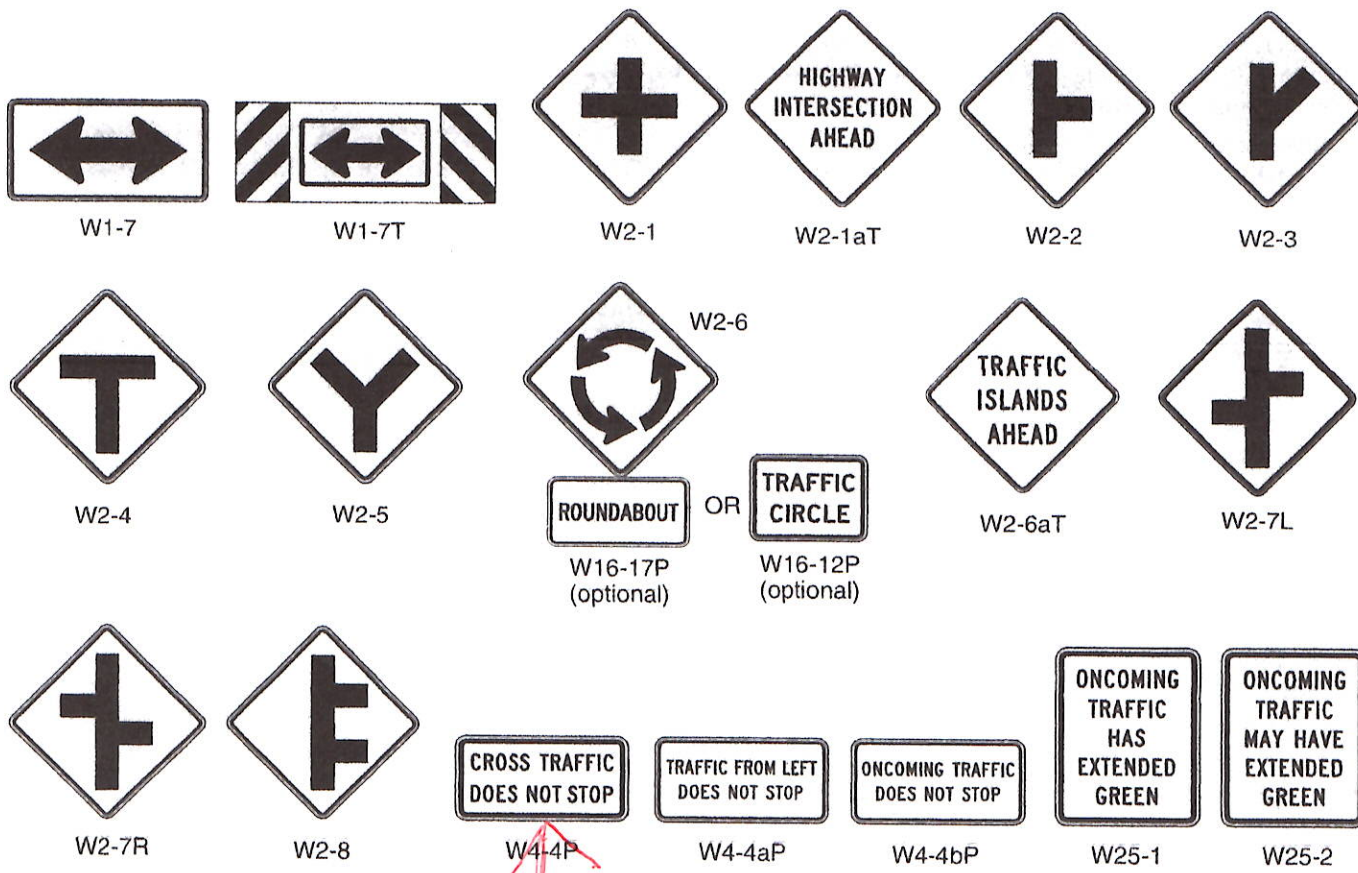
# Doolittle Dr

Caution sign at intersection of Jack Miller and Doolittle





Figure 2C-9. Intersection Warning Signs and Plaques



should be an advance arrow, such as the arrow shown on the W16-6P arrow plaque (see Figure 2C-12).

**Section 2C.59 CROSS TRAFFIC DOES NOT STOP Plaque (W4-4P)**

Option:

- 01 The CROSS TRAFFIC DOES NOT STOP (W4-4P) plaque (see Figure 2C-9) may be used in combination with a STOP sign when engineering judgment indicates that conditions are present that are causing or could cause drivers to misinterpret the intersection as an all-way stop.
- 02 Alternative messages (see Figure 2C-9) such as TRAFFIC FROM LEFT (RIGHT) DOES NOT STOP (W4-4aP) or ONCOMING TRAFFIC DOES NOT STOP (W4-4bP) may be used when such messages more accurately describe the traffic controls established at the intersection.

Guidance:

- 03 Plaques with the appropriate alternative messages of TRAFFIC FROM LEFT (RIGHT) DOES NOT STOP or ONCOMING TRAFFIC DOES NOT STOP should be used at intersections where STOP signs control all but one approach to the intersection, unless the only non-stopped approach is from a one-way street.

Standard:

- 04 If a W4-4P plaque or a plaque with an alternative message is used, it shall be mounted below the STOP sign.

**Section 2C.60 SHARE THE ROAD Plaque (W16-1P)**

Option:

In situations where there is a need to warn drivers to watch for other slower forms of transportation traveling along the highway, such as bicycles, golf carts, horse-drawn vehicles, or farm machinery, a SHARE THE ROAD (W16-1P) plaque (see Figure 2C-12) may be used.

# The City of *Woodcreek*

IN THE MIDST OF THE TEXAS HILL COUNTRY

## **VOLUNTEER SIGN UP!**

Join in on the fun!

Meet and get to know your neighbors.

Work together to generate a sense of community.

Let's beautify our public spaces and improve our community!

Together we can accomplish great things for our City.

Get involved today!

Fill out this form and join the growing list of volunteers.

<https://www.surveymonkey.com/r/DJTLLRN>



Don't want to mess with the digital sign up?

Contact City Staff and they will gather your information and add you to the list.

SURVEY MONKEY – volunteer form (what is linked on the sign-up sheet)



### Volunteer Sign Up Form

Join in on the fun!  
Meet and get to know your neighbors.  
Work together to generate a sense of community.  
Let's beautify our public spaces and improve our community!  
Together we can accomplish great things for our City.  
Get involved today!  
Fill out this form and join the growing list of volunteers.

1. What is your name?


2. What is your email address?

3. What is your street address?

4. Best number to reach you?

5. What is your preferred method of communication?

- Phone Call
- Text
- Email

6. What volunteer opportunities would you be most interested in? (Check all that apply) 

- Gardening and Landscaping Events (Manual Labor)
- Helping the Elderly or Disabled Around the House or with Lawn Care
- Working at Community Events such as National Night Out, Spooktacular, Luminarias
- Hauling Goods for People in Need
- Working at City Hall for Small Administrative Tasks (example: stuffing envelopes)
- Helping Set Up or Break Down Community Events
- Cleaning up Public Lands, Parks, and Right-of-Ways
- Grant Writing
- Joining an Existing City Board, Panel, or Committee
- Representing Woodcreek at Wimberley Valley Events
- Starting and Helping with Community Drives (ex: food, clothing, etc. donations)
- Starting New Community Events (ex. Farmer's Market or City-Wide Garage Sale)
  - Regular Care and Maintenance of a Pocket Park or Median Space
  - Coordinating Fundraising Opportunities for the City
  - Neighbor-to-Neighbor Emergency Call Lists and Check-ins

Other (please specify)

By signing up on this form you are NOT committing to a specific volunteer event. You are simply adding your contact information to our list of Woodcreek residents we will reach out to for different volunteer opportunities. You are not obligated to respond or show up. We simply want to keep you updated on community events and we would like a list of individuals to contact who may be willing to help out when opportunities arise.

**Your contact information will NOT be shared outside City Staff and Officials and it will NOT be used for any other purpose other than the ones stated above. We take your privacy very seriously.**



Done

## WOODCREEK RAINWATER COLLECTION INFORMATION

This is an outline of research and goals conducted by Councilmember Hines in assistance to Mayor Rasco on the topic of rainwater collection for the City of Woodcreek.

### Research and Relevant Information:

- 1) Existing code greatly needs updating. Rainwater collection credits link to the LCRA formulas which require city owned wastewater systems.
- 2) No impervious credit exists (even though referenced in Woodcreek code) beyond the exempt status for the barrels.
- 3) The State has directed cities to incentivize rainwater collection
- 4) There is a sales tax credit available on the purchase of barrels
- 5) Hays County has provided a new property tax exemption program
- 6) For an impervious credit system to accomplish desired goals, a rainwater collection system must collect a minimum of 5000 gallons and have no less than two catchment barrels with one remaining empty (or ready to receive) much of the year.
- 7) Programs involving smaller sized barrels (ex. 500 or less) can be great tools for educational events and promoting other programs. They do however create negative consequences for actual water use reduction (pilot program in San Antonio)

### Identified Goals:

1. One-time City of Woodcreek credit for barrels (x amount per 1000 gallons)
2. An annual barrel give-away in combination with educational event
3. Educational materials about the sales tax credit
4. Educational materials about the Hays County tax incentive program
5. Ordinance update to include a formula to give impervious coverage credit back for systems that meet necessary requirements
6. Requirements for new construction (Valley-wide effort and partnering with Aqua)
7. Additional city exemption on property tax
8. Get Aqua to honor the LCRA formula for wastewater credit on customer bill

IN THE MIDST OF THE TEXAS HILL COUNTRY

**Item to Forward to City Council: (Select one box)**

- Report / Recommendation to Council
  Request for Item to be Considered by Council

**Advisory Group Sending Report/Recommendation or Request to City Council: (Select one box)**

- Comprehensive Plan Advisory Work Group
  Hotel Occupancy Tax (H.O.T.) Committee  
 Ordinance Review Committee
  Parks and Recreation Board  
 Planning and Zoning Commission
  Platinum Roads Panel  
 Tree Board
  Other: \_\_\_\_\_

**Meeting Date Advisory Group Voted to Reach Out to Council:** July 11, 2023

**Subject of Report/Recommendation OR Request for Item to be Considered:**

**Chapters 90, 93, & 94**

| ~ FOR CITY HALL STAFF USE ONLY ~        |  |
|---|--|
| Date Original Received at City Hall:    |  |
| Received by (City Staff Member- PRINT): |  |
| Date Reviewed/Signed by City Manager:   |  |
| Date of Next City Council Meeting:      |  |

**SUMMARY / HISTORY**

All as detailed in my report of July 14 report to Council as sent to Councilmember Hines with a copy to Staff.

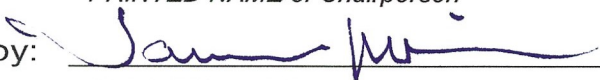
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**RECOMMENDATION:**

While it has been presented to me that these revised Chapters will be sent to legal and returned back to our Committee for further revision, let me assure you that this is totally unnecessary. Besides incurring needless expense, our reports reflect Citizen input. These revisions reflect our opinions as to how they may "read better," make them easier to interpret. To have legal change them would be to make them reflect legal's opinion, not ours. As I have repeatedly tried to explain, we do not create a finished product; it is not meant to be a published Ordinance. We submit to our Council liaison and it is up to her and Council what they next do with it. By continuing to submit in our coloured text format, a reader can easily see how are changes vary from the Original text. This cannot be done in a bullet-point fashion; that would make it much harder for anyone down the chain to undersand.

We will submit to Staff in the future using this form as you have requested, but we will continue to finalize our revised texts by sending them with a report to Council liaison. We are very happy to work with Staff in these matters, but our report will continue to represent our Committee's opinion.

Submitted by: James Miller  
*PRINTED NAME of Chairperson*

Submitted by:   
*SIGNATURE of Chairperson*

Date of Submission: July 25, 2023

City Manager: \_\_\_\_\_  
*(Signature)*

# Memo

To: Councilmember Hines  
Council Liaison: Ordinance Review Committee      Date: July 14, 2023

From: Jim Miller  
Ordinance Review Committee Chairman

Re: Revised Text: Chapters 90,93 & 94

---

Debra,

Enclosed are the final revised Ordinances as approved and voted by this Committee. I will resubmit these utilizing the new "form" format designated by staff (and I assume mandated by Council) once I receive those documents.

As voted and agreed in our July 11<sup>th</sup> meeting, you are asked to obtain agreement from Council on two points:

1. The Committee would like to work on the issue of parking within the City. We feel this issue needs modernizing.
2. Confusion has been introduced as to the purpose and *operandi* of the Committee. We seek clarification on this from Council.

On this second point, we have heard the argument that we as common citizens are not capable of writing Ordinances; it is the "whereas" argument. This is a misdirection of what our committee does. We do not write law in the sense that we are careful not to change law. We are a citizens' committee that adds our input and opinion as to how the wording of existing law could be made more understandable to the property owners. We simply clarify the ordinances based upon our opinion.

The results of our work are put in a format (red text for deletions, green for additions or substitutions) that make it easy for the Council to see what we have done. We fully understand that our work is not a final document and assume that Council may seek opinion from legal if they embrace the changes. We approach each sentence in a paragraph that we work on with the question, "Do I fully understand what this sentence means?" In that respect, we hope that we are a resource for Council, representing a sampling of homeowners' reaction to an ordinance.

An example of how we are careful not to change the law would be in Chapter 94, Fireworks: several members of the committee felt that sparklers should not be banned. I pointed out that they are currently banned, therefore if we remove them from the prohibited paragraph, we would be writing law. Instead, we simply advise Council that this should be considered, but we did not change the prohibition.

We have suspended meeting in August allowing time for clarification on these issues.





## NOTES ON THE ORDINANCES AS REVISED

---

### Chapter 93: FIRE PREVENTION AND PROTECTION

It was felt by several committee members that the City should emphasize to the citizens that during a burn ban there can be no outside burning of any kind, including fire pits, etc.

### Chapter 94: FIREWORKS

There seemed to be a divided opinion among the committee that “sparklers” should be considered as allowed within the City. This was not changed in our revision, but the Council is asked to address this.

### Chapter 90: ANIMALS

While it is certainly agreed by the committee that feeding “wild or exotic animals” should be prohibited, it was felt that the City should do a better job of explaining why to the citizens. It was suggested that a handout should be made available such as the examples attached. Further, it is recommended that a notice not to feed should be placed on the website as well as an explanation as to why.

ORDINANCE NO. \_\_\_\_\_

CITY OF WOODCREEK, TEXAS

**AN ORDINANCE AMENDING THE CITY OF WOODCREEK CODE OF ORDINANCES AT TITLE IX ("GENERAL REGULATIONS"), CHAPTER 90 ("ANIMAL"); PROVIDING FOR ENACTMENT, REPEALER, SEVERABILITY, CODIFICATION, AND EFFECTIVE DATE, AND FINDING PROPER NOTICE AND MEETING.**

**WHEREAS**, the City Council recognizes the unique qualities of the City of Woodcreek as primarily a residential neighborhood where most residences are located on one-third of an acre lot or less, and thus can be considered in close proximity to one another throughout a majority of the land located within the municipal boundaries of the City and thus under the jurisdiction of the City of Woodcreek; and

**WHEREAS**, the City Council finds it relevant, desirable and reasonable to prohibit the personal ownership of some exotic and farm animals on premise for all private residences located within the municipal boundaries due to certain characteristics of such animals, including but not limited to size, predator nature, domestication history and practices, likelihood to spread or carry communicable diseases, and other important features of the animals' care and habitat that make private, in-home or outdoor captivity, at a personal residence unsuitable and undesirable within the municipal boundaries of the City of Woodcreek; and

**WHEREAS**, the City Council further finds that the private ownership on the premise of any lot within the municipal boundaries of the City of Woodcreek of certain exotic and wild animals may be deemed a public nuisance and create a public health hazard; and

**WHEREAS**, the City Council additionally recognizes that the feeding of certain wild animals such as geese and deer to be undesirable: and

**WHEREAS**, the City Council finds that to prohibit residents from feeding such wild animals within the municipal boundaries of the City of Woodcreek is essential to protect citizens as they are apt to draw predators to the area; and

**WHEREAS**, the City Council recognizes that such acts of feeding of wild animals at a private residence can promote overpopulation of a species, thus creating a public nuisance and posing a public health hazard; and

**WHEREAS**, the City Council finds it is desirable and reasonable to regulate such private ownership of certain animals and to prohibit the feeding of certain wild animals to protect the public health, safety, and welfare of all citizens; and

**WHEREAS**, section 51.012 of the Local Government Code provides a Type A general law municipality, such as the City of Woodcreek, Texas, may adopt an ordinance, act, law, or regulation, not inconsistent with state law, that is necessary for the government, interest, welfare, or good order of the municipality.

**NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Woodcreek:**

**1. FINDINGS OF FACT**

The foregoing recitals are incorporated into this Ordinance by reference as findings of fact as if expressly set forth herein.

**2. ENACTMENT**

Chapter 90 (“Animals”) of the Code of Ordinances of the City of Woodcreek is amended so as to read in accordance with Attachments A, which is attached hereto and incorporated into this Ordinance for all intents and purposes.

**3. REPEALER**

All ordinances, resolutions, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated, herein.

**4. SEVERABILITY**

Should any of the clauses, sentences, paragraphs, sections or parts of this Ordinance be deemed invalid, unconstitutional, or unenforceable by a court of law or administrative agency with jurisdiction over the matter, such action shall not be construed to affect any other valid portion of this Ordinance.

**5. CODIFICATION**

The City Secretary is hereby authorized and directed to record and publish the language of Chapter 90 as amended by this Ordinance, in the City's Code of Ordinances.

**6. EFFECTIVE DATE**

This Ordinance shall be effective immediately upon its passage and the publication of caption of this ordinance as provided by law.

**7. PROPER NOTICE & MEETING**

It is hereby officially found and determined that the meeting at which this Ordinance was passed was attended by a quorum of the City Council, was open to the public, and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551. 27

**PASSED & APPROVED** this, the \_\_\_ day of October 2023, by a vote of \_\_\_\_ (ayes) to \_\_\_\_ (nays) and \_\_\_\_ (abstentions) of the City Council of Woodcreek, Texas.

---

**Jeff Rasco, Mayor**

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**Suzanne Mac Kenzie, City Secretary**

**Attachment "A"**

**City of Woodcreek**

**CODE OF ORDINANCES**

**TITLE IX: GENERAL REGULATIONS**

**CHAPTER 90: ANIMALS**

**§ 90.01 DEFINITIONS.**

*Exotic or Wild Animals.* means and includes any mammal, amphibian, reptile, or fowl, which is of a species that is wild by nature and of a species, which, due to size, vicious nature, or other characteristics, is or may be dangerous to human beings. Such animals shall include, but not be limited to, lions, tigers, leopards, panthers, lynx, wolves, coyotes, deer, raccoons, ratites (ostriches, rheas, cassowaries, and emus), skunks (whether deodorized or not), monkeys whose average weight as an adult exceeds 20 pounds, foxes, javelinas, llamas, elephants, rhinoceroses, alligators, crocodiles, falcons, pea fowl, and all forms of poisonous reptiles; any species of animal which is considered endangered by international, federal, or state regulations. The term "wild or exotic animal," as used in this chapter, shall not include birds, ferrets, gerbils, hamsters, guinea pigs, mice, small lizards or turtles, or rabbits that are maintained as personal or household pets.

*Handler.* Any person(s) with whom an animal has been placed by the owner of such animal for the purpose of that person(s) having control of such animal on behalf of the owner.

*Owner.* Any person, persons, firms, corporations or associations keeping, having custody or harboring an animal, fowl or reptile.

*Running at Large.* Not under the direct physical control of the owner or handler by leash, cord, or similar direct physical control and not being prevented from leaving the premises of the owner.

*Typical Farm Animals and Fowls.* Equine, hogs, cattle, horses, jacks, jennets, sheep, goats, chickens, geese, ducks, turkeys or like animals and fowls.

**§ 90.02 TYPICAL FARM ANIMALS AND FOWL**

Typical farm animals and fowl will not be permitted within the City.

**§ 90.03 EXOTIC OR WILD ANIMALS.**

Exotic or wild animals will not be permitted within the City.

**§ 90.04 UNREASONABLY LOUD BARKING OR HOWLING BY DOGS.**

It shall be unlawful for a dog to make unreasonable loud barking or howling noise. For purposes of this section, *unreasonable loud barking or howling noise* is defined as barking or howling of

such a degree of loudness and duration that it is disturbing to a person or persons in the vicinity or earshot of the dog.

(A) Any such person or persons so disturbed must file a written complaint with the City of Woodcreek.

(B) The owner or handler of the dog shall be deemed responsible for training or hiring someone to train the dog to be reasonably quiet.

(C) Barking dogs are not allowed outside an enclosed residential area between the hours of 11:00 p.m. and 5:00 a.m.

#### **§ 90.05 DOGS UNDER DIRECT PHYSICAL CONTROL OF OWNER, HANDLER.**

(A) Every dog shall be kept under the direct physical control of an owner or handler or shall be physically restrained from leaving the premises of the owner or handler of such dog.

(B) The owner/handler is responsible for removing any feces due to defecation of their dog from public or private property and discard it in a sanitary manner. This applies to dogs in areas including, but not limited to the golf course, recreation areas, green belts, street rights-of-way and privately owned property.

#### **§ 90.06 COMPLAINTS.**

Any complaint alleging violation of any portion of this subchapter must follow the procedures outlined in the APPLICATION FOR CITY OF WOODCREEK CITIZEN COMPLAINT FORM, on file with the City.

Complaints to be filed pertaining to § 90.04 must follow the procedures outlined in the BARKING DOG NOISE COMPLAINT FORM, on file with the City.

#### **§ 90.07 FEEDING OF WILD AND EXOTIC ANIMALS**

It shall be unlawful for any person to intentionally or knowingly feed any wild or exotic animals within the City limits. *Intentionally or knowingly* feeding shall consist of, but not be limited to, having an established receptacle within which corn, maize, oats, commercial mixes of any kind or any other vegetable matter that is not a live and growing plant, is maintained for the feeding of such wild animals in the City; physically handing any food product to a wild animal; *intentionally or knowingly* leaving food attractive to wild animals in an area where they commonly feed; and any other activity wherein a food commonly eaten by such wild animal is placed or left with the intent to feed them

This paragraph does not apply to hummingbird feeders, wild bird feeders, or squirrel feeders that are suspended off the ground.

#### **§ 90.21 INTERFERENCE WITH DEER TRAPPING PROHIBITED.**

It shall be unlawful for any person to intentionally or knowingly interfere with the City authorized deer trapping efforts. *Intentional or knowing interference* shall consist of, but not be limited to, tampering with any trapping equipment or nets, deterring deer from a trapping area

physically or with the use of noise, removing deer feed left by City personnel or other authorized persons to attract deer to a trapping area or permitting dogs to enter the trapping area.

**§ 90.22 ENFORCEMENT.**

The Mayor, City Staff, and Law Enforcement, both regular and reserve officers, are empowered to enforce this subchapter.

**§ 90.99 PENALTY.**

(A) Any person violating any provision of this chapter for which no specific penalty is prescribed shall be subject to § 90.99 of this Code of Ordinances.

(B) The penalty for any violation of § 90.01 through 90.05 of this chapter shall not exceed \$500.00. Each day any violation of § 90.01 through 90.05 of this chapter shall continue shall constitute a separate offense.

(C) The fine for the first conviction or violation of § 90.04 of this chapter shall not exceed \$200.00 or the maximum amount permissible under state law.

(D) The fine for the first conviction or violation of § 90.05 of this chapter shall not exceed \$200.00 or the maximum amount permissible under state law.

(E) Any person convicted of violating any provision of §§ 90.21 of this chapter shall be guilty of a misdemeanor and shall be subject to a fine in an amount not to exceed \$500.00 per occurrence.

## CHAPTER 90: - ANIMALS

FINAL  
REVISED  
TEXT

### GENERAL PROVISIONS

- **§ 90.01 - DEFINITIONS.**

~~Exotic Animals, Fowls And Reptiles. Animals, fowls and reptiles normally not considered household pets, to include lions, tigers, jaguars, javelinas, bobcats, coyotes, wolves, llamas, pea fowl, falcons, alligators, and geese.~~

Exotic or Wild Animals: means and includes any mammal, amphibian, reptile, or fowl, which is of a species that is wild by nature and of a species, which, due to size, vicious nature, or other characteristic, is or may be dangerous to human beings. Such animals shall include, but not be limited to, lions, tigers, leopards, panthers, lynx, wolves, coyotes, deer, raccoons, ratites (ostriches, rheas, cassowaries, and emus), skunks (whether deodorized or not), monkeys whose average weight as an adult exceeds 20 pounds, foxes, javelinas, llamas, elephants, rhinoceroses, alligators, crocodiles, falcons, pea fowl, and all forms of poisonous reptiles; any species of animal which is considered endangered by international, federal, or state regulations. The term "wild or exotic animal," as used in this chapter, shall not include birds, ferrets, gerbils, hamsters, guinea pigs, mice, small lizards or turtles, or rabbits that are maintained as personal or household pets.

*Handler.* Any person(s) with whom an animal has been placed by the owner of such animal for the purpose of that person(s) having control of such animal on behalf of the owner.

*Owner.* Any person, persons, firms, corporations, or associations keeping, having custody, or harboring an animal, fowl, or reptile.

*Running at Large.* Not under the direct physical control of the owner or handler by leash, cord, ~~chain~~ or similar direct physical control and not being ~~kept physically restrained~~ prevented from leaving the premises of the owner.

*Typical Farm Animals and Fowls.* Equine, hHogs, cattle, horses, jacks, jennets, sheep, goats, chickens, geese, ducks, turkeys or like animals and fowls.

(Ord. 85-19C, 4-10-1996; Ord. [19-260](#), 6-12-2019)

- **§ 90.02 - TYPICAL FARM ANIMALS AND FOWL.**

Typical farm animals and fowl will not be permitted within the City.

(Ord. 85-19C, 4-10-1996; Ord. [19-260](#), 6-12-2019)

**Cross reference**— Penalty, see [§ 90.99](#)

- **§ 90.03 - EXOTIC OR WILD ANIMALS. ~~, FOWL AND REPTILES.~~**

Exotic or Wild animals, ~~fowl and reptiles~~ will not be permitted within the City.

(Ord. 85-19C, 4-10-1996; Ord. [19-260](#), 6-12-2019)

**Cross reference**— Penalty, see [§ 90.99](#)



- **§ 90.04 - UNREASONABLY LOUD BARKING OR HOWLING BY DOGS.**

It shall be unlawful for a dog to make unreasonable loud barking or howling noise. For purposes of this section, *unreasonable loud barking or howling noise* is defined as barking or howling of such a degree of loudness and duration that it is ~~then and there~~ disturbing to a person or persons in the vicinity ~~or earshot~~ of the dog.

- (A) Any such person or persons so disturbed must file a ~~sworn~~, written complaint with the City of Woodcreek ~~appropriate authorities to initiate prosecution under this section.~~
- (B) The owner or handler of the dog shall be deemed responsible for training or hiring someone to train the dog to be reasonably quiet.
- (C) Barking dogs are not allowed outside an enclosed residential area between the hours of 11:00 p.m. and 5:00 a.m.

(Ord. 85-19C, 4-10-1996; Ord. [19-260](#), 6-12-2019)

**Cross reference**— Penalty, see [§ 90.99](#)

- **§ 90.05 - DOGS UNDER DIRECT PHYSICAL CONTROL OF OWNER, HANDLER.**

(A) Every dog shall be kept under the direct physical control of an owner or handler or shall be physically restrained from leaving the premises of the owner or handler of such dog.

~~(B) It shall be unlawful for any owner or handler of a dog(s) to allow the dog(s) to defecate on any portion of the Quicksand Golf Course, recreation areas, green belts, street right-of-ways, esplanades, and privately owned lots upon which a dwelling exists unless all feces are immediately removed and discarded in a sanitary manner. This restriction applies to both a dog(s) running at large or a dog(s) under direct physical control of owner or handler.~~

(B) The owner/handler is responsible for removing any feces due to defecation of their dog from public or private property and discard it in a sanitary manner. This applies to dogs in areas including, but not limited to the golf course, recreation areas, green belts, street rights-of-way and privately owned property.

(Ord. 85-19C, 4-10-1996; Ord. [19-260](#), 6-12-2019)

**Cross reference**— Penalty, see [§ 90.99](#)

- **§ 90.06 - COMPLAINTS.**

Any complaint alleging violation of any portion of this subchapter must ~~be a sworn, written complaint filed with the appropriate authorities to initiate prosecution under this section.~~ follow the procedures outlined in the *APPLICATION FOR CITY OF WOODCREEK CITIZEN COMPLAINT FORM*, on file with the City.

Complaints to be filed pertaining to [§ 90.04](#) must follow the procedures outlined in the *BARKING DOG NOISE COMPLAINT FORM*, on file with the City.

(Ord. 85-19C, 4-10-1996; Ord. [19-260](#), 6-12-2019)

- **§ 90.07 – FEEDING OF WILD OR EXOTIC ANIMALS**

It shall be unlawful for any person to intentionally or knowingly feed any wild or exotic animals within the City limits. *Intentionally or knowingly feeding* shall consist of, but not be limited to, having an established receptacle within which corn, maize, oats, commercial mixes of any kind or any other vegetable matter that is not a live and growing plant, is maintained for the feeding of such wild animals in the City; physically handing any food product to a wild animal; intentionally or knowingly leaving food attractive to wild animals in an area where they commonly feed; and any other activity wherein a food commonly eaten by such wild animal is placed or left with the intent to feed them.

This paragraph does not apply to hummingbird feeders, wild bird feeders, or squirrel feeders that are suspended off the ground.

### **GEESE**

- ~~§ 90.16 – FEEDING GEESE PROHIBITED.~~

~~It shall be unlawful for any person to intentionally or knowingly feed any wild Egyptian goose or any other member of the geese family, within the City limits. *Intentionally or knowingly feeding* shall consist of, but not be limited to, having an established receptacle within which corn, maize, oats, commercial mixes of any kind or any other vegetable matter that is not a live and growing plant, is maintained for the feeding of geese in the City; physically handing any food product to a goose; intentionally or knowingly leaving food attractive to geese in an area where geese commonly feed; and any other activity wherein a food commonly eaten by geese is placed or left with the intent to feed geese.~~

~~(Ord. 19-260, 6-12-2019)~~

~~Cross reference — Penalty, see § 90.99.~~

### **DEER**

- ~~§ 90.20 – FEEDING DEER PROHIBITED.~~

~~It shall be unlawful for any person to intentionally or knowingly feed any whitetail deer, or any other member of the deer family, within the City limits. *Intentionally or knowingly feeding* shall consist of, but not be limited to, having an established receptacle within which corn, maize, oats, commercial mixes of any kind or any other vegetable matter that is not a live and growing plant, is maintained for the feeding of deer in the City; physically handing any food product to a deer; intentionally or knowingly leaving deer food in an area where deer commonly feed; and any other activity wherein a food commonly eaten by deer is placed or left with the intent to feed deer.~~

~~(Ord. 01-72B, 4-10-2002; Ord. 19-260, 6-12-2019)~~

~~Cross reference — Penalty, see § 90.99~~

- **§ 90.21 - INTERFERENCE WITH DEER TRAPPING PROHIBITED.**

It shall be unlawful for any person to intentionally or knowingly interfere with the City authorized deer trapping efforts. *Intentional or knowing interference* shall consist of, but not be limited to, tampering with any trapping equipment or nets, deterring deer from a trapping area physically or with the use of

noise, removing deer feed left by City personnel or other authorized persons to attract deer to a trapping area or permitting dogs to enter the trapping area.

(Ord. 01-72B, 4-10-2002; Ord. [19-260](#), 6-12-2019)

**Cross reference**— Penalty, see [§ 90.99](#)

- **§ 90.22 - ENFORCEMENT.**

The Mayor, City Staff, and Law Enforcement, both regular and reserve officers, are empowered to enforce this subchapter.

(Ord. 01-72B, 4-10-2002; Ord. [19-260](#), 6-12-2019)

- **§ 90.99 - PENALTY.**

(A) Any person violating any provision of this chapter for which no specific penalty is prescribed shall be subject to [§ 10.99](#) of this Code of Ordinances.

(B) The penalty for any violation of §§ [90.01](#) through ~~90.06~~ [90.05](#) of this chapter shall not exceed \$500.00. Each day any violation of §§ [90.01](#) through ~~90.06~~ [90.05](#) of this chapter shall continue shall constitute a separate offense.

(C) The fine for the first conviction or violation of [§ 90.04](#) of this chapter shall not exceed \$200.00 or the maximum amount permissible under state law.

(D) The fine for the first conviction or violation of [§ 90.05](#) of this chapter shall not exceed \$200.00 or the maximum amount permissible under state law.

~~(E) The fine for the first conviction or violation of [§ 90.06](#) of this chapter shall not exceed \$500.00 or the maximum amount permissible under state law.~~

(E) Any person convicted of violating any provision of §§ ~~90.20~~ [90.21](#) through ~~90.22~~ of this chapter shall be guilty of a misdemeanor and shall be subject to a fine in an amount not to exceed \$500.00 per occurrence.

(Ord. 85-19C, 4-10-1996; Ord. 01-72B, 4-10-2002; Ord. [19-260](#), 6-12-2019)

Image Details

# The Hidden Harm in Feeding Your Local Wildlife

## The Hidden Harm in Feeding Your Local Wildlife

### Why feeding wild animals is harmful for them and us

Written By



Caitlin May

**I**t can be easy to see wild animals in our backyards and public areas and think that they are just like our pets at home. It might even be tempting to sneak one of these critters a snack. But feeding wild animals, whether on purpose or by accident, can be harmful to their health and ours. Read on to learn more about how to safely interact with your local critters.

### What is the difference between accidental and intentional feeding?

An accidental feeding is when the animal gained access to the food indirectly. Many accidental feedings occur when animals get into litter that's been left behind or loosely secured trash.



An animal sneaking into your trash can or an unsecured trash bin at a wildlife refuge might lead to an accidental feeding. | Image Details

An intentional feeding is when an animal gains access to food because of direct human interaction. This type of feeding might include leaving food out for an animal in your backyard or encouraging an animal to eat out of your hand.



Hand feeding or leaving food out for a wild animal would be intentional feeding. | Image Details

# Why is it harmful to feed wild animals?

Item 10.

## **Wild animals have naturally specialized diets.**

Most wild animals have grown to have a specific diet over time. Some may thrive best on insects, others may feed only on plants. Regardless, human or domestic pet food is not part of a wild animal's diet. Food designed for humans or domestic pets is meant to meet the nutritional needs of the species it is designed for. If a wild animal were to eat food like this, they might not get the nutrients they need in order to survive. Malnourished animals are likely to die from lack of proper nutrients or predation due to their weakened body.

Even though it may seem like your local possum, raccoon, or other animal might be able to eat food designed for your household pet, it is still unsafe for wildlife to eat pet food. Most pet foods are designed to meet the specific nutritional needs of domesticated animals and are not meant for the active lifestyle of a wild animal. Pet food is just as harmful to wildlife as human food.

## **Wild animals are not used to packaged foods.**

Many foods designed for humans and domestic pets are wrapped in foil, paper, or plastic wrappers while the food that wildlife eat in their natural habitat do not come wrapped. Most animals have never had to identify a wrapper and avoid eating it. If accidentally eaten, they may get sick.

## **Wild animals can become too accustomed to people and become dangerous.**

Wild animals that gain regular access to human or domestic pet food slowly get used to being in busy areas and seeing humans. Over time, these usually calm and docile animals may become aggressive and cause harm to people in the area.

## **Wild animals might expose you or your loved ones to disease.**

Interacting with and feeding wildlife can be dangerous to humans too. Animals can carry diseases, including hantavirus and rabies. Avoid exposing yourself to these harmful diseases by taking care to not feed or closely interact with wildlife.



A sign at Tualatin River National Wildlife Refuge advising visitors not to feed the wildlife. | Image Details

## I have birdfeeders in my backyard—is that okay?

The short answer is yes, feeding your backyard birds is okay (with some conditions). Research done on this subject has shown that there is little to no indication that backyard bird feeding negatively impacts the diet, behavior, or activities of birds. Basically, bird behavior is not changed by feeding in a way that could harm humans like we see with other wildlife.

Sydney Dragon, SCA Intern for the USFWS Arlington Ecological Services Office and passionate advocate for backyard bird feeding, says, “As a birdwatcher, we place bird feeders outside to enjoy the beauty of wild birds up-close. In turn, the birds are eating the birdseed to supplement nutrients in their diet that they may be lacking. Due to pesticides, habitat loss, housing developments, infrastructure, and climate change, the natural food of birds has decreased. Therefore, bird feeding benefits birds when done the correct way.” Dragon also emphasizes that store-bought birdseed is designed to mimic some of the foods found in their natural diet and can be a healthy food source for many birds.

The one similarity between feeding birds and feeding other wildlife is the spread of disease. Birds, like other animals, can contract diseases from any common source, including a feeding station. It’s easy to keep your feeding station disease-free by cleaning it regularly, watching birds for any signs of distress, and preventing your

feeders from turning into buffets for other non-avian wildlife. You can read more [here](#) about how to keep your birdfeeders safe for your local avian friends, or check out Dragon's [video about bird feeding basics](#)

Item 10.



An evening grosbeak perches at a bird feeder. | Image Details

## How can I safely interact with wildlife and prevent accidental feedings?

Observe wildlife from a distance. If you want a closer look, use a pair of binoculars.

Securely close your trash, recycling, and compost bins.

Keep pet food and water containers indoors instead of outside.

If you have a bird feeder, regularly sweep up any excess seed that falls on the ground.

Don't litter—throw away your trash in a trash can or bin. If there isn't one nearby, take your trash with you and throw it out when you find a trash can.

If you see an animal that you think may be orphaned, injured, or in need of further assistance, contact a local licensed wildlife rehabilitator. Do not attempt to rescue or feed the animal yourself.

### Story Tags

**BIRDS**

**BIRDWATCHING**

**CONNECTING PEOPLE WITH NATURE**

**HUMAN IMPACTS**

**HUMAN-WILDLIFE CONFLICTS**

**MAMMALS**

**SUBURBAN AREAS**

**WILDLIFE VIEWING**

### Written By



Caitlin May





**The .gov means it's official.**

Federal government websites always use a .gov or .mil domain. Before sharing sensitive information online, make sure you're on a .gov or .mil site by inspecting your browser's address (or location) bar.



This site is also protected by an SSL (Secure Sockets Layer) certificate that's been signed by the U.S. government. The **https://** means all transmitted data is encrypted - in other words, any information or browsing history that you provide is transmitted securely.



## Animal and Plant Health Inspection Service

U.S. DEPARTMENT OF AGRICULTURE



USDA FAQ's and resources about coronavirus (COVID-19). [LEARN MORE](#)

# Don't Feed Wildlife



**Help keep wildlife wild and healthy.** Wildlife Services encourages you to avoid feeding wildlife such as ducks, geese, gulls, raccoons, deer, squirrels or coyotes. One way you can help reduce wildlife conflicts with people is by not feeding wildlife near human populations and in parks.

Wildlife Services experts are often asked to assist with wildlife damage problems related to animals that have been accidentally or intentionally fed by people. Feeding wildlife can lead to a number of serious problems:

- Human food is not healthy for wild animals, and they do not need food from humans to survive. Wild animals have specialized diets, and they can become malnourished or die if fed the wrong foods. Also, animals cannot distinguish food from wrappers or foil and can get sick eating these items.
- Feeding leads to public health concerns. Too many animals in one place increases the chance of disease transmission to people and among other wildlife.
- Animals accustomed to people often lose their fear of people and can become aggressive. Those that become too aggressive may have to be destroyed to protect people and property.
- Birds gathering near or on airports can become victims of bird-aircraft collisions, potentially causing flight delays, damage to aircraft, and loss of human life.
- Animals fed along roads tend to stay near roads, increasing the chance of vehicle-animal accidents.
- Large concentrations of ducks and geese can pollute nearby waterways, backyards and athletic fields. Some waterfowl species drop up to a pound of feces every day!

## How You Can Help

Item 10.

Many people enjoy living near and watching wildlife. You can help keep animals wild by keeping the following tips in mind.

- Do not encourage wildlife by feeding or leaving food for them.
- Don't allow bird food to accumulate on the ground.
- Don't place food scraps in gardens or compost bins, and use a closed compost bin.
- Keep pet food and water containers indoors, especially at night.
- If you have fruit trees, harvest or dispose of fruit when it is ripe.
- Use metal or durable plastic trash containers with tight fitting lids.
- Enjoy viewing wildlife at a distance. Respect their space and remember they are wild animals that should stay wild.

For more information or assistance with a wildlife damage issue, please call your WS state office at **1-866-4USDA-WS (1-866-487-3297)**.

### Resources:

- Living With Wildlife: Canada Geese
- Living With Wildlife: Raccoons
- Feral Swine Damage Management Program

### Research:

- An Analysis of Deer-Vehicle Collisions: the Case of Ohio
- The Costs of Bird Strikes and Bird Strike Prevention
- Human-Bear Conflicts

### Signs for airports, parks and public areas:



COUNCIL MOTION (August 23, 2023)

SCREENSHOT FROM AGENDA MINUTES

**7. Discuss and Take Appropriate Action on Ordinance Review Committee Reports. (Hines)**

Motion was made by Council Member Hines that Council accept the Ordinance Review Committee report and direct Staff to draft the full ordinance update documents for all three chapters 90, 93 and 94 in the report, incorporating all Ordinance Review Committee suggestions, for review and consideration by Council at the second meeting in September. Motion was seconded by Council Member Grummert.

An amended motion was made to include these documents of drafted work in the packet. Motion was seconded by Council Member Hines.

A roll call vote was taken on the amended motion.

Voting Yea: Council Member Hines, Mayor Pro Tem Pulley, Council Member Bailey, Council Member Grummert, Council Member Hambrick

Motion Passed: 5-0-0.

A roll call vote was taken on the main motion.

Voting Yea: Council Member Hambrick, Council Member Hines, Mayor Pro Tem Pulley, Council Member Bailey, Council Member Grummert

Motion Passed: 5-0-0.

**ORDINANCE NO. \_\_\_\_\_**

**CITY OF WOODCREEK, TEXAS**

**AN ORDINANCE AMENDING THE CITY OF WOODCREEK CODE OF ORDINANCES AT TITLE IX ("GENERAL REGULATIONS"), CHAPTER 90 ("ANIMAL"); PROVIDING FOR ENACTMENT, REPEALER, SEVERABILITY, CODIFICATION, AND EFFECTIVE DATE, AND FINDING PROPER NOTICE AND MEETING.**

**WHEREAS**, the City Council recognizes the unique qualities of the City of Woodcreek as primarily a residential neighborhood where most residences are located on one-third of an acre lot or less, and thus can be considered in close proximity to one another throughout a majority of the land located within the municipal boundaries of the City and thus under the jurisdiction of the City of Woodcreek; and

**WHEREAS**, the City Council finds it relevant, desirable and reasonable to prohibit the personal ownership of some exotic and farm animals on premise for all private residences located within the municipal boundaries due to certain characteristics of such animals, including but not limited to size, predator nature, domestication history and practices, likelihood to spread or carry communicable diseases, and other important features of the animals' care and habitat that make private, in-home or outdoor captivity, at a personal residence unsuitable and undesirable within the municipal boundaries of the City of Woodcreek; and

**WHEREAS**, the City Council further finds that the private ownership on the premise of any lot within the municipal boundaries of the City of Woodcreek of certain exotic and wild animals may be deemed a public nuisance and create a public health hazard; and

**WHEREAS**, the City Council additionally recognizes that the feeding of certain wild animals such as geese and deer to be undesirable: and

**WHEREAS**, the City Council finds that to prohibit residents from feeding such wild animals within the municipal boundaries of the City of Woodcreek is essential to protect citizens as they are apt to draw predators to the area; and

**WHEREAS**, the City Council recognizes that such acts of feeding of wild animals at a private residence can promote overpopulation of a species, thus creating a public nuisance and posing a public health hazard; and

**WHEREAS**, the City Council finds it is desirable and reasonable to regulate such private ownership of certain animals and to prohibit the feeding of certain wild animals to protect the public health, safety, and welfare of all citizens; and

**WHEREAS**, section 51.012 of the Local Government Code provides a Type A general law municipality, such as the City of Woodcreek, Texas, may adopt an ordinance, act, law, or regulation, not inconsistent with state law, that is necessary for the government, interest, welfare, or good order of the municipality.

**NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Woodcreek:**

**1. FINDINGS OF FACT**

The foregoing recitals are incorporated into this Ordinance by reference as findings of fact as if expressly set forth herein.

**2. ENACTMENT**

Chapter 90 (“Animals”) of the Code of Ordinances of the City of Woodcreek is amended so as to read in accordance with Attachments A, which is attached hereto and incorporated into this Ordinance for all intents and purposes.

**3. REPEALER**

All ordinances, resolutions, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated, herein.

**4. SEVERABILITY**

Should any of the clauses, sentences, paragraphs, sections or parts of this Ordinance be deemed invalid, unconstitutional, or unenforceable by a court of law or administrative agency with jurisdiction over the matter, such action shall not be construed to affect any other valid portion of this Ordinance.

**5. CODIFICATION**

The City Secretary is hereby authorized and directed to record and publish the language of Chapter 90 as amended by this Ordinance, in the City's Code of Ordinances.

**6. EFFECTIVE DATE**

This Ordinance shall be effective immediately upon its passage and the publication of caption of this ordinance as provided by law.

**7. PROPER NOTICE & MEETING**

It is hereby officially found and determined that the meeting at which this Ordinance was passed was attended by a quorum of the City Council, was open to the public, and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551. 27

**PASSED & APPROVED** this, the \_\_\_ day of October 2023, by a vote of \_\_\_\_ (ayes) to \_\_\_\_ (nays) and \_\_\_\_ (abstentions) of the City Council of Woodcreek, Texas.

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**Jeff Rasco, Mayor**

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**Suzanne Mac Kenzie, City Secretary**

**Attachment "A"**

**City of Woodcreek**

**CODE OF ORDINANCES**

**TITLE IX: GENERAL REGULATIONS**

**CHAPTER 90: ANIMALS**

**§ 90.01 DEFINITIONS.**

*Exotic or Wild Animals.* means and includes any mammal, amphibian, reptile, or fowl, which is of a species that is wild by nature and of a species, which, due to size, vicious nature, or other characteristics, is or may be dangerous to human beings. Such animals shall include, but not be limited to, lions, tigers, leopards, panthers, lynx, wolves, coyotes, deer, raccoons, ratites (ostriches, rheas, cassowaries, and emus), skunks (whether deodorized or not), monkeys whose average weight as an adult exceeds 20 pounds, foxes, javelinas, llamas, elephants, rhinoceroses, alligators, crocodiles, falcons, pea fowl, and all forms of poisonous reptiles; any species of animal which is considered endangered by international, federal, or state regulations. The term "wild or exotic animal," as used in this chapter, shall not include birds, ferrets, gerbils, hamsters, guinea pigs, mice, small lizards or turtles, or rabbits that are maintained as personal or household pets.

*Handler.* Any person(s) with whom an animal has been placed by the owner of such animal for the purpose of that person(s) having control of such animal on behalf of the owner.

*Owner.* Any person, persons, firms, corporations or associations keeping, having custody or harboring an animal, fowl or reptile.

*Running at Large.* Not under the direct physical control of the owner or handler by leash, cord, or similar direct physical control and not being prevented from leaving the premises of the owner.

*Typical Farm Animals and Fowls.* Equine, hogs, cattle, horses, jacks, jennets, sheep, goats, chickens, geese, ducks, turkeys or like animals and fowls.

**§ 90.02 TYPICAL FARM ANIMALS AND FOWL**

Typical farm animals and fowl will not be permitted within the City.

**§ 90.03 EXOTIC OR WILD ANIMALS.**

Exotic or wild animals will not be permitted within the City.

**§ 90.04 UNREASONABLY LOUD BARKING OR HOWLING BY DOGS.**

It shall be unlawful for a dog to make unreasonable loud barking or howling noise. For purposes of this section, *unreasonable loud barking or howling noise* is defined as barking or howling of

such a degree of loudness and duration that it is disturbing to a person or persons in the vicinity or earshot of the dog.

(A) Any such person or persons so disturbed must file a written complaint with the City of Woodcreek.

(B) The owner or handler of the dog shall be deemed responsible for training or hiring someone to train the dog to be reasonably quiet.

(C) Barking dogs are not allowed outside an enclosed residential area between the hours of 11:00 p.m. and 5:00 a.m.

#### **§ 90.05 DOGS UNDER DIRECT PHYSICAL CONTROL OF OWNER, HANDLER.**

(A) Every dog shall be kept under the direct physical control of an owner or handler or shall be physically restrained from leaving the premises of the owner or handler of such dog.

(B) The owner/handler is responsible for removing any feces due to defecation of their dog from public or private property and discard it in a sanitary manner. This applies to dogs in areas including, but not limited to the golf course, recreation areas, green belts, street rights-of-way and privately owned property.

#### **§ 90.06 COMPLAINTS.**

Any complaint alleging violation of any portion of this subchapter must follow the procedures outlined in the APPLICATION FOR CITY OF WOODCREEK CITIZEN COMPLAINT FORM, on file with the City.

Complaints to be filed pertaining to § 90.04 must follow the procedures outlined in the BARKING DOG NOISE COMPLAINT FORM, on file with the City.

#### **§ 90.07 FEEDING OF WILD AND EXOTIC ANIMALS**

It shall be unlawful for any person to intentionally or knowingly feed any wild or exotic animals within the City limits. *Intentionally or knowingly* feeding shall consist of, but not be limited to, having an established receptacle within which corn, maize, oats, commercial mixes of any kind or any other vegetable matter that is not a live and growing plant, is maintained for the feeding of such wild animals in the City; physically handing any food product to a wild animal; *intentionally or knowingly* leaving food attractive to wild animals in an area where they commonly feed; and any other activity wherein a food commonly eaten by such wild animal is placed or left with the intent to feed them

This paragraph does not apply to hummingbird feeders, wild bird feeders, or squirrel feeders that are suspended off the ground.

#### **§ 90.21 INTERFERENCE WITH DEER TRAPPING PROHIBITED.**

It shall be unlawful for any person to intentionally or knowingly interfere with the City authorized deer trapping efforts. *Intentional or knowing interference* shall consist of, but not be limited to, tampering with any trapping equipment or nets, deterring deer from a trapping area



physically or with the use of noise, removing deer feed left by City personnel or other authorized persons to attract deer to a trapping area or permitting dogs to enter the trapping area.

**§ 90.22 ENFORCEMENT.**

The Mayor, City Staff, and Law Enforcement, both regular and reserve officers, are empowered to enforce this subchapter.

**§ 90.99 PENALTY.**

(A) Any person violating any provision of this chapter for which no specific penalty is prescribed shall be subject to § 90.99 of this Code of Ordinances.

(B) The penalty for any violation of § 90.01 through 90.05 of this chapter shall not exceed \$500.00. Each day any violation of § 90.01 through 90.05 of this chapter shall continue shall constitute a separate offense.

(C) The fine for the first conviction or violation of § 90.04 of this chapter shall not exceed \$200.00 or the maximum amount permissible under state law.

(D) The fine for the first conviction or violation of § 90.05 of this chapter shall not exceed \$200.00 or the maximum amount permissible under state law.

(E) Any person convicted of violating any provision of §§ 90.21 of this chapter shall be guilty of a misdemeanor and shall be subject to a fine in an amount not to exceed \$500.00 per occurrence.

ORDINANCE NO. \_\_\_\_\_

CITY OF WOODCREEK, TEXAS

**AN ORDINANCE AMENDING THE CITY OF WOODCREEK CODE OF ORDINANCES AT TITLE IX ("GENERAL REGULATIONS"), CHAPTER 93 ("FIRE PREVENTION AND PROTECTION"); PROVIDING FOR ENACTMENT, REPEALER, SEVERABILITY, CODIFICATION, AND EFFECTIVE DATE, AND FINDING PROPER NOTICE AND MEETING.**

**WHEREAS**, the City Council recognizes the importance of fire safety, prevention and protection; and

**WHEREAS**, the City Council finds that the fire response systems available to the City to be adequate, but limited, and therefore preventative measures are essential; and

**WHEREAS**, the City Council further finds that the City of Woodcreek has a duty and responsibility to uphold regulations as set by the local regulatory authority for fire prevention and safety; and

**WHEREAS**, the City Council understands that the City of Woodcreek has a duty and responsibility to enforce such regulations as outlined by the local regulatory authority and may add additional limitations under the framework of fire prevention and safety as determined necessary by the governing body; and

**WHEREAS**, the City Council thus finds it desirable and reasonable to create, update, and maintain a municipal ordinance for fire safety and prevention to ensure the health and safety of all residents; and

**WHEREAS**, section 51.012 of the Local Government Code provides a Type A general law municipality, such as the City of Woodcreek, Texas, may adopt an ordinance, act, law, or regulation, not inconsistent with state law, that is necessary for the government, interest, welfare, or good order of the municipality.

**NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Woodcreek:**

**1. FINDINGS OF FACT**

The foregoing recitals are incorporated into this Ordinance by reference as findings of fact as if expressly set forth herein.

**2. ENACTMENT**

Chapter 93 ("Fire Prevention and Protection") of the Code of Ordinances of the City of Woodcreek is amended so as to read in accordance with Attachments A, which is attached hereto and incorporated into this Ordinance for all intents and purposes.

**3. REPEALER**

All ordinances, resolutions, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated, herein.

**4. SEVERABILITY**

Should any of the clauses, sentences, paragraphs, sections or parts of this Ordinance be deemed invalid, unconstitutional, or unenforceable by a court of law or administrative agency with jurisdiction over the matter, such action shall not be construed to affect any other valid portion of this Ordinance.

**5. CODIFICATION**

The City Secretary is hereby authorized and directed to record and publish the language of Chapter 93 as amended by this Ordinance, in the City's Code of Ordinances.

**6. EFFECTIVE DATE**

This Ordinance shall be effective immediately upon its passage and the publication of caption of this ordinance as provided by law.

**7. PROPER NOTICE & MEETING**

It is hereby officially found and determined that the meeting at which this Ordinance was passed was attended by a quorum of the City Council, was open to the public, and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551. 27

**PASSED & APPROVED** this, the \_\_\_ day of October 2023, by a vote of \_\_\_\_ (ayes) to \_\_\_\_ (nays) and \_\_\_\_ (abstentions) of the City Council of Woodcreek, Texas.

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**Jeff Rasco, Mayor**

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**Suzanne Mac Kenzie, City Secretary**

**Attachment "A"**

**City of Woodcreek**

**CODE OF ORDINANCES**

**TITLE IX: GENERAL REGULATIONS**

**CHAPTER 93: FIRE PREVENTION AND PROTECTION**

**GENERAL PROVISIONS**

**§ 93.01 ARSON REWARD.**

(A) The City hereby offers a reward of \$500.00 to anyone who secures and furnishes information which results in arrest and conviction of any person or persons who commit the crime of arson within the City's corporate limits.

(B) This reward is a standing offer and shall be paid out of the General Fund of the City.

**OPEN BURNING**

**§ 93.15 TITLE.**

This subchapter shall be known, cited, and commonly referred to as the "Open Burning Ordinance of the City of Woodcreek".

**§ 93.16 PURPOSE.**

The purpose of this subchapter is to protect public safety and property within the City.

**§ 93.17 DEFINITIONS.**

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

*Open burning.* Any burning of brush, trash, wood, plastics, leaves, waste products or similar materials outdoors, other than in an incinerator designed and constructed for such purpose and having a written permit issued by the Fire Marshal.

*Trash.* Anything worthless and useless, building materials, twigs, trees, limbs, rubbish, garbage, rags and brush.

**§ 93.18 OPEN BURNING PROHIBITED; RESTRICTIONS.**

(A) It shall be unlawful for any person to burn any garbage, trash, brush or other waste, lumber, plastic or organic material outdoors within the City.

(B) The Fire Marshal, City Marshal and all City officials are granted the authority and responsibility of enforcing the following provisions of this subchapter.

(1) Open burning within the City is declared to be a public nuisance and hazard to adjoining property.

(2) Open burning is prohibited at all times when a burn ban has been declared by Hays County.

(3) Absent a burn ban, small fires are permitted in residential fire pits or chimineas provided:

(a) The fire pit or chiminea is not located within five feet of a residence or structure;

(b) The fire pit has large metal sides, built up concrete blocks, or is constructed of cement, rock, or similar non-flammable/non-conductive materials;

(c) The chiminea is placed on a non-flammable stand or is elevated to not be placed directly on the ground and/or structure.

(d) The fire pit or chiminea must be completely covered by a spark arrestor or similar fine metal grate to prevent flying sparks and embers;

(e) All fire pits must be based on a solid, non-flammable surface (rock, brick);

(f) Non-commercial preparation of food utilizing a bar-b-que, grill, or smoker or individual device;

(g) The fire must be attended at all times; and

(h) The property owner or the fire attendant has the means to extinguish the fire at all times, if necessary.

(4) Any governmental entity, with permission from the City, may conduct open burning in the City limits to correct an obvious hazardous condition or to conduct fire training.

(5) It shall be unlawful for any person or persons to violate any verbal or written directive of the Fire Marshal, City Marshal or any City official when the directive prohibits, restricts, limits or sets guidelines for open burning.

(6) The Fire Marshal, City Marshal and all other officers of the City are granted the authority to enforce the provisions of this subchapter and impose temporary restrictions upon the use of outdoor fire pits or chimineas as conditions warrant.

#### **§ 93.19 LIABILITY.**

In addition to penalties provided in § 93.99 of this chapter, any person or persons conducting open burning shall be liable for property damage or injury, if any, caused as a result of his, her or their open burning.

#### **§ 93.99 PENALTY.**

(A) Any person violating any provision of this chapter for which no specific penalty is prescribed shall be subject to § 10.99 of this Code of Ordinances.

(B) Any person, firm or corporation who violates any provisions of §§ 93.15 through 93.19 of this chapter, or any order made under authority of §§ 93.15 through 93.19 of this chapter, or who causes or permits any such violation of §§ 93.15 through 93.19 of this chapter, shall be guilty of a misdemeanor and, upon conviction, shall be fined an amount not to exceed \$2,000.00. Each and every day on which any violation is committed or permitted to continue shall constitute a separate offense and shall be punished as such.

## CHAPTER 93: - FIRE PREVENTION AND PROTECTION

**FINAL  
REVISED  
TEXT**

*Cross reference— Fireworks, see Ch. 94; ~~Health and Sanitation, see Ch. 95.~~*

- **GENERAL PROVISIONS**
- **§ 93.01 - ARSON REWARD.**

(A)The City hereby offers a reward of \$500.00 to anyone who secures and furnishes information ~~necessary to and~~ which results in arrest and conviction of any person or persons who commit the crime of arson within the City's corporate limits. ~~of said City.~~

(B) This reward is a standing offer and shall be paid out of the General Fund of the City.

(Ord. 85-11, 5-1-1985; Ord. [19-261](#), 6-12-2019)

- **OPEN BURNING**
- **§ 93.15 - TITLE.**

This subchapter shall be known, *cited, and commonly referred to* as the "Open Burning Ordinance of the City of Woodcreek".

(Ord. 85-18C, 5-26-1998; Ord. [19-261](#), 6-12-2019)

- **§ 93.16 - PURPOSE.**

The purpose of this subchapter is to protect public safety and property within the City.

(Ord. 85-18C, 5-26-1998; Ord. [19-261](#), 6-12-2019)

- **§ 93.17 - DEFINITIONS.**

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

*Open burning.* Any burning of brush, trash, wood, plastics, leaves, waste products or similar materials outdoors, other than in an incinerator designed and constructed for such purpose and having a written permit issued by the Fire Marshal.

*Trash.* ~~Anything~~ *Anything* worthless and useless, building materials, twigs, trees, limbs, rubbish, garbage, rags and brush.



(Ord. 85-18C, 5-26-1998; Ord. [19-261](#), 6-12-2019)

- **§ 93.18 - OPEN BURNING PROHIBITED; RESTRICTIONS.**

(A) It shall be unlawful for any person to burn any garbage, trash, brush or other waste, ~~wood lumber~~, plastic or organic material outdoors within the City, ~~unless such burning is authorized by the City by permit. performed in a device or structure designed and constructed for such purpose and used in accordance with the manufacturer's instructions and provisions of this chapter.~~

(B) The Fire Marshal, City Marshal and all City officials are granted the authority and responsibility of enforcing the following provisions of this subchapter.

(1) Open burning within the City is declared to be a public nuisance and hazard to adjoining property.

(2) Open burning is prohibited at all times when a burn ban has been declared by Hays County.

(3) Absent a burn ban, small fires are permitted in residential fire pits or chimineas provided:

(a) The fire pit or chiminea is not located within five feet of ~~the a~~ residence or structure;

(b) The fire pit has large metal sides, built up concrete blocks, or is constructed of cement, rock, or similar non-flammable/non-conductive materials;

(c) The chiminea is placed on a non-flammable stand or is elevated to not be placed directly on the ground and/or ~~a~~ structure.

(d) The fire pit or chiminea must be completely covered by a spark arrestor or similar fine metal grate to prevent flying sparks and embers;

(e) All fire pits must be based on a solid, non-flammable surface (rock, brick);

(f) ~~Non-commercial preparation of food utilizing a bar-b-que, grill, smoker or individual device;~~

(g) The fire must be attended at all times; and

(h) The property owner ~~or the fire attendant~~ has ~~the~~ means to extinguish the fire ~~at all times, if~~ ~~when~~ necessary.

(4) Any governmental entity, with permission from the City, may conduct open burning in the City limits to correct an obvious hazardous condition or to conduct fire training.

(5) It shall be unlawful for any person or persons to violate any verbal or written directive of the Fire Marshal, City Marshal or any City official when the directive prohibits, restricts, limits or sets guidelines for open burning.

(6) The Fire Marshal, City Marshal and all other officers of the City are granted the authority to enforce the provisions of this subchapter and impose temporary restrictions upon the use of outdoor fire pits or chimineas as conditions warrant.

(Ord. 85-18C, 5-26-1998; Ord. 18-242, 1-17-2018; Ord. [19-261](#), 6-12-2019)

**Cross reference**— Penalty, see [§ 93.99](#)

- **§ 93.19 - LIABILITY.**

In addition to penalties provided in [§ 93.99](#) of this chapter, any person or persons conducting open burning shall be liable for property damage or injury, if any, caused as a result of his, her or their open burning.

(Ord. 85-18C, 5-26-1998; Ord. [19-261](#), 6-12-2019)

- **§ 93.99 - PENALTY.**

(A) Any person violating any provision of this chapter for which no specific penalty is prescribed shall be subject to [§ 10.99](#) of this Code of Ordinances.

(B) Any person, firm or corporation who violates any provisions of §§ [93.15](#) through [93.19](#) of this chapter, or any order made under authority of §§ [93.15](#) through [93.19](#) of this chapter, or who causes or permits any such violation of §§ [93.15](#) through [93.19](#) of this chapter, shall be guilty of a misdemeanor and, upon conviction, shall be fined an amount not to exceed \$2,000.00. Each and every day on which any violation is committed or permitted to continue shall constitute a separate offense and shall be punished as such.

(Ord. 85-18C, 5-26-1998; Ord. [19-261](#), 6-12-2019)

# CAUTION

## TITLE 30 TAC #111.203 DEFINITIONS.

### Structure containing sensitive receptors -

A man-made structure utilized for human residence or business, the containment of livestock, or the housing of sensitive live vegetation. The term “man-made structure” does not include such things as range fences, roads, bridges, hunting blinds or facilities used solely for the storage of hay or other livestock feeds. The term “sensitive live vegetation” is defined as vegetation which has potential to be damaged by smoke cultivation, pharmaceutical plant production, or laboratory experiments involving plants.

Starting a fire and allowing that fire to get out of control and damage or destroy the property of another is a crime under the Texas Penal Code.

Lifting of the burn ban does not authorize burning of any material that is prohibited from being burned by Texas Commission on Environmental Quality.

### Those materials include:

Treated construction waste, household garbage, tires, rubber or plastic products, heavy oils, fiberglass products, oil-based materials, and any material that produces excessive amounts of smoke.

# HAYS COUNTY FIRE MARSHAL’S OFFICE



# RULES FOR OUTDOOR BURNING

Hays County Fire Marshal’s Office  
712 S. Stagecoach Trail  
San Marcos, TX 78666  
512-393-7300  
[www.co.hays.tx.us/fire-marshal.aspx](http://www.co.hays.tx.us/fire-marshal.aspx)  
[www.haysinformed.com](http://www.haysinformed.com)

Hays County Sheriff’s Non- Emergency  
512-393-7896

# HAYS COUNTY FIRE MARSHAL'S OFFICE

## GENERAL REQUIREMENTS FOR ALLOWABLE OUTDOOR BURNING.

### \*OUTDOOR BURNING ONLY TO BE CONDUCTED UNDER THE FOLLOWING CONDITIONS.\*

- Burning must be conducted downwind of or at least 300 feet from any structure containing sensitive receptors located on adjacent properties unless prior written approval is obtained from adjacent occupant with possessory control.
- Burning shall NOT be conducted when wind is greater than 23 mph.
- The initiation of burning shall commence no earlier than one hour after sunrise.
- Burning shall be complete on the same day not later than one hour before sunset. In cases where residua fires and/ or smoldering objects continue to emit smoke after this time, such areas shall be extinguished if the smoke from the potential to create a nuisance or traffic hazard conditions. In no case shall the extent of the burn area be allowed to burn after this time.
- All outdoor burning shall be supervise at ALL times and under controlled conditions. Citizens responsible for controlled burns shall have the means to control/ extinguish the burn.
- Burning shall NOT be conducted during periods of actual predicted persistent low-level humidity. (Dry Conditions)
- For campfires and other recreational and ceremonial purposes, the noncommercial preparation of food and for supplying warmth in cold weather. For recreational and ceremonial BONFIRES a permit must be obtained from the **Hays County Fire Marshal's Office.**

- To destroy diseased animals when necessary to prevent the spread of disease.
- Outdoor burning of trees, brush, and other plant growth for the right of way maintenance, land clearing operations, and maintenance along water canals when no practical alternative to burning exists and when the materials are generated only from that property. The burn must not negatively affect structures containing sensitive receptors. Such burning shall be subject to the above conditions.
- Violations of this order shall be punishable as a Class C misdemeanor with a maximum fine of \$500.00.

### DEFINITIONS

**Extinguished** – The absence of any visible flames, glowing coals, or smoke.

**Campfire** – A fire no larger than 5ft in diameter and 5ft in height. For recreational purposes.

**Bonfire** – Any fire larger than a campfire that is used as a ceremonial or recreational purpose.

## Prohibited Burn Items

Item 12.

Treated construction waste, household garbage, tires, rubber or plastic products, heavy oils, fiberglass products, oil-based materials, and any material that produces excessive amounts of smoke.

### ALL BURNING IS PROHIBITED DURING COUNTY WIDE BURN BANS.

The authority to conduct outdoor burning under the above circumstances does not exempt or excuse any person from any consequences, damages, or injuries resulting from burning and does not excuse anyone from complying with all ordinances of other governmental agencies. The above rules shall be enforced by the **Hays County Fire Marshal's Office.**

### YOUR COOPERATION IS APPRECIATED IN THIS MATTER

For any questions you may have, contact Hays County Fire Marshal's Office.

**Hays County Fire Marshal's Office**  
**712 S. Stagecoach Trail**  
**San Marcos, TX 78666**  
**512-393-7300**  
[www.co.hays.tx.us/fire-marshal.aspx](http://www.co.hays.tx.us/fire-marshal.aspx)

**Hays County Sheriff's Non-Emergency**  
**512-393-7896**



ORDINANCE NO. \_\_\_\_\_

CITY OF WOODCREEK, TEXAS

**AN ORDINANCE AMENDING THE CITY OF WOODCREEK CODE OF ORDINANCES AT TITLE IX ("GENERAL REGULATIONS"), CHAPTER 93 ("FIRE PREVENTION AND PROTECTION"); PROVIDING FOR ENACTMENT, REPEALER, SEVERABILITY, CODIFICATION, AND EFFECTIVE DATE, AND FINDING PROPER NOTICE AND MEETING.**

**WHEREAS**, the City Council recognizes the importance of fire safety, prevention and protection; and

**WHEREAS**, the City Council finds that the fire response systems available to the City to be adequate, but limited, and therefore preventative measures are essential; and

**WHEREAS**, the City Council further finds that the City of Woodcreek has a duty and responsibility to uphold regulations as set by the local regulatory authority for fire prevention and safety; and

**WHEREAS**, the City Council understands that the City of Woodcreek has a duty and responsibility to enforce such regulations as outlined by the local regulatory authority and may add additional limitations under the framework of fire prevention and safety as determined necessary by the governing body; and

**WHEREAS**, the City Council thus finds it desirable and reasonable to create, update, and maintain a municipal ordinance for fire safety and prevention to ensure the health and safety of all residents; and

**WHEREAS**, section 51.012 of the Local Government Code provides a Type A general law municipality, such as the City of Woodcreek, Texas, may adopt an ordinance, act, law, or regulation, not inconsistent with state law, that is necessary for the government, interest, welfare, or good order of the municipality.

**NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Woodcreek:**

**1. FINDINGS OF FACT**

The foregoing recitals are incorporated into this Ordinance by reference as findings of fact as if expressly set forth herein.

**2. ENACTMENT**

Chapter 93 ("Fire Prevention and Protection") of the Code of Ordinances of the City of Woodcreek is amended so as to read in accordance with Attachments A, which is attached hereto and incorporated into this Ordinance for all intents and purposes.

**3. REPEALER**

All ordinances, resolutions, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated, herein.

**4. SEVERABILITY**

Should any of the clauses, sentences, paragraphs, sections or parts of this Ordinance be deemed invalid, unconstitutional, or unenforceable by a court of law or administrative agency with jurisdiction over the matter, such action shall not be construed to affect any other valid portion of this Ordinance.

**5. CODIFICATION**

The City Secretary is hereby authorized and directed to record and publish the language of Chapter 93 as amended by this Ordinance, in the City's Code of Ordinances.

**6. EFFECTIVE DATE**

This Ordinance shall be effective immediately upon its passage and the publication of caption of this ordinance as provided by law.

**7. PROPER NOTICE & MEETING**

It is hereby officially found and determined that the meeting at which this Ordinance was passed was attended by a quorum of the City Council, was open to the public, and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551. 27

**PASSED & APPROVED** this, the \_\_\_ day of October 2023, by a vote of \_\_\_\_ (ayes) to \_\_\_\_ (nays) and \_\_\_\_ (abstentions) of the City Council of Woodcreek, Texas.

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**Jeff Rasco, Mayor**

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**Suzanne Mac Kenzie, City Secretary**



**Attachment "A"****City of Woodcreek****CODE OF ORDINANCES****TITLE IX: GENERAL REGULATIONS****CHAPTER 93: FIRE PREVENTION AND PROTECTION****GENERAL PROVISIONS****§ 93.01 ARSON REWARD.**

(A) The City hereby offers a reward of \$500.00 to anyone who secures and furnishes information which results in arrest and conviction of any person or persons who commit the crime of arson within the City's corporate limits.

(B) This reward is a standing offer and shall be paid out of the General Fund of the City.

**OPEN BURNING****§ 93.15 TITLE.**

This subchapter shall be known, cited, and commonly referred to as the "Open Burning Ordinance of the City of Woodcreek".

**§ 93.16 PURPOSE.**

The purpose of this subchapter is to protect public safety and property within the City.

**§ 93.17 DEFINITIONS.**

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

*Open burning.* Any burning of brush, trash, wood, plastics, leaves, waste products or similar materials outdoors, other than in an incinerator designed and constructed for such purpose and having a written permit issued by the Fire Marshal.

*Trash.* Anything worthless and useless, building materials, twigs, trees, limbs, rubbish, garbage, rags and brush.

**§ 93.18 OPEN BURNING PROHIBITED; RESTRICTIONS.**

(A) It shall be unlawful for any person to burn any garbage, trash, brush or other waste, lumber, plastic or organic material outdoors within the City.

(B) The Fire Marshal, City Marshal and all City officials are granted the authority and responsibility of enforcing the following provisions of this subchapter.

(1) Open burning within the City is declared to be a public nuisance and hazard to adjoining property.

(2) Open burning is prohibited at all times when a burn ban has been declared by Hays County.

(3) Absent a burn ban, small fires are permitted in residential fire pits or chimineas provided:

(a) The fire pit or chiminea is not located within five feet of a residence or structure;

(b) The fire pit has large metal sides, built up concrete blocks, or is constructed of cement, rock, or similar non-flammable/non-conductive materials;

(c) The chiminea is placed on a non-flammable stand or is elevated to not be placed directly on the ground and/or structure.

(d) The fire pit or chiminea must be completely covered by a spark arrestor or similar fine metal grate to prevent flying sparks and embers;

(e) All fire pits must be based on a solid, non-flammable surface (rock, brick);

(f) Non-commercial preparation of food utilizing a bar-b-que, grill, or smoker or individual device;

(g) The fire must be attended at all times; and

(h) The property owner or the fire attendant has the means to extinguish the fire at all times, if necessary.

(4) Any governmental entity, with permission from the City, may conduct open burning in the City limits to correct an obvious hazardous condition or to conduct fire training.

(5) It shall be unlawful for any person or persons to violate any verbal or written directive of the Fire Marshal, City Marshal or any City official when the directive prohibits, restricts, limits or sets guidelines for open burning.

(6) The Fire Marshal, City Marshal and all other officers of the City are granted the authority to enforce the provisions of this subchapter and impose temporary restrictions upon the use of outdoor fire pits or chimineas as conditions warrant.

#### **§ 93.19 LIABILITY.**

In addition to penalties provided in § 93.99 of this chapter, any person or persons conducting open burning shall be liable for property damage or injury, if any, caused as a result of his, her or their open burning.

#### **§ 93.99 PENALTY.**

(A) Any person violating any provision of this chapter for which no specific penalty is prescribed shall be subject to § 10.99 of this Code of Ordinances.

(B) Any person, firm or corporation who violates any provisions of §§ 93.15 through 93.19 of this chapter, or any order made under authority of §§ 93.15 through 93.19 of this chapter, or who causes or permits any such violation of §§ 93.15 through 93.19 of this chapter, shall be guilty of a misdemeanor and, upon conviction, shall be fined an amount not to exceed \$2,000.00. Each and every day on which any violation is committed or permitted to continue shall constitute a separate offense and shall be punished as such.

ORDINANCE NO. \_\_\_\_\_

CITY OF WOODCREEK, TEXAS

**AN ORDINANCE AMENDING THE CITY OF WOODCREEK CODE OF ORDINANCES AT TITLE IX ("GENERAL REGULATIONS"), CHAPTER 94 ("FIREWORKS"); PROVIDING FOR ENACTMENT, REPEALER, SEVERABILITY, CODIFICATION, AND EFFECTIVE DATE, AND FINDING PROPER NOTICE AND MEETING.**

**WHEREAS**, the City Council recognizes the importance of fire safety, prevention and protection; and

**WHEREAS**, the City Council finds that the fire response systems available to the City to be adequate, but limited, and therefore preventative measures are essential; and

**WHEREAS**, the City Council recognizes the unique qualities of the City of Woodcreek as primarily a residential neighborhood where most residencies are located on one-third of an acre lot or less, and thus can be considered in close proximity to one another throughout a majority of the land located within the municipal boundaries of the City and thus under the jurisdiction of the City of Woodcreek; and so therefore are of a greater risk to spread of fire; and a majority of residencies lack the adequate and proper amount of space for the private use of fireworks as determined by the local regulatory authority; and

**WHEREAS**, the City Council seeks to prohibit the private, unpermitted use of fireworks inside the municipal boundaries of the City of Woodcreek and feels such prohibition is both reasonable and necessary; and

**WHEREAS**, the City Council further finds that the City of Woodcreek has a duty and responsibility to uphold regulations as set by the local regulatory authority for fire prevention and safety; and

**WHEREAS**, the City Council understands that the City of Woodcreek has a duty and responsibility to enforce such regulations as outlined by the local regulatory authority and may add additional limitations under the framework of fire prevention and safety as determined necessary by the governing body; and

**WHEREAS**, the City Council thus finds it desirable and reasonable to create, update, and maintain a municipal ordinance for the regulation of the use of fireworks within the municipal boundaries to ensure the health and safety of all residents; and

**WHEREAS**, section 51.012 of the Local Government Code provides a Type A general law municipality, such as the City of Woodcreek, Texas, may adopt an ordinance, act, law, or regulation, not inconsistent with state law, that is necessary for the government, interest, welfare, or good order of the municipality.

**NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Woodcreek:**

**1. FINDINGS OF FACT**

The foregoing recitals are incorporated into this Ordinance by reference as findings of fact as if expressly set forth herein.

**2. ENACTMENT**

Chapter 94 (“Fireworks”) of the Code of Ordinances of the City of Woodcreek is amended so as to read in accordance with Attachments A, which is attached hereto and incorporated into this Ordinance for all intents and purposes.

**3. REPEALER**

All ordinances, resolutions, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated, herein.

**4. SEVERABILITY**

Should any of the clauses, sentences, paragraphs, sections or parts of this Ordinance be deemed invalid, unconstitutional, or unenforceable by a court of law or administrative agency with jurisdiction over the matter, such action shall not be construed to affect any other valid portion of this Ordinance.

**5. CODIFICATION**

The City Secretary is hereby authorized and directed to record and publish the language of Chapter 94 as amended by this Ordinance, in the City's Code of Ordinances.

**6. EFFECTIVE DATE**

This Ordinance shall be effective immediately upon its passage and the publication of caption of this ordinance as provided by law.

**7. PROPER NOTICE & MEETING**

It is hereby officially found and determined that the meeting at which this Ordinance was passed was attended by a quorum of the City Council, was open to the public, and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551. 27

**PASSED & APPROVED** this, the \_\_\_ day of October 2023, by a vote of \_\_\_\_ (ayes) to \_\_\_\_ (nays) and \_\_\_\_ (abstentions) of the City Council of Woodcreek, Texas.

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**Jeff Rasco, Mayor**

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**Suzanne Mac Kenzie, City Secretary**

**Attachment "A"**  
**City of Woodcreek**  
**CODE OF ORDINANCES**  
**TITLE IX: GENERAL REGULATIONS**  
**CHAPTER 94: FIREWORKS**

**§ 94.01 TITLE.**

This chapter shall be known, cited, and commonly referred to as the "Fireworks Ordinance of the City of Woodcreek".

**§ 94.02 PURPOSE.**

The purpose is to protect the general welfare and safety of the citizens of the City.

**§ 94.03 DEFINITIONS.**

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

*Fireworks.* Any firecrackers, Roman candles, sparklers, sky lanterns, or any other substance or device which is intended for use in obtaining visible or audible pyrotechnic display, and such term shall include all articles or substances within the commonly accepted meaning of fireworks, whether herein specifically designated and defined or not.

*Person.* Any natural person, association of persons, partnership, corporation, agent or officer of a corporation.

**§ 94.04 RESTRICTIONS AND RULES; AUTHORITY.**

Law Enforcement, the Fire Chief, and the Fire Marshal are granted the authority and are responsible to enforce the following provisions of this chapter.

- (A) The sale and/or distribution of fireworks within the corporate limits of the City is prohibited
- (B) It shall be unlawful for any person to ignite, detonate, discharge or fire any fireworks of any description within the City.
- (C) A sworn complaint may be filed in a court with appropriate jurisdiction charging that sale, distribution, igniting, detonating, discharging or firing of fireworks has taken place; specifying the time, date, location and persons charged. This division shall not be construed as requiring such a complaint in order to enforce this chapter.
- (D) A public display of fireworks may be authorized by the County Fire Marshal when any adult person, firm, corporation or association has made a written application at least 10 days in advance of the date of the proposed display, it shall be the duty of the

Fire Marshal to make an investigation as to whether the proposed display may be hazardous to property or dangerous to any persons and shall grant or deny the application based upon his or her findings.

**§ 94.99 PENALTY.**

Any person, firm or corporation who violates any provisions of this chapter, or any order made under authority of this chapter, or who causes or permits any such violation of this chapter shall be guilty of a misdemeanor and, upon conviction, shall be fined an amount not to exceed \$2,000.00. Each day any violation of this chapter shall continue shall constitute a separate offense.



## CHAPTER 93: - FIRE PREVENTION AND PROTECTION

**FINAL  
REVISED  
TEXT**

*Cross reference— Fireworks, see Ch. 94; ~~Health and Sanitation, see Ch. 95.~~*

- **GENERAL PROVISIONS**
- **§ 93.01 - ARSON REWARD.**

(A)The City hereby offers a reward of \$500.00 to anyone who secures and furnishes information ~~necessary to and~~ which results in arrest and conviction of any person or persons who commit the crime of arson within the City's corporate limits. ~~of said City.~~

(B) This reward is a standing offer and shall be paid out of the General Fund of the City.

(Ord. 85-11, 5-1-1985; Ord. [19-261](#), 6-12-2019)

- **OPEN BURNING**
- **§ 93.15 - TITLE.**

This subchapter shall be known, **cited, and commonly referred to** as the "Open Burning Ordinance of the City of Woodcreek".

(Ord. 85-18C, 5-26-1998; Ord. [19-261](#), 6-12-2019)

- **§ 93.16 - PURPOSE.**

The purpose of this subchapter is to protect public safety and property within the City.

(Ord. 85-18C, 5-26-1998; Ord. [19-261](#), 6-12-2019)

- **§ 93.17 - DEFINITIONS.**

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

*Open burning.* Any burning of brush, trash, wood, plastics, leaves, waste products or similar materials outdoors, other than in an incinerator designed and constructed for such purpose and having a written permit issued by the Fire Marshal.

*Trash.* ~~Anything~~ **Anything** worthless and useless, building materials, twigs, trees, limbs, rubbish, garbage, rags and brush.

(Ord. 85-18C, 5-26-1998; Ord. [19-261](#), 6-12-2019)

- **§ 93.18 - OPEN BURNING PROHIBITED; RESTRICTIONS.**

(A) It shall be unlawful for any person to burn any garbage, trash, brush or other waste, ~~wood lumber~~, plastic or organic material outdoors within the City, ~~unless such burning is authorized by the City by permit. performed in a device or structure designed and constructed for such purpose and used in accordance with the manufacturer's instructions and provisions of this chapter.~~

(B) The Fire Marshal, City Marshal and all City officials are granted the authority and responsibility of enforcing the following provisions of this subchapter.

(1) Open burning within the City is declared to be a public nuisance and hazard to adjoining property.

(2) Open burning is prohibited at all times when a burn ban has been declared by Hays County.

(3) Absent a burn ban, small fires are permitted in residential fire pits or chimineas provided:

(a) The fire pit or chiminea is not located within five feet of ~~the a~~ residence or structure;

(b) The fire pit has large metal sides, built up concrete blocks, or is constructed of cement, rock, or similar non-flammable/non-conductive materials;

(c) The chiminea is placed on a non-flammable stand or is elevated to not be placed directly on the ground and/or ~~a~~ structure.

(d) The fire pit or chiminea must be completely covered by a spark arrestor or similar fine metal grate to prevent flying sparks and embers;

(e) All fire pits must be based on a solid, non-flammable surface (rock, brick);

(f) ~~Non-commercial preparation of food utilizing a bar-b-que, grill, smoker or individual device;~~

(g) The fire must be attended at all times; and

(h) The property owner ~~or the fire attendant~~ has ~~the~~ means to extinguish the fire ~~at all times, if~~ ~~when~~ necessary.

(4) Any governmental entity, with permission from the City, may conduct open burning in the City limits to correct an obvious hazardous condition or to conduct fire training.

(5) It shall be unlawful for any person or persons to violate any verbal or written directive of the Fire Marshal, City Marshal or any City official when the directive prohibits, restricts, limits or sets guidelines for open burning.

(6) The Fire Marshal, City Marshal and all other officers of the City are granted the authority to enforce the provisions of this subchapter and impose temporary restrictions upon the use of outdoor fire pits or chimineas as conditions warrant.

(Ord. 85-18C, 5-26-1998; Ord. 18-242, 1-17-2018; Ord. [19-261](#), 6-12-2019)

**Cross reference**— Penalty, see [§ 93.99](#)

- **§ 93.19 - LIABILITY.**

In addition to penalties provided in [§ 93.99](#) of this chapter, any person or persons conducting open burning shall be liable for property damage or injury, if any, caused as a result of his, her or their open burning.

(Ord. 85-18C, 5-26-1998; Ord. [19-261](#), 6-12-2019)

- **§ 93.99 - PENALTY.**

(A) Any person violating any provision of this chapter for which no specific penalty is prescribed shall be subject to [§ 10.99](#) of this Code of Ordinances.

(B) Any person, firm or corporation who violates any provisions of §§ [93.15](#) through [93.19](#) of this chapter, or any order made under authority of §§ [93.15](#) through [93.19](#) of this chapter, or who causes or permits any such violation of §§ [93.15](#) through [93.19](#) of this chapter, shall be guilty of a misdemeanor and, upon conviction, shall be fined an amount not to exceed \$2,000.00. Each and every day on which any violation is committed or permitted to continue shall constitute a separate offense and shall be punished as such.

(Ord. 85-18C, 5-26-1998; Ord. [19-261](#), 6-12-2019)

ORDINANCE NO. \_\_\_\_\_

CITY OF WOODCREEK, TEXAS

**AN ORDINANCE AMENDING THE CITY OF WOODCREEK CODE OF ORDINANCES AT TITLE IX ("GENERAL REGULATIONS"), CHAPTER 94 ("FIREWORKS"); PROVIDING FOR ENACTMENT, REPEALER, SEVERABILITY, CODIFICATION, AND EFFECTIVE DATE, AND FINDING PROPER NOTICE AND MEETING.**

**WHEREAS**, the City Council recognizes the importance of fire safety, prevention and protection; and

**WHEREAS**, the City Council finds that the fire response systems available to the City to be adequate, but limited, and therefore preventative measures are essential; and

**WHEREAS**, the City Council recognizes the unique qualities of the City of Woodcreek as primarily a residential neighborhood where most residencies are located on one-third of an acre lot or less, and thus can be considered in close proximity to one another throughout a majority of the land located within the municipal boundaries of the City and thus under the jurisdiction of the City of Woodcreek; and so therefore are of a greater risk to spread of fire; and a majority of residencies lack the adequate and proper amount of space for the private use of fireworks as determined by the local regulatory authority; and

**WHEREAS**, the City Council seeks to prohibit the private, unpermitted use of fireworks inside the municipal boundaries of the City of Woodcreek and feels such prohibition is both reasonable and necessary; and

**WHEREAS**, the City Council further finds that the City of Woodcreek has a duty and responsibility to uphold regulations as set by the local regulatory authority for fire prevention and safety; and

**WHEREAS**, the City Council understands that the City of Woodcreek has a duty and responsibility to enforce such regulations as outlined by the local regulatory authority and may add additional limitations under the framework of fire prevention and safety as determined necessary by the governing body; and

**WHEREAS**, the City Council thus finds it desirable and reasonable to create, update, and maintain a municipal ordinance for the regulation of the use of fireworks within the municipal boundaries to ensure the health and safety of all residents; and

**WHEREAS**, section 51.012 of the Local Government Code provides a Type A general law municipality, such as the City of Woodcreek, Texas, may adopt an ordinance, act, law, or regulation, not inconsistent with state law, that is necessary for the government, interest, welfare, or good order of the municipality.

**NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Woodcreek:**

**1. FINDINGS OF FACT**

The foregoing recitals are incorporated into this Ordinance by reference as findings of fact as if expressly set forth herein.

**2. ENACTMENT**

Chapter 94 (“Fireworks”) of the Code of Ordinances of the City of Woodcreek is amended so as to read in accordance with Attachments A, which is attached hereto and incorporated into this Ordinance for all intents and purposes.

**3. REPEALER**

All ordinances, resolutions, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated, herein.

**4. SEVERABILITY**

Should any of the clauses, sentences, paragraphs, sections or parts of this Ordinance be deemed invalid, unconstitutional, or unenforceable by a court of law or administrative agency with jurisdiction over the matter, such action shall not be construed to affect any other valid portion of this Ordinance.

**5. CODIFICATION**

The City Secretary is hereby authorized and directed to record and publish the language of Chapter 94 as amended by this Ordinance, in the City's Code of Ordinances.

**6. EFFECTIVE DATE**

This Ordinance shall be effective immediately upon its passage and the publication of caption of this ordinance as provided by law.

**7. PROPER NOTICE & MEETING**

It is hereby officially found and determined that the meeting at which this Ordinance was passed was attended by a quorum of the City Council, was open to the public, and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551. 27

**PASSED & APPROVED** this, the \_\_\_ day of October 2023, by a vote of \_\_\_\_ (ayes) to \_\_\_\_ (nays) and \_\_\_\_ (abstentions) of the City Council of Woodcreek, Texas.

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**Jeff Rasco, Mayor**

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**Suzanne Mac Kenzie, City Secretary**

**Attachment "A"**  
**City of Woodcreek**  
**CODE OF ORDINANCES**  
**TITLE IX: GENERAL REGULATIONS**  
**CHAPTER 94: FIREWORKS**

**§ 94.01 TITLE.**

This chapter shall be known, cited, and commonly referred to as the "Fireworks Ordinance of the City of Woodcreek".

**§ 94.02 PURPOSE.**

The purpose is to protect the general welfare and safety of the citizens of the City.

**§ 94.03 DEFINITIONS.**

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

*Fireworks.* Any firecrackers, Roman candles, sparklers, sky lanterns, or any other substance or device which is intended for use in obtaining visible or audible pyrotechnic display, and such term shall include all articles or substances within the commonly accepted meaning of fireworks, whether herein specifically designated and defined or not.

*Person.* Any natural person, association of persons, partnership, corporation, agent or officer of a corporation.

**§ 94.04 RESTRICTIONS AND RULES; AUTHORITY.**

Law Enforcement, the Fire Chief, and the Fire Marshal are granted the authority and are responsible to enforce the following provisions of this chapter.

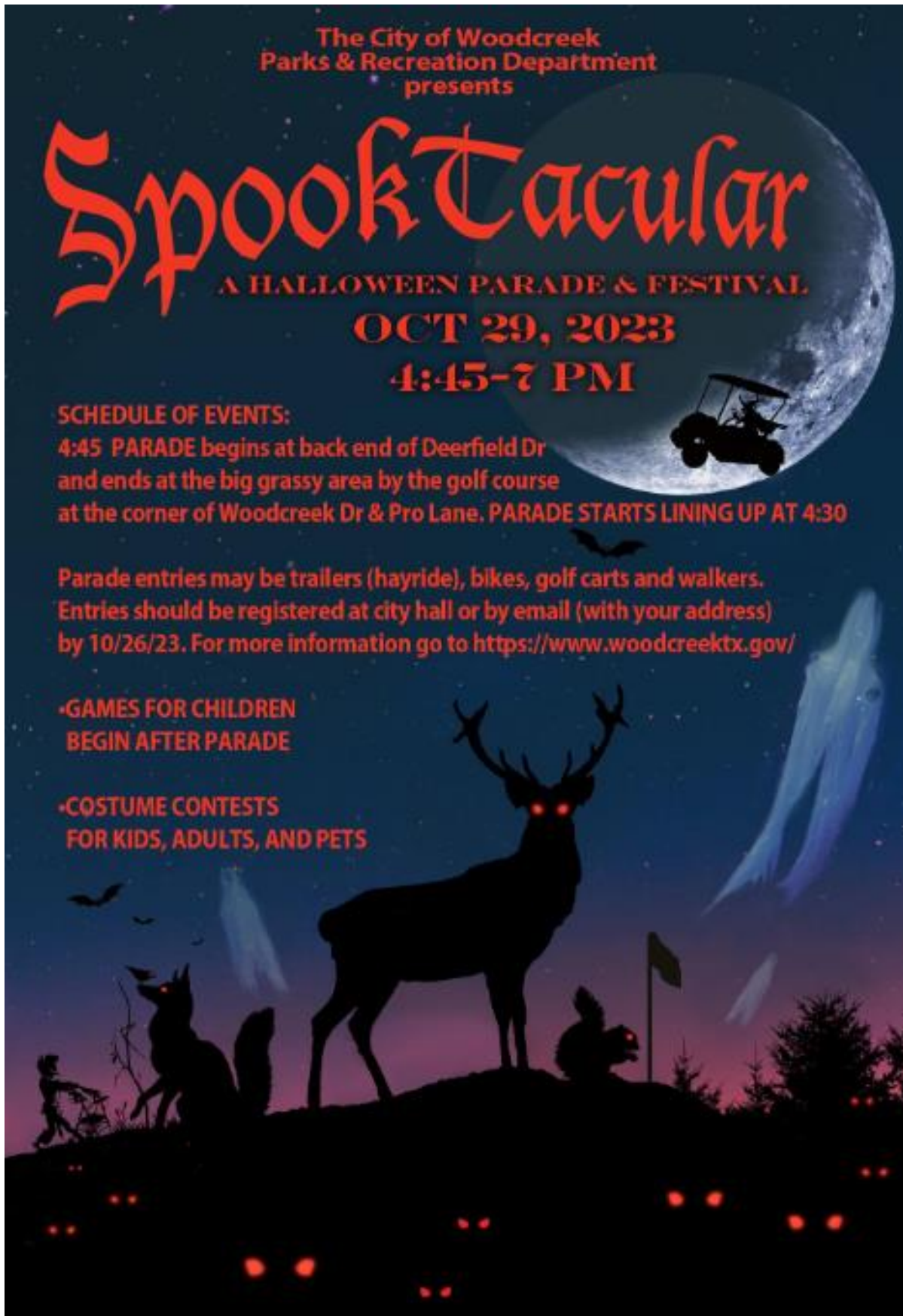
- (A) The sale and/or distribution of fireworks within the corporate limits of the City is prohibited
- (B) It shall be unlawful for any person to ignite, detonate, discharge or fire any fireworks of any description within the City.
- (C) A sworn complaint may be filed in a court with appropriate jurisdiction charging that sale, distribution, igniting, detonating, discharging or firing of fireworks has taken place; specifying the time, date, location and persons charged. This division shall not be construed as requiring such a complaint in order to enforce this chapter.
- (D) A public display of fireworks may be authorized by the County Fire Marshal when any adult person, firm, corporation or association has made a written application at least 10 days in advance of the date of the proposed display, it shall be the duty of the

Fire Marshal to make an investigation as to whether the proposed display may be hazardous to property or dangerous to any persons and shall grant or deny the application based upon his or her findings.

**§ 94.99 PENALTY.**

Any person, firm or corporation who violates any provisions of this chapter, or any order made under authority of this chapter, or who causes or permits any such violation of this chapter shall be guilty of a misdemeanor and, upon conviction, shall be fined an amount not to exceed \$2,000.00. Each day any violation of this chapter shall continue shall constitute a separate offense.





The City of Woodcreek  
Parks & Recreation Department  
presents

# Spookacular

A HALLOWEEN PARADE & FESTIVAL

OCT 29, 2023

4:45-7 PM

**SCHEDULE OF EVENTS:**

4:45 PARADE begins at back end of Deerfield Dr and ends at the big grassy area by the golf course at the corner of Woodcreek Dr & Pro Lane. PARADE STARTS LINING UP AT 4:30

Parade entries may be trailers (hayride), bikes, golf carts and walkers. Entries should be registered at city hall or by email (with your address) by 10/26/23. For more information go to <https://www.woodcreektx.gov/>

- GAMES FOR CHILDREN BEGIN AFTER PARADE
- COSTUME CONTESTS FOR KIDS, ADULTS, AND PETS