CITY OF TEXARKANA

CITY COUNCIL

AGENDA • FEBRUARY 24, 2020

Council Chambers | **Regular Meeting** | **6:00 PM**

220 TEXAS BLVD.
TEXARKANA, TX 75501

Mayor

Bob Bruggeman

Ward 1	Ward 3	Ward 5
Jean H. Matlock	Betty Williams	Bill Harp
Ward 2	**Ward 4**	**Ward 6**
Mary Hart	Christie Alcorn	Jay Davis

The City Council reserves the right to convene into closed session on any agenda item or issue should the need arise and if applicable pursuant to authorization by the Texas Open Meetings Act (Title 5, Chapter 551 of the Texas Government Code).

If the City Council convenes into closed session, they will reconvene in one hour or less to take any final action, decision, or vote on a matter deliberated in closed session.

I. CALL TO ORDER, ROLL CALL, ESTABLISHMENT OF QUORUM

II. INVOCATION AND PLEDGE LED BY COUNCIL MEMBER JAY DAVIS

III. MAYOR'S REMARKS AND ITEMS OF COMMUNITY INTEREST

Upcoming City Council Meetings:

Monday, March 9, 2020 at 6:00 p.m.
Monday, March 23, 2020 at 6:00 p.m.

Parks & Recreation Events:

March 7th - 8th	FASA Softball Tournament	Karrh Park
March 7th - 8th	USSSA Baseball Tournament	Spring Lake Park

Additional Parks & Recreation events can be found on the city's website at <http://www.ci.texarkana.tx.us> or call (903) 798-3978 for more information.

Meeting Presentations

Public Service Recognition - Texarkana Public Library

Refinancing of Existing City Debt - by Jason Hughes of Hilltop Securities

IV. OPEN FORUM: COMMENTS FROM THE PUBLIC

Per Council rules, comment time is limited to five minutes, or ten minutes if using a translator. Before comments are made, a speaker must complete an information sheet and give to the City Secretary. If your comment pertains to an agenda item with a scheduled public hearing or public comment, the Council requires that you make your comment at that time; you do not need to complete an information sheet.

V. APPOINTMENTS TO BOARDS, COMMISSIONS AND COMMITTEES

VI. ITEMS FOR CONSIDERATION

Consent Items

1. Consider approval of the minutes of the Special Meeting of the City Council held on February 7, 2020 at 12:30 PM.

2. Consider approval of the minutes of the Regular Meeting of the City Council held on February 10, 2020 at 6:00 PM.

3. Consider approval of the minutes of the Joint City Community Committee Special Meeting of the City Council held on February 11, 2020 at 4:00 PM.

Action Items

4. Resolution No. 2020-026 authorizing the purchase of three (3) outdoor warning sirens and equipment, with budgeted funds in an amount not to exceed $71,916.13, through the TIPS cooperative purchasing program.

   Public Hearing:
   Council Vote: February 24, 2020

VII. FIRST BRIEFINGS

1. Ordinance No. 2020-011 approving certain technical amendments to Chapter 6 "Alarms" of the Code of Ordinances.

   Public Hearing: March 9, 2020
   Council Vote: March 9, 2020

2. Ordinance No. 2020-018 amending PD-18-2(C) for revision to the site plan to allow new signage for a collision center on Lot 1, Block 2, Classic Auto Park East Subdivision, located at 924 Kenwood Road. Gregg Orr, applicant. MTG Engineers & Surveyors, agent.

   Public Hearing: March 9, 2020
   Council Vote: March 9, 2020

3. Ordinance No. 2020-019 granting a Specific Use Permit to allow a tattoo studio in a tenant space located at 3216 Texas Boulevard (Lots 7 & 8, Block 29, Ghio-Fish Boulevard Addition). Bryan Callaway, applicant. Joaquin Hernandez, agent.

Public Hearing: March 9, 2020
Council Vote: March 9, 2020

4. Ordinance No. 2020-020 rezoning the south 1/2 of Lot 1, Flower Acres Second Addition, located at 2720 Phillips Lane. Single Family-2 to Single Family-3. Terry Davis, applicant.

   Public Hearing: March 9, 2020
   Council Vote: March 9, 2020

5. Ordinance No. 2020-021 granting a Specific Use Permit to allow a double wide HUD code manufactured home on the south 1/2 of Lot 1, Flower Acres Second Addition, located at 2720 Phillips Lane. Terry Davis, applicant.

   Public Hearing: March 9, 2020
   Council Vote: March 9, 2020

6. Ordinance No. 2020-023 amending the Code of Ordinances/Electrical Code sections 105-163 [electrical inspector appointment and vacancy], 105-231 [administrative review of electrical inspector decision], and 105-235 [compliance inspections], adding section 105-194 [penalty for violation of article], and repealing sections 105-229, 105-230, 105-232, 105-233, and 105-234.

   Public Hearing: March 9, 2020
   Council Vote: March 9, 2020

VIII. PUBLIC HEARINGS

IX. ITEMS FOR DISCUSSION

Staff Updates

X. ADMINISTRATIVE COMMENTS

1. City Council
2. City Staff

XI. ADJOURNMENT

Jennifer Evans
City Secretary

This open meeting of a governmental entity is subject to the Texas Open Meetings Act (Chapter 551, Government Code). The "Council Chambers" is the room or property where the City Council will hold this meeting.

Pursuant to Section 46.035(c), Penal Code (unlawful carrying of handgun by license holder), a license holder commits an offense if the license holder intentionally, knowingly, or recklessly carries a handgun under the authority of Subchapter H, Chapter 411, Government Code, regardless of whether the handgun is concealed or carried in a shoulder or belt holster, in the room or rooms where a meeting of a governmental entity is held and if the meeting is an open meeting subject to Chapter 551, Government Code, and the entity provided notice as required by that chapter.

Pursuant to Section 30.06, Penal Code (trespass by license holder with a concealed handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a concealed handgun.

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.

This meeting is being conducted in accordance with the Americans with Disabilities Act [42 USC 12101 (1991)]. The facility is wheelchair accessible and handicap parking is available. Requests for sign interpretive services are available upon requests received at least 48 hours prior to the meeting. To make arrangements for these services, please call 903.798.3917, Personnel or (TDD) 1.800.RELAY.TX (1.800.735.2989).

