
MEETING NOTICE

The Ordinance Review Committee 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 Tuesday, September 05, 2023 at 10:30 AM.

All attendees are encouraged to wear face coverings when a minimum of six-foot social distancing cannot be maintained. Smoking is not allowed anywhere on the property of City Hall.

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

<https://zoom.us/j/92723810512?pwd=NXk2TU45MlVtQld3OWpTa24xLzhNdz09>

Meeting ID: 927 2381 0512; Passcode: 843248

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).

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.

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.

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 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.

AGENDA

CALL TO ORDER

ROLL CALL and ESTABLISH QUORUM

PUBLIC COMMENTS

CONSENT CALENDAR

1. Approval of Ordinance Review Committee Meeting Minutes from July 11, 2023.

REPORTS FROM OFFICERS AND COUNCIL LIAISONS

Report by Ordinance Review Committee Liaison.

Report by City Manager.

REPORT OF SPECIAL (Select or Ad Hoc) Committees - None

SPECIAL ORDERS - None

UNFINISHED BUSINESS AND GENERAL ORDERS – None

NEW BUSINESS

2. Workshop to Discuss Invisible (Electric) Fences As Animal Control Devices, Including Possible Formation of an Ad Hoc Subcommittee.
3. Discuss and Take Possible Action On The Regulation Of Invisible (Electric) Fences as Animal Control Devices, including the Possible Formation of an Ad Hoc Subcommittee.
- [4.](#) Workshop to Discuss Traffic Code, Chapter 70, Schedule IV-City Parking.
5. Discuss and Take Possible Action on Traffic Code, Chapter 70, Schedule IV-City Parking.

ANNOUNCEMENTS

ADJOURN

POSTING CERTIFICATION

I certify that the above notice was posted on the **1st day of September, 2023 at 5:00PM**

By: 

Suzanne J. MacKenzie, City Secretary

**ORDINANCE REVIEW COMMITTEE MEETING (CITY HALL)
July 11, 2023; 2:30 PM
Woodcreek, Texas**

MINUTES

CALL TO ORDER

Chair Miller Called the Meeting to Order at 2:35P.

ROLL CALL and ESTABLISH QUORUM

PRESENT

Chairperson James Miller
Committee Member Donna Hector
Committee Member Randy Renter
Alt. Committee Member Emma Davenport
Council Liaison Debra Hines

ABSENT

Vice-Chairperson, Joe Branco
Committee Member Karen Duncan

STAFF PRESENT

City Manager, Kevin Rule
City Secretary, Suzanne Mac Kenzie

PUBLIC COMMENTS

No Public Comments were offered.

CONSENT CALENDAR

1. Approval of Regular Meeting Minutes from June 6, 2023.

Motion was made by Member Hector to accept the minutes of the previous meeting with a correction to the Roll Call. Motion was seconded by Member Renter

A roll call vote was held.

Voting Yea: Chair Miller, Member Hector, Member Renter, Member Davenport

Motion Passed: 4-0-0.

REPORTS FROM OFFICERS AND COUNCIL LIAISONS

Report by Ordinance Review Committee Liaison.

Conversations regarding Above Ground Pools and Short-Term Rentals are still pending.

Report by City Manager.

Standardized forms for Communications between Council and Advisory Bodies have been created to assist with tracking motions.

UNFINISHED BUSINESS AND GENERAL ORDERS

2. **Discuss and Take Possible Action On the Final Draft of Revisions to Chapter 93, Fire Prevention and Protection.**

Motion was made by Member Hector to accept Chapter 93, Fire Prevention and Protection as it stands with minor corrections to (B)(3)(f). ["No non-commercial preparation of food....."]
Motion was seconded by Member Davenport.

A roll call vote was held.

Voting Yea: Member Hector, Member Renter, Member Davenport, Chair Miller

Motion Passed: 4-0-0.

3. **Discuss and Take Possible Action On the Final Draft of Revisions to Chapter 94, Fireworks.**

Motion was made by Member Renter to submit Chapter 94 to Council with a comment about [the Ordinance Review Committee] being on the fence about sparkles. Motion was seconded by Member Davenport.

A roll call vote was held.

Voting Yea: Member Renter, Member Davenport, Chair Miller, Member Hector

Motion Passed: 4-0-0.

4. **Discuss and Take Possible Action On the Final Draft of Revisions to Chapter 90, Animals.**

Motion was made by Member Hector to approve and send to Council with correction [to heading §90.03, removing "fowl and reptiles"]. Motion was seconded by Member Renter.

A roll call vote was held on the main motion.

Voting Yea: Chair Miller, Member Hector, Member Renter, Member Davenport

Motion Passed: 4-0-0.

Motion was made by Member Renter to accept the verbiage that Chair Miller proposed. [Add to end of §90.07, "This paragraph does not apply to hummingbird feeders, wild bird feeders or squirrel feeders that are suspended off of the ground."] Motion was seconded by Member Davenport.

A roll call vote was held on the amendment.

Voting Yea: Chair Miller, Member Hector, Member Renter, Member Davenport

Motion Passed: 4-0-0.

NEW BUSINESS

5. **Discuss and Take Possible Action to Forward Budget Impacting Items and Events to City Council for Consideration and Possible Inclusion in the 2023-2024 Fiscal Year Budget Discussions.**

No action was taken on this item.

6. **Discuss and Take Possible Action To Change the Meeting Time of the Ordinance Review Committee, Beginning in August 2023.**

Motion was made by Member Hector to change the meeting time from 2:30P to 10:30A on the first Tuesday of the month. Motion was seconded by Member Davenport.

A roll call vote was held.

Voting Yea: Chair Miller, Member Hector, Member Renter, Member Davenport

Motion Passed: 4-0-0.

7. **Discuss and Take Possible Action on Committee Suggestions for Ordinances to Review For August Meeting.**

Motion was made by Member Hector to request Council to direct the Ordinance Review Committee to work on the Parking Ordinance. Motion was seconded by Member Davenport.

A roll call vote was held.

Voting Yea: Member Hector, Vice Chair Branco, Member Davenport, Chair Miller

Motion Passed: 4-0-0.

Motion was made by Member Hector to request Council to allow the Committee to study other areas within the Ordinances. Motion was seconded by Member Davenport.

A roll call vote was held.

Voting Yea: Member Renter, Chair Miller, Member Hector, Member Davenport

Motion Passed: 4-0-0.

ANNOUNCEMENTS - None.

ADJOURN

Chair Miller Adjourned the Meeting at 4:56P.

James Miller, Chairperson

Suzanne Mac Kenzie, City Secretary

SCHEDULE IV. CITY PARKING.

- (A) No vehicle shall be allowed to park in a public street, alley, or public right-of-way.
- (B) Parking on private property of buses, commercial vehicles, trailers, boats, motor homes, RVs, campers, jet skis and the like is prohibited, unless inside a fully enclosed garage or storage space or behind privacy fencing on a durable surface, except on a temporary basis. Temporary shall be defined as not to exceed seven 24-hour periods total in any 30-day period.
- (C) A long-term parking permit may be obtained from the city for work and commercial vehicles, except for those meant to hold human excrement, on private property for a renewable period of six months at a cost of \$50.00 per parking permitted work vehicle.

In order to obtain a long-term parking permit for a work vehicle the property owner must show that:

- (1) They have enough durable-surfaced parking space to accommodate all vehicles of the residence and the work vehicle and one additional guest parking space; and
 - (2) That the work vehicle is needed for work purposes for a member of the household; and
 - (3) Parking of said vehicle shall not result in a dangerous obstruction of view of the public right-of-way.
- (D) Parking of automobiles, trucks, buses, trailers, mobile homes, recreational or commercial vehicles on publicly owned right-of-way, park or greenbelt is prohibited except under the following conditions:
 - (1) Parking of personal automobiles and trucks will be allowed along the street right-of-way in front of a residential property if the vehicles are pulled off the street pavement and no part of the vehicle projects out over the street pavement.
 - (2) Residential property owners may elect to surface parking space in the right-of-way with a pervious cover, such as gravel or crushed granite.
 - (3) Parking of personal vehicles shall be allowed on publicly owned rights-of-way, parks, and greenbelts with paved or pervious parking spaces provided by the City, subject to the restrictions of any posted signs.
 - (E) Junked Vehicles. "Junked vehicle" means a vehicle that is self-propelled and does not lawfully have attached to it an unexpired license plate and a valid motor vehicle inspection certificate and is wrecked, dismantled, or partially dismantled or discarded or inoperable and has remained inoperable for more than: 72 consecutive hours, if the vehicle is on public property, or 30 consecutive days, if vehicle is on private property. (Texas Transportation Code § 683.071)

A junked vehicle, including a part of a junked vehicle, that is visible at any time of the year from a public place or public right-of-way:

- (1) Is detrimental to the safety and welfare of the public;
- (2) Tends to reduce the value of private property;
- (3) Invites vandalism;
- (4) Creates a fire hazard;
- (5) Is an attractive nuisance creating a hazard to the health and safety of minors;
- (6) Produces urban blight adverse to the maintenance and continuing development of municipalities; and
- (7) Is a public nuisance. (Texas Transportation Code § 683.072)

A person commits an offense if the person maintains a public nuisance described above as Junked Vehicle. The offense is a misdemeanor punishable by a fine not to exceed \$200.00.

The court shall order abatement and removal of the nuisance on conviction. (Texas Transportation Code Sec. 683.073)

- (F) Erection of signs. The City may erect signage of such design, placement, and location as may be required by law, and any other signage as City staff may determine appropriate or necessary, to notify the public.
- (G) Two-hour parking signs. In order to promote safer driving in the vicinity of the public parking spaces at Deerfield Drive and Woodcreek Drive, and Champions Circle at Woodcreek Drive, the City shall erect signs reading "2 Hour Parking - Violators will be towed at vehicle owner's expense".
- (H) Penalty. Any person violating any provision of this schedule shall be subject to the penalties and provisions in § 10.99 of this Code of Ordinances, unless otherwise expressed in this chapter or State Statute.

(Ord. 15-207, 5-13-2015; Ord. 19-257, 3-13-2019; Ord. No. 22-304 , 3-9-2022)

SUBCHAPTER E. JUNKED VEHICLES: PUBLIC NUISANCE; ABATEMENT

Item 4.

Sec. 683.071. DEFINITION AND APPLICABILITY. (a) In this subchapter, "junked vehicle" means a vehicle that:

- (1) is self-propelled; and
- (2) is:
 - (A) wrecked, dismantled or partially dismantled, or discarded; or
 - (B) inoperable and has remained inoperable for more than:
 - (i) 72 consecutive hours, if the vehicle is on public property; or
 - (ii) 30 consecutive days, if the vehicle is on private property.

(b) For purposes of this subchapter, "junked vehicle" includes a motor vehicle, aircraft, or watercraft. This subchapter applies only to:

- (1) a motor vehicle that displays an expired license plate or does not display a license plate;
- (2) an aircraft that does not have lawfully printed on the aircraft an unexpired federal aircraft identification number registered under Federal Aviation Administration aircraft registration regulations in 14 C.F.R. Part 47; or
- (3) a watercraft that:
 - (A) does not have lawfully on board an unexpired certificate of number; and
 - (B) is not a watercraft described by Section 31.055, Parks and Wildlife Code.

Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995. Amended by Acts 1999, 76th Leg., ch. 746, Sec. 1, eff. Sept. 1, 1999; Acts 2001, 77th Leg., ch. 798, Sec. 1, eff. Sept. 1, 2001.

Amended by:

Acts 2007, 80th Leg., R.S., Ch. 500 (S.B. 350), Sec. 1, eff. September 1, 2007.

Acts 2011, 82nd Leg., R.S., Ch. 720 (H.B. 787), Sec. 9, eff. September 1, 2011.

Acts 2011, 82nd Leg., R.S., Ch. 753 (H.B. 1376), Sec. 1, eff. September 1, 2011.

Reenacted and amended by Acts 2013, 83rd Leg., R.S., Ch. 1291 (H.B. 2305), Sec. 49, eff. March 1, 2015.

Sec. 683.0711. MUNICIPAL REQUIREMENTS. An ordinance adopted by a governing body of a municipality may provide for a more inclusive definition of a junked vehicle subject to regulation under this subchapter.

Added by Acts 2003, 78th Leg., ch. 1073, Sec. 1, eff. Sept. 1, 2003.

Sec. 683.072. JUNKED VEHICLE DECLARED TO BE PUBLIC NUISANCE. A junked vehicle, including a part of a junked vehicle, that is visible at any time of the year from a public place or public right-of-way:

- (1) is detrimental to the safety and welfare of the public;
- (2) tends to reduce the value of private property;
- (3) invites vandalism;
- (4) creates a fire hazard;

(5) is an attractive nuisance creating a hazard to the health and safety of minors;

Item 4.

(6) produces urban blight adverse to the maintenance and continuing development of municipalities; and

(7) is a public nuisance.

Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995. Amended by Acts 2003, 78th Leg., ch. 1073, Sec. 2.

Sec. 683.073. OFFENSE. (a) A person commits an offense if the person maintains a public nuisance described by Section 683.072.

(b) An offense under this section is a misdemeanor punishable by a fine not to exceed \$200.

(c) The court shall order abatement and removal of the nuisance on conviction.

Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995.

Parking Issues

Ordinance	Class	Header	Excerpt
50.08	SR	DEFINITIONS	<i>Impervious Cover.</i> All roads, driveways, parking areas, buildings, decking, rooftop landscapes and other impermeable construction
91.07	MR	TREE PRESERVATION AND CARE	Parking or storing of vehicles, equipment or materials allowed within the critical root zone is prohibited.
92.08	MR	STANDARDS FOR INSTALLATIONS IN PAVEMENT CROSSINGS AND IN RIGHTS-OF-WAY	Parking of the owners, contractors, subcontractor and worker trucks and cars on both sides of the pavement shall be prohibited. All such vehicles shall be parked on one side of the road off the pavement and as far as prudent from the roadway to prevent accidents.
152.43	SR	RESTRICTIONS ON CERTAIN SIGNS	The establishment has a separate driveway from the principal driveway entrance of the complex, and a separate parking area from the principal parking area of the complex, which may connect with the principal parking area, but is visually set off from that area by fencing or landscaping
153.05	XR	DEFINITIONS	<i>Lowest Floor.</i> The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking vehicles, building access or storage in an area other than a basement area, is not considered a building's lowest floor
153.41	MR	SPECIFIC STANDARDS	<i>Enclosures.</i> New construction and substantial improvements, with fully enclosed areas below the lowest floor that are usable solely for parking of vehicles, building access or storage in an area other than a basement
154.060	MR	EVALUATION STANDARDS	The design and location of off-street parking and loading facilities to ensure that all such spaces are usable and are safely and conveniently arranged
156.029	ZR	PARKING	Parking . . . publicly-owned rights-of-way. . . is prohibited. . .except
156.008	ZR		
156.009	ZR		
156.029	ZR		
156.036	ZR		
156.041	ZR		
156.059	ZR		
156.065	ZR		
156.080	ZR		
156.081	ZR		
156.082	ZR		
156.083	ZR		
156.084	ZR		
156.137	ZR		
157.001			
Schedule I			
Schedule IV			

Zoning