CITY OF TEXARKANA

CITY COUNCIL

MINUTES • FEBRUARY 7, 2020

Council Chambers | **Special Meeting** | **12:30 PM**

220 TEXAS BLVD.
TEXARKANA, TX 75501

I. CALL TO ORDER, ROLL CALL, ESTABLISHMENT OF QUORUM

ee Name	Title	Status	Arrived
ggeman	Mayor	Present	
Matlock	Ward 1	Present	
art	Ward 2	Present	
illiams	Ward 3	Present	
Alcorn	Ward 4	Absent	
p	Ward 5	Present	
vis	Ward 6	Present	

Staff Present: City Manager Shirley Jaster, Jennifer Evans, Kristin Peeples, Laura Puckett, Jessica Plant, Mashell Daniel, Robby Robertson, Dusty Henslee, Erin LeBlanc, Craig Hicks, Lisa Thompson, Keith Roadcap, Jim Powell, Kevin Schutte, J.W. Bramlett, David Orr, and Sherry Jackson Hawkins.

Legal Counsel: Jeff Lewis.

II. ITEM FOR CONSIDERATION

Action Item

1. Ordinance No. 2020-016 canvassing the returns and declaring the results of the Special Election held on January 28, 2020 for the purpose of electing a Council Member to fill a vacancy of an unexpired term for Ward 6.

   Public Hearing:
   Council Vote: February 7, 2020

   Mayor Bruggeman distributed the canvass documents and asked for the signature of two council members after review of the special election results. The Mayor also asked the City Secretary to proceed with a roll call vote.
   (12:36 p.m.)

Minutes Acceptance: Minutes of Feb 7, 2020 12:30 PM (Consent Items)

RESULT:	**ADOPTED [5 TO 0]**
MOVER:	Bill Harp, Ward 5
SECONDER:	Mary Hart, Ward 2
AYES:	Bruggeman, Matlock, Hart, Williams, Harp
ABSTAIN:	Davis
ABSENT:	Alcorn

III. COUNCIL MEMBER SWEARING-IN

Judge Sherry Jackson Hawkins conducted the swearing-in of the newly elected Council Member for Ward 6, Jay Davis. Council Member Davis signed his Oath of Office and Statement of Officer documents and took his place on the dais with fellow council members.

IV. MAYORS CLOSING REMARKS

Mayor Bruggeman thanked both candidates and said he was very pleased with such a positive election. Both candidates were cordial to each other and displayed courtesy and professionalism. Outgoing Council Member Josh Davis echoed the Mayor's sentiments and said it was truly a "gentleman's race". He also said he appreciated Jay's willingness to serve the residents of Ward 6.

Council Member Jay Davis thanked his wife, family, and coworkers for their support of his campaign and race. He said he looks forward to serving the citizens of Texarkana.

In closing comments, the Mayor commended Josh Davis for his service to residents of Ward 6 and said the city would like to have a special recognition of his service at an upcoming council meeting.

V. ADJOURNMENT

A motion was made to adjourn the meeting.
(12:45 p.m.)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Bill Harp, Ward 5
SECONDER:	Jean H. Matlock, Ward 1
AYES:	Matlock, Hart, Williams, Harp, Davis
ABSENT:	Alcorn
EXCUSED:	Bruggeman

Minutes Acceptance: Minutes of Feb 7, 2020 12:30 PM (Consent Items)

CITY OF TEXARKANA

CITY COUNCIL

MINUTES • FEBRUARY 10, 2020

Council Chambers | **Regular Meeting** | **6:00 PM**

220 TEXAS BLVD.
TEXARKANA, TX 75501

I. CALL TO ORDER, ROLL CALL, ESTABLISHMENT OF QUORUM

ee Name	Title	Status	Arrived
ggeman	Mayor	Present	
Matlock	Ward 1	Present	
art	Ward 2	Present	
illiams	Ward 3	Present	
Alcorn	Ward 4	Present	
p	Ward 5	Present	
is	Ward 6	Present	

Staff Present: City Manager Shirley Jaster, Jennifer Evans, Kristin Peeples, Dusty Henslee, Karey Parker, J.D. Phillips, J.W. Bramlett, Eric Schlotter, Mashell Daniel, Robby Robertson, David Orr, Gary Smith, and Chris Gerber.

Legal Counsel: Jeff Lewis.

II. INVOCATION LED BY COUNCIL MEMBER BILL HARP

III. THE PLEDGE OF ALLEGIANCE LED BY BOY SCOUT TROUP 86, GATOR PATROL

Mayor Bruggeman presented each boy scout and troop leader with a city lapel pin and thanked them for their participation in leading the Pledge of Allegiance.

IV. SPECIAL ELECTION RECOGNITION

The following dedicated citizens, who worked early voting and election day for the Special Election held on January 28, 2020, were recognized and honored:

Minutes Acceptance: Minutes of Feb 10, 2020 6:00 PM (Consent Items)

Pictured - (Mayor Bruggeman), Shirley Dansby, Jacquise Beasley, Lois Skinner, Gerald Brooks, Ruthie Brooks, Cheryl Rogers, Dorothy Hudson, and Doug Williams.
Not Pictured - Bob Hay, Steve Kelley.

Each election worker was given a city lapel pin and gift bag as an expression of appreciation for graciously and conscientiously attending to the duties necessary to receive the registered voters of Ward 6 during the special election.

Jennifer Evans recognized others who worked behind the scenes in assisting and supporting the special election: Vicky Coopwood, Shawn Fitzgerald, Chris Gerber, Council Member Bill Harp, Kenny Jordan, Jeff Lewis, Pete Mann, Donna Moreland, Pat McCoy, Joy Sartor, and Jon Tomberlain.

With over 265 people showing up at early voting, Ms. Evans thanked both candidates for their hard work in campaigning during this election. She also said she is glad to have a vote to record for Ward 6 and to have a **full** council for the City of Texarkana!

V. MAYOR'S REMARKS AND ITEMS OF COMMUNITY INTEREST

Sulphur River Basin Authority Update - by Kelly Mitchell and introduction of Meg Shelton

Mr. Mitchell began with a condensed overview of the SRBA and explained the unique relationship of the SRBA (Region D) to the metroplex (Region C). Region C supplies crucial funding in support of the SRBA. As the SRBA has no funding on its own, this external funding allows it to conduct studies and to operate. It also assists with employing an Executive Director of the SRBA, Meg Shelton. Ms. Shelton shared her educational and secular background and said she is very happy to be in east Texas sharing in planning for the future water needs of this region. Mr. Mitchell also reported on recent meetings and activities of Region C and Region D.

Mayor Bruggeman announced that the upcoming March Primary Election will be held on Tuesday, March 3rd. The Bowie County Elections Office has made a couple of adjustments this year affecting registered voters and polling locations used in the past. Voters who reside in "5C", who normally would vote at Pleasant Grove High School, will vote at the Richmond Road Baptist Church, located at 5805 Richmond Road, Texarkana, Texas, which is north of

Minutes Acceptance: Minutes of Feb 10, 2020 6:00 PM (Consent Items)

Moores Lane. This change was necessary due to traffic issues on McKnight Road and traffic safety at the school's location.

The Texarkana location for early voting, which is normally at the Bi-State Justice Building in downtown Texarkana, has been moved to the Southwest Center, located at 3222 West 7th Street, Texarkana, Texas. This move will provide for easier parking, better ADA compliance, and more privacy for voters to cast their ballots.

Early voting will be held February 18th though February 28th. It will be conducted during the hours of 8:00 a.m. to 5:00 p.m. There will be no weekend voting.

Former Council Member Josh Davis will be recognized for his years of service at the March 9th council meeting.

Upcoming City Council Meetings:

Monday, February 24, 2020 at 6:00 p.m.
Monday, March 9, 2020 at 6:00 p.m.
Monday, March 23, 2020 at 6:00 p.m.

Parks & Recreation Events:

February 20th - 21st 28th Annual Fishing Derby Spring Lake Park

Additional Parks & Recreation events can be found on the city's website at <http://www.ci.texarkana.tx.us> or call (903) 798-3978 for more information.

Run the Line Half Marathon will be held Sunday, February 16th, beginning at 8:00 a.m.

Other City Events:

The Texarkana Chamber of Commerce will host a Joint Texarkana Community Committee meeting with Texarkana, Arkansas, on Tuesday, February 11, 2020. The meeting will be held at the Ark-Tex Council of Governments building located at 4808 Elizabeth Street, Texarkana, Texas. The topic of discussion will be the **"2020 Census"**. The meeting will begin at 4:00 p.m. and is open to the public.

VI. OPEN FORUM: COMMENTS FROM THE PUBLIC

Per Council rules, comment time is limited to five minutes, or ten minutes if using a translator. Before comments are made, a speaker must complete an information sheet and give to the City Secretary. If your comment pertains to an agenda item with a scheduled public hearing or public comment, the Council requires that you make your comment at that time; you do not need to complete an information sheet.

There were no public comments made at Open Forum.

VII. APPOINTMENTS TO BOARDS, COMMISSIONS AND COMMITTEES

Council Member Harp made the following recommendations:

Minutes Acceptance: Minutes of Feb 10, 2020 6:00 PM (Consent Items)

Planning and Zoning Commission:

George Merrill	Appointment to Reg. Position	Vacated by Jay Davis
Casey Boyette	Reappointment	
Brad Bailey	Appointment to Alt. Position	Vacated by George Merrill

Board of Adjustment:

Mike Ingram	Appointment to Alt. Position	Vacated by Stuart Mc Donald

Mayor Bruggeman made the mayoral reappointment of Matt Robertson to the Airport Authority Board.

1. Motion to confirm the recommendations to the Planning & Zoning Commission, Board of Adjustment, and Mayoral reappointment to the Airport Authority Board.

(6:32 p.m.)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Betty Williams, Ward 3
SECONDER:	Christie Alcorn, Ward 4
AYES:	Matlock, Hart, Williams, Alcorn, Harp, Davis
EXCUSED:	Bruggeman

VIII. ITEMS FOR CONSIDERATION

Consent Items

(6:33 p.m.)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Bill Harp, Ward 5
SECONDER:	Jean H. Matlock, Ward 1
AYES:	Matlock, Hart, Williams, Alcorn, Harp, Davis
EXCUSED:	Bruggeman

1. Consider approval of the minutes of the Regular Meeting of the City Council held on January 27, 2020 at 6:00 PM.

Action Items

2. Resolution No. 2020-013 appointing a Mayor Pro Tem for the term beginning February 10, 2020 and ending on November 30, 2020 or until superseded by new council member appointments.

Minutes Acceptance: Minutes of Feb 10, 2020 6:00 PM (Consent Items)

Public Hearing:
Council Vote: February 10, 2020

The vote was adopted to amend this resolution by adding the name of the new council-elected Mayor Pro Tem: Council Member Bill Harp.
(6:33 p.m.)

RESULT:	**ADOPTED TO AMEND [UNANIMOUS]**
MOVER:	Mary Hart, Ward 2
SECONDER:	Betty Williams, Ward 3
AYES:	Matlock, Hart, Williams, Alcorn, Harp, Davis
EXCUSED:	Bruggeman

3. Ordinance No. 2020-017 authorizing the City Manager to enter into a contract for the South Texarkana looping dead-end mains in an amount not to exceed FOUR HUNDRED NINETY-ONE THOUSAND FIVE HUNDRED FIFTY-FOUR DOLLARS AND THIRTY-EIGHT CENTS ($491,554.38) and amending the budget estimate of the revenue and expenditures of the Texarkana Water Utilities Texas Capital Improvement Fund (Fund 62) for the fiscal year beginning October 1, 2019, and ending September 30, 2020, to add available funds of $625,000.00.

Public Hearing:
Council Vote: February 10, 2020

J.D. Phillips briefed the council on this agenda item.
(6:42 p.m.)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Christie Alcorn, Ward 4
SECONDER:	Betty Williams, Ward 3
AYES:	Matlock, Hart, Williams, Alcorn, Harp, Davis
EXCUSED:	Bruggeman

IX. FIRST BRIEFINGS - NONE

X. PUBLIC HEARINGS - NONE

XI. ITEMS FOR DISCUSSION

Staff Updates

City Manager Jaster said placed before the council was a handout of photos identifying recent property cleans-ups under the Code and Inspections Department.

Minutes Acceptance: Minutes of Feb 10, 2020 6:00 PM (Consent Items)

XII. ADMINISTRATIVE COMMENTS

1. City Council

   Council Member Hart thanked Dusty Henslee and Public Works staff for their quick response in replacing some signs that were down in her ward.

2. City Staff

   Staff had no administrative comments for council.

XIII. CLOSED SESSION

The City Council convened into closed session pursuant to Texas Government Code Section 551.071 for a consultation with the City Attorney.

XIV. RECONVENED INTO OPEN SESSION

XV. ADJOURNMENT

A motion was made to adjourn the meeting.
(7:43 p.m.)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Christie Alcorn, Ward 4
SECONDER:	Betty Williams, Ward 3
AYES:	Matlock, Hart, Williams, Alcorn, Harp, Davis
EXCUSED:	Bruggeman

Minutes Acceptance: Minutes of Feb 10, 2020 6:00 PM (Consent Items)

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 2/17/2020 12:53 PM

Lead Department: City Manager **Action Officer:** Jennifer Evans, City Secretary

Subject: Consider approval of the minutes of the Joint City Community Committee Special Meeting of the City Council held on February 11, 2020 at 4:00 PM.

Attachments

a. DRAFT Minutes - Joint City Cmte 021120 (DOCX)

MINUTES

Joint Texarkana Community Committee

City Council of the City of Texarkana, Texas
Board of Directors of the City of Texarkana, Arkansas

Ark-Tex Council of Governments
4808 Elizabeth Street
Texarkana, TX 75503

February 11, 2020

4:00 p.m.

Meeting Attendees:

Elected Officials on the Panel – **Texarkana, Texas** - Mayor Bob Bruggeman, Ward 1 Council Member Jean Matlock, Ward 3 Council Member Betty Williams, Ward 5 Council Member Bill Harp, Ward 6 Council Member Jay Davis. **Texarkana, Arkansas** - Mayor Allen Brown, Ward 1 Board Director Linda Teeters, Ward 2 Board Director Laney Harris, Ward 5 Board Director Barbara Miner, Ward 6 Board Director Terry Peavy.

City Staff & Support – **Texarkana, Texas** – City Manager Shirley Jaster, Jennifer Evans, Jennifer Strayhorn, Vashil Fernandez, David Orr, Karey Parker, Holden Fleming, JoAnne Gray, Daphnea Ryan.

- **Welcome by Michael Malone** – Mr. Malone welcomed all in attendance and explained that the purpose of the meeting was to allow both cities to receive information in an efficient and economic way on common issues that affect both sides of state line. It provides a forum for each side to share ideas and common challenges. The public is allowed to listen to the meeting, however, questions will be asked of the presenters by the panel of elected officials in order to adjourn the meeting on time.

- **Introduction of Attendees** – Each Mayor introduced his respective council member or board director who attended.

- **Topic of Discussion: 2020 CENSUS**

Attachment: DRAFT Minutes - Joint City Cmte 021120 (2229 : Joint Mtg Minutes (2020 census) 021120)

- **U.S. Census Bureau – Texarkana, Arkansas Partnership** - Chandra Lavender, Specialist
- **Twin City Church** - David Watkins, Pastor
- **Texarkana, Arkansas Community** - DeAnna O'Malley, Volunteer/Activist
- **City of Texarkana, Texas** - Holden Fleming, City Planner

Before panel members presented, both mayors read the joint proclamation **"The Day Texarkana Counts"**.

Summary Remarks to Panel – The federal government requires a census count to be done every 10 years. **Census Day for 2020 is April 1st.** The federal government issues funding to states and communities based on census data. Billions of dollars are spread across various programs that directly benefit local communities.

The United States Census Bureau Texas and Arkansas partners will endeavor to engage the community through partnering with local groups in hopes of educating the community on how crucial participation is for the Texarkana cities. Both cities have participants on the Texarkana USA Complete Count Committee (CCC). The CCC will provide outreach to churches, schools, nonprofits, businesses, and local colleges to help echo the message of "**getting the count right**". The CCC will also address why some citizens do not want to complete the census and the safety process in place in securing the information.

With the high priority of safety as a factor for both census workers and citizens, this year there are three different ways a participant can respond to the census survey: 1) by phone, 2) by mail, or 3) online. Census surveys will begin arriving at households during late March. The census survey is brief with seven questions and should take about 10 minutes to complete. A "sample" copy of the questionnaire and more information about the census can be viewed at: 2020census.gov.

As both sides of state line gear up for Census Day – April 1st, citizens were encouraged to get involved and shape the future of Texarkana, USA by participating and being prompt with responding to the call of the "**2020 Census**".

- **Closing Remarks** – Mr. Malone thanked all the presenters who shared information with the panel and thanked all who attended the discussion.
- **Next Meeting Date:** Tentative: June 2020. Topic: TBD.
- **Adjournment** – The meeting was adjourned at 4:57 p.m.

_____ _____

Jennifer Evans, City Secretary Bob Bruggeman, Mayor

Attachment: DRAFT Minutes - Joint City Cmte 021120 (2229 : Joint Mtg Minutes (2020 census) 021120)

City of Texarkana, Texas

Version:

Briefing Sheet

Update Date: 2/18/2020 11:31 AM

Lead Department: Fire Department **Action Officer:** Eric Schlotter, Fire Chief

Subject: Resolution No. 2020-026 authorizing the purchase of three (3) outdoor warning sirens and equipment, with budgeted funds in an amount not to exceed $71,916.13, through the TIPS cooperative purchasing program.

Briefing: 2/24/2020 **Public Hearing:** **Council Vote:** 2/24/2020

Item Schedule

Schedule 3: No briefing required (one week)

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

This resolution if approved would authorize the City Manager to purchase 3 outdoor warning sirens and equipment, needed to replace existing sirens that have reached their end of useful service.

Our City currently operates an outdoor warning system that consists of 13 outdoor warning sirens that are operated from the Bi-State communications center. Many of sirens were installed in the late 1970's and are in need of replacement. Additionally, the operating system that sets off the sirens in outdated and in need of replacement.

Staff has created a plan to replace 12 of our 13 sirens and upgrade all necessary software over a three year period. This first year purchase would update the necessary software and replace three sirens. One of the sirens to be replaced this year is the siren located at Spring Lake Park. Not only will the siren be replaced, it will also be upgraded to include a voice option wherein additional instructions can be given to park goers in the event of an emergency or inclement weather.

$75,000 in funding was included in this years budget and as such this purchase is within budget.

Potential Options:

- Approve resolution as presented
- Reject resolution

Fiscal Implications:

Funding has been approved in the budget and the project is within the budgeted amount.

Staff Recommendation:

Staff recommends approval

Advisory Board/Committee Review:

NONE

City of Texarkana, Texas

Board/Committee Recommendation:

NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

Attachments

a. 2020-026 RES auth purchase of warning sirens (DOC)
b. 2020-026 ATTH 01 Quote (PDF)
c. 2020-026 Goals & Perspectives (DOCX)

Staff Coordination

Fire Department	Eric Schlotter	Department Head Review	Completed	02/17/2020 10:36 AM
Purchasing and Contracting	Jennifer Evans	Purchasing Review	Skipped	02/17/2020 12:46 PM
Finance Department	Kristin Peeples	Finance Review	Completed	02/17/2020 1:57 PM
City Manager	Shirley Jaster	City Manager Review	Completed	02/20/2020 10:48 AM
City Council	Vicky Coopwood	Meeting	Pending	02/24/2020 6:00 PM

Meeting History

RESOLUTION NO. 2020-026

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORDER TO ASC MASS NOTIFICATION SOLUTIONS FOR THE PURCHASE OF OUTDOOR WARNING SIREN EQUIPMENT THROUGH THE TIPS COOPERATIVE PURCHASING PROGRAM IN AN AMOUNT NOT TO EXCEED SEVENTY-ONE THOUSAND NINE HUNDREND SIXTEEN DOLLARS AND THIRTEEN CENTS ($71,916.13); AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, outdoor warning sirens provide early warning of dangerous weather conditions; and

WHEREAS, the systematic replacement of aging outdoor warning sirens is essential to maintain a functional alerting system; and

WHEREAS, Chapter 271 of the Texas Local Government Code allows a local government to make purchases using cooperative purchasing programs.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS:

SECTION 1: That the City Manager be and is hereby authorized to issue a purchase order to ASC Mass Notification Solutions for outdoor warning siren equipment through the TIPS cooperative purchasing program in an amount not to exceed SEVENTY-ONE THOUSAND NINE HUNDRED SIXTEEN DOLLARS AND THIRTEEN CENTS ($71,916.13).

SECTION 2: That this Resolution shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED in Regular Council Session on this the **24th day of February, 2020**.

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

Attachment: 2020-026 RES auth purchase of warning sirens (2228 : 2020-026 RES Authorizing the purchase of warning sirens)

2020-026 ATTH01

8600 W. Bradley Road, Milwaukee, WI 53224
Tel: (800) 243-2911
Tel: +1 414 358-8000
Fax: +1 414 358-8008
Web: www.americansignal.com

Sales Person: Brad Swanson
Quote #: 200127-BS
Date: 1/23/2020

Project: Texarkana, TX Replacement Sirens
Company: City of Texarkana, TX
Address: 220 Texas Blvd
City, State, ZIP: Texarkana, TX 75501
Country: USA
Contact Name: Eric Schlotter
Title: Fire Chief
E-Mail: eschlotter@txkusa.org
Telephone: 903-798-3043
Mobile:
Other: TIPS # 181204

Item	Qty.	Model	American Signal Equipment	Unit	Extended Price
			T-128 AC/DC		
1	2	T-128-DC	Rotating Siren 129.5dB 48v DC Siren	$ 11,869.00	$ 23,738.00
2	2	TEMPEST™ AC/DC	AC/DC Motor Control 128 - UL Listed NEMA 4X Aluminum Powder Coated Gray	$ 7,457.00	$ 14,914.00
3	2	RTU--DC Door Mt.	RTU, Universal Controller, Panel Mount DC Tempest-MC's	$ 1,900.00	$ 3,800.00
4	2	SENSOR - Current	Current Sensor, Tempest-Series	$ 100.00	$ 200.00
5	2	KIT-FSK-32-DC	FSK, Format Card, for DC Mechanical Sirens	$ 218.00	$ 436.00
6		MR-VHF45W	Customer to Provide Radios		
7	2	KIT-RRM	Motorola 'Radio Interface, VHF & UHF (All)	$ 75.00	$ 150.00
8	2	KIT-OMNI-ANT-7	Antenna, VHF, 35' coax Omni-Directional	$ 274.94	$ 549.87
9	2	KIT-ARR-2	Lightning Arrestor, PL-259	$ 174.00	$ 348.00
10	2	BATT-1 M	Battery, 12V, Group 24 - Set of (4) for TEMPEST™ 48Vdc DC Controls for T-128	$ 791.00	$ 1,582.00
11	2	PM-4	Pole Mount - Tempest T-128	$ 370.00	$ 740.00
12					
13			**Command And Control Software & Hardware**		
14	1	CSC-960-FSK	Central Station Controller-960, FSK Format includes 10 programmable push buttons	$ 5,500.00	$ 5,500.00
15		MR-VHF45W	Customer to Provide Radio		
16	1	KIT-RRM	Motorola 'Radio Interface, VHF & UHF (All)	$ 75.00	$ 75.00
17	1	KIT-ARR-2	Lightning Arrestor, PL-259	$ 173.34	$ 173.34
18	1	KIT-OMNI-ANT-100-V	Antenna, VHF, 100' coax Omni-Directional	$ 381.36	$ 381.36
19	1	NEXGEn	CompuLert™ NEXGen Command and Control Server software with Google Chrome client. Requires Ubuntu LTS Server operating system, and Google Chrome for the Client	$ 7,500.00	N/C
20	1	Server	Customer is providing VM for NEXGen Preloaded with Ubuntu LTS and supporting environment for CompuLert™ NEXGen. Phone installation set up support of 8 hours.	$ 1,400.00	$ 1,400.00
21					
			I-Force 3200		
1	1	I-FORCE-3200	I-FORCE (4) Stack Omni or 2 direction config. Horn 3200Watt Speaker with 24VDC Inc. 3200 Watt Control NEMA 4X Aluminum Painted, & 50 ft. cable	$ 30,329.00	$ 30,329.00
2	1	KIT-FSK-32-AC-E	FSK Format Card, for DC Electronic Sirens	$ 173.00	$ 173.00
3	1	MSG	Message Board, Electronic	$ 400.00	$ 400.00
4		MR-VHF45W	Customer to Provide Radio		
5	1	KIT-RRM	Motorola 'Radio Interface, VHF & UHF (All)	$ 75.00	$ 75.00
6	1	KIT-OMNI-ANT-7	Antenna, VHF, 35' coax Omni-Directional	$ 274.94	$ 274.94
7	1	Lightning Arrestor	Lightning Arrestor, PL-259	$ 210.00	$ 210.00
8	1	BATT-2E	Battery, 12V, Group 24 - Set of (2) for E-Class, i-Force and ALL 24Vdc Voice Controls For Voice controls up to 1600 watts	$ 488.00	$ 488.00
9	1	PM-6	Pole Mount - IForce	$ 484.00	$ 484.00
22			**Installation**		
23		Install	City of Texarkana to Perform Installation		
24	1	Install	Installation of control point and NEXGEN software (if applicable)	$ 2,500.00	$ 2,500.00
25			**Other**		
26	1	Bid Type	Customs	$ -	$ -
27	1	Bid Type	Bond	$ -	$ -
28			**Rock Clause**		
29		Rock Clause	During the Augering Process should Rock or some other impenetrable Substrate be encountered and a Pier Drilling Rig or Secondary Pole Site be Required an Additional Fee May Apply		$ -
30			**System Commissioning**		
31	1	Commissioning	ASC Certified Installer to Perform Start Up and Commissioning of System. Provide One (1) Day of Operational and Maintenance Training on the System	$ 3,500.00	$ 3,500.00
32			**Shipping**		
33			**EXW:8600 W. Bradley Road, Milwaukee Wisconsin 53224**		$ 1,100.00
34			**Discount Only Applies to Equipment Does Not Apply to Installation & Commissioning**	25.00%	$ (21,605.38)
35			**Standard ASC Warranty Applies to Order**		**$ 71,916.13**
36			**Taxes - Not Included**		
37			**Project Totals - US Funds**		**$ 71,916.13**
				25% Due with order =	**$ 17,979.03**

Domestic Payment Terms:

All prices are in USD and Equipment Accounts are 25% due at time of order. (Engineering, Mobilization & Acquisition), 75% due Net 30 days upon shipment of equipment. If project is turn key installation contract 25% Down payment with 65% Net 30 days upon shipment of equipment to customer designated location or installers site with a 10% retainage. Net 10 days upon final start up and test of system. Payments tendered by Credit Card will be subject to a 4% processing Fee.

Validity: This quotation is valid for 30 days from date of issuance.

Shipping Terms: EXW Factory,8600 W. Bradley Road, Milwaukee Wisconsin 53224 in accordance with Incoterms® 2010.

Installation services: If installation services are provided in contract, all change orders will be authorized in writing before work is performed outside of the scope of the contract. If during installation of a system we encounter rock that cannot be removed by standard drill and pier methods, all work will stop and the customer will be notified of the situation before work resumes. Special equipment required to penetrate the rock or other site conditions as well as relocation of the site/pole will continue on a cost plus basis once authorized in writing by the customer.

These are standard ASC Terms and Conditions and are not reflective of negotiated or proposed contract language under invitations to bid or final requests for proposals. All international orders require a full wire transfer of funds to our bank in Milwaukee, WI.

Attachment: 2020-026 ATTH 01 Quote (2228 : 2020-026 RES Authorizing the purchase of warning sirens)

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

Perspectives	Goals
Serve the Community	☐ Promote an Environmentally Sensitive & Livable Community ☑ Provide a Safe Community ☑ Deliver Quality Services ☐ Foster a Healthy Community
Run the Operations	☑ Enhance Community Preparedness & Responsiveness ☐ Maximize Partnership Opportunities ☐ Provide Courteous & Responsive Customer Service ☐ Model a Positive City Image ☑ Deliver Efficient Services ☐ Cultivate Community Involvement & Access
Manage the Resources	☐ Maintain Fiscal Strength ☐ Maximize Utilization & Resources ☐ Invest in Infrastructure & Transportation
Develop Personnel	☐ Develop a Skilled & Diverse Workforce ☐ Create a Positive & Rewarding Work Culture

Perspectives and Goals Additional Comments:

NONE

Resource Impact:

Staff time required if item is approved:	No Additional

Other Potential Impacts:

NONE APPLICABLE

Public Information Plan:

☐	Newspaper Notice (Required by Statute)	☐	Public Hearing (Required by Statute)
☐	Public Forum/Input Session	☐	Press Release
☐	E-News Distribution	☐	Website Notice
☐	Social Media (Twitter, Facebook, etc.)	☐	Special Mailing
☐	Flyers Posted	☐	Banners Posted
☐	Survey	☐	Automated Phone Call
☑	None Required	☐	

Other:

Attachment: 2020-026 Goals & Perspectives (2228 : 2020-026 RES Authorizing the purchase of warning sirens)

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 2/19/2020 4:58 PM

Lead Department: Fire Department **Action Officer:** Eric Schlotter, Fire Chief

Subject: Ordinance No. 2020-011 approving certain technical amendments to Chapter 6 "Alarms" of the Code of Ordinances.

Briefing: 2/24/2020 **Public Hearing:** 3/9/2020 **Council Vote:** 3/9/2020

Item Schedule
Schedule 1: Brief twice - vote once (six weeks)

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

The item before you, if approved, would make technical amendments to Ch. 6 Article II of the Code of Ordinances for the City of Texarkana, Texas.

As you are aware, the council recently approved a contract with PMAM for the administration of our alarm program. In preparing for PMAM to begin administering our alarm program, we realized there were technical changes needed in the ordinance. The changes are minor and are a result of the automation of the alarm program. The changes include:

- Removing language that states that notices shall be sent through the mail
- Removing language that states that an application shall be made in writing
- Removing excessive language in section 6-25(d)
- Removing the term multi-family as a permit option
- Removing the requirement to list the dates of birth and addresses of a permit holders additional responsible parties, reducing the number of responsible parties from 3 to 2, and adding language that makes this section only applicable to commercial permits
- Changing the renewal date from 30 days to 60 days
- Removing the requirement to complete a false alarm prevention checklist
- Removing the requirement to keep the permit at the alarm site

The changes, if approved, do not fundamentally change the alarm program and they do not have a financial impact.

Potential Options:

- Approve ordinance as presented
- Reject ordinance

Fiscal Implications:

There are no fiscal implications with this ordinance.

Staff Recommendation:

Staff recommends approval.

Advisory Board/Committee Review:

NONE

Board/Committee Recommendation:

NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

Attachments

a. 2020-011 ORD amending Chapter 6 Alarms in code of ordinances (DOCX)
b. 2020-011 ATTH 01 Ch. 6 Article II revisions in redline (DOC)
c. 2020-011 Goals & Perspectives (DOCX)

Staff Coordination

Fire Department	Eric Schlotter 02/19/2020 3:33 PM	Department Head Review	Completed	
Municipal Prosecutor	Deborah Jones 02/20/2020 8:37 AM	Asst. City Attorney Review	Completed	
City Attorney	Jeffery C. Lewis	City Attorney Review	Completed	02/20/2020 9:11 AM
City Manager	Shirley Jaster	City Manager Review	Completed	02/20/2020 11:13 AM
City Council	Vicky Coopwood	Meeting	Pending	02/24/2020 6:00 PM

Meeting History

PUBLISH

Attachment: 2020-011 ORD amending Chapter 6 Alarms in code of ordinances (2211 : 2020-011 ORD Amending Ch. 6 (fire alarms) of the Code)

ORDINANCE NO. 2020 - 011

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, APPROVING TECHNICAL AMENDMENTS TO CHAPTER 6, "ALARMS", SECTIONS 6-25(d), 6-27, 6-29(b), AND 6-30(j), OF THE CODE OF ORDINANCES OF THE CITY OF TEXARKANA, TEXAS, TO ADDRESS UTILIZATION OF ELECTRONIC PROCESSES IN THE ADMINISTRATION OF ALARM PERMITS, REVISIONS OF PERMIT CLASSIFICATIONS AND RENEWALS, AND REVISIONS TO REQUIREMENTS FOR COMMERCIAL PERMIT APPLICATIONS; PROVIDING FOR PUBLICATION; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, by Resolution 2019-113, the City Council authorized contracting with a Texas-based company for the administration of alarm permits and collection of alarm fees; and

WHEREAS, City Staff submits and recommends technical amendments to Chapter 6 of the Code of Ordinances to address utilization of electronic processes in the administration of alarm permits, revision of permit classifications and renewals, and revision of requirements for commercial permit applications.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS:

SECTION 1: Section 6-25(d) of the Code of Ordinances of the City of Texarkana, Texas, is hereby amended in its entirety to read as follows:

(d) The law enforcement authority may respond to an alarm even when the alarm system has no alarm permit on file with the alarm administrator according to the provisions contained herein. After the response, the owner of the alarm system will be given notice of the requirement for an alarm permit and the false alarm service fee provisions of section 6-33.

SECTION 2: Section 6-27, "Alarm permit application", of the Code of Ordinances of the City of Texarkana, Texas, is hereby amended in its entirety to read as follows:

(a) Application for an alarm permit authorizing the operation of an alarm system shall be made by a person having control over the property on which the alarm system is to be installed and operated. Such application shall be made to the alarm administrator on a form designated for that purpose. Each application must include the following information:

(1) The name, mailing address and telephone numbers of the person who will be the permit holder;

(2) Copies of the assumed name registration if the alarm site will be operated under an assumed name; the partnership registration, if any, and the names and addresses of all general partners if the permit holder is to be a partnership; or the corporate charter with the names and addresses of the officers and registered agents or the certificate of authorization from the secretary of state if the permit holder is to be a corporation;

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(3) The street address of the property on which the alarm system is to be installed and operated;
(4) The classification of the alarm site as either residential or commercial;
(5) The number of alarm systems located at the alarm site and the classification of each of the alarm system as burglary, holdup, duress, panic or other and whether each is audible or silent;
(6) Any business name used for the alarm site;
(7) The type of business conducted at the alarm site;
(8) Any dangerous or special conditions present at the alarm site;
(9) The date of installation, conversion or takeover of the alarm system;
(10) The name, address and phone number of the alarm company performing the alarm system installation, conversion or takeover and responsible for providing repair service to the alarm system;
(11) The name, address and phone number of the alarm company monitoring the alarm system; and
(12) (For Commercial Permits Only) The names and telephone numbers of at least two (2) individuals who have agreed to the following: to receive notification of an alarm activation at any time; to arrive at the alarm site within 30 minutes after receiving a request from the law enforcement authority to do so; to grant access to the alarm site; and, if necessary, to deactivate the alarm system.

(b) The application shall be signed by the applicant for the alarm permit acknowledging that the application has been read, and affirming the correctness and accuracy of the information given on the application.

(c) The applicant shall sign a statement that the alarm site is in compliance with section 105-5 of the Land Development Code.

SECTION 3: Section 6-29(b) of the Code of Ordinances of the City of Texarkana, Texas, is hereby amended in its entirety to read as follows:

(b) An alarm permit shall expire one year from the date of issuance, and must be renewed annually by submitting an updated application and an alarm permit renewal fee to the alarm administrator. The alarm administrator shall notify each alarm user of the need to renew at least sixty (60) days prior to the expiration of the alarm permit. It is the responsibility of the alarm user to submit an application prior to the alarm permit expiration date. Failure to renew will be classified as use of a nonregistered alarm system. A late fee shall be assessed if the renewal is more than thirty (30) days late.

SECTION 4: Section 6-30(j) of the Code of Ordinances of the City of Texarkana, Texas, is hereby deleted in its entirety, with the following notation substituted:

(j) **Reserved.**

SECTION 5: The City Secretary shall give notice of the passage of this ordinance as provided in Article XI, Section 3, of the Charter of the City of Texarkana, Texas.

Attachment: 2020-011 ORD amending Chapter 6 Alarms in code of ordinances (2211 : 2020-011 ORD Amending Ch. 6 (fire alarms) of the Code)

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SECTION 6: This Ordinance shall be in full force and effect ten (10) days after its passage and approval.

PASSED AND APPROVED in Regular Council Session on this the **9th day of March, 2020**.

ATTEST:

JENNIFER EVANS, CITY SECRETARY	BOB BRUGGEMAN, MAYOR

Attachment: 2020-011 ORD amending Chapter 6 Alarms in code of ordinances (2211 : 2020-011 ORD Amending Ch. 6 (fire alarms) of the Code)

2020-011 ATTH 01

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ARTICLE II. - PERMITS

Sec. 6-25. - Alarm permit; law enforcement response.

(a) No alarm user shall operate, or cause to be operated, an alarm system at its alarm site without a valid alarm permit issued by the alarm administrator. A separate alarm permit is required for each alarm site.

(b) A response, if any, made by the law enforcement authority to an alarm dispatch request shall be subject to the policies and procedures of the law enforcement authority.

(c) The issuance of an alarm permit authorizing the use of an alarm system is not intended nor shall it create a contract, either express or implied, creating a duty or guarantee of response. Any and all liability and consequential damages resulting from the failure to respond to an alarm dispatch request is hereby disclaimed and governmental immunity, as provided by law, is retained.

(d) The law enforcement authority may respond to an alarm even when the alarm system has no alarm permit on file with the alarm administrator according to the provisions contained herein. After the response, the owner of the alarm system will be given notice of the requirement for an alarm permit and the false alarm service fee provisions of section 6-33. ~~Such notice shall be sent by first class mail through the United States Postal Service to the physical address of the alarm site. The notice shall contain a statement that outlines the requirement for an alarm permit and the procedures for obtaining an alarm permit. The notice shall advise the alarm system owner that the law enforcement authority may respond to any future alarms, and the owner of the alarm system is subject to a fine for violations of this section.~~

(e) The law enforcement authority may respond to an alarm site where the alarm permit has been revoked. The owner of the alarm system is subject to a fine for violations of this section.

(f) If an alarm site emits multiple false alarms within a 24-hour period, the law enforcement authority is not required to respond when it is apparent that the alarm system is malfunctioning resulting in multiple false alarms.

(Code 1961, § 3A-26; Ord. No. 151-02, § 1, 6-24-2002; Ord. No. 002-08, § 1, 1-28-2008)

Sec. 6-26. - Alarm systems in multifamily complexes.

(a) A tenant in a multifamily complex with an alarm system shall obtain an alarm permit from the alarm administrator before operating or causing the operation of an alarm system in the tenant's residential unit.

(b) The owner or property manager of a multifamily complex shall obtain a separate alarm permit for any alarm system operated in offices or common areas of the complex.

(c) If an alarm system installed by an individual tenant in a multifamily complex unit is monitored, the tenant must provide the name, address and phone number of a representative of the owner or property manager who can grant access to the residential unit.

(d) For the purpose of enforcing this chapter against an individual residential unit, the tenant is responsible for false alarms emitted from the alarm system in the tenant's residential unit.

(e) Each residential unit shall be considered an alarm site.

(Code 1961, § 3A-27; Ord. No. 151-02, § 1, 6-24-2002)

Sec. 6-27. - Alarm permit application.

Attachment: 2020-011 ATTH 01 Ch. 6 Article II revisions in redline (2211 : 2020-011 ORD Amending Ch. 6 (fire alarms) of the Code)

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(a) Application for an alarm permit authorizing the operation of an alarm system shall be made by a person having control over the property on which the alarm system is to be installed and operated. Such application shall be made ~~in writing~~ to the alarm administrator on a form designated for that purpose. Each application must include the following information:

(1) The name, mailing address and telephone numbers of the person who will be the permit holder;

(2) Copies of the assumed name registration if the alarm site will be operated under an assumed name; the partnership registration, if any, and the names and addresses of all general partners if the permit holder is to be a partnership; or the corporate charter with the names and addresses of the officers and registered agents or the certificate of authorization from the secretary of state if the permit holder is to be a corporation;

(3) The street address of the property on which the alarm system is to be installed and operated;

(4) The classification of the alarm site as either residential~~, multifamily~~ or commercial;

(5) The number of alarm systems located at the alarm site and the classification of each of the alarm system as burglary, holdup, duress, panic or other and whether each is audible or silent;

(6) Any business name used for the alarm site;

(7) The type of business conducted at the alarm site;

(8) Any dangerous or special conditions present at the alarm site;

(9) The date of installation, conversion or takeover of the alarm system;

(10) The name, address and phone number of the alarm company performing the alarm system installation, conversion or takeover and responsible for providing repair service to the alarm system;

(11) The name, address and phone number of the alarm company monitoring the alarm system; and

(12) (For Commercial Permits Only) The names, ~~dates of birth,~~ and ~~local~~ telephone numbers of at least ~~three~~ two (2) individuals who have agreed to the following: to receive notification of an alarm activation at any time; and come to the alarm site within 30 minutes after receiving a request from the law enforcement authority to do so, grant access to the alarm site, and, if necessary, deactivate the alarm system.

(b) The application shall be signed by the applicant for the alarm permit acknowledging that the application has been read, and affirming the correctness and accuracy of the information given on the application.

(d) The applicant shall sign a statement that the alarm site is in compliance with section 105-5.

(Code 1961, § 3A-28; Ord. No. 151-02, § 1, 6-24-2002)

Sec. 6-28. - Denial or revocation of alarm permit.

(a) The alarm administrator may deny or revoke an alarm permit, as applicable, if it is determined that:

(1) There is a false statement of a material matter in the application for an alarm permit;

(2) The applicant has failed to pay the fee for the alarm permit or alarm permit renewal as required by section 6-29;

(3) The permit holder has violated a provision of this chapter;

(4) The permit holder has failed to pay a service fee assessed under section 6-33 within 30 days of receiving notice to do so; or

Attachment: 2020-011 ATTH 01 Ch. 6 Article II revisions in redline (2211 : 2020-011 ORD Amending Ch. 6 (fire alarms) of the Code)

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(5) More than ten false alarms have been activated at an alarm site during a 12-month alarm permit period.

(b) Within ten days of receipt of an application for an alarm permit, the alarm administrator shall issue an alarm permit or deny the application.

(c) A person commits an offense if the person operates an alarm system during the period in which the alarm permit is revoked.

(d) The alarm administrator shall provide at least 30 days written notice to the permit holder prior to revocation of the alarm permit.

(e) Upon revocation of an alarm permit, the permit holder must wait for a period of six months from the date of revocation before applying for a new alarm permit.

(Code 1961, § 3A-29; Ord. No. 151-02, § 1, 6-24-2002)

Sec. 6-29. - Alarm permit fee and term.

(a) There shall be an annual fee for an alarm permit or alarm permit renewal for an alarm site. No refund of an alarm permit fee or alarm permit renewal fee will be made. The initial alarm permit fee must be submitted to the alarm administrator with the completed application for the alarm permit.

(b) An alarm permit shall expire one year from the date of issuance, and must be renewed annually by submitting an updated application and an alarm permit renewal fee to the alarm administrator. The alarm administrator shall notify each alarm user of the need to renew at least sixty (60)~~30~~ days prior to the expiration of the alarm permit. It is the responsibility of the alarm user to submit an application prior to the alarm permit expiration date. Failure to renew will be classified as use of a nonregistered alarm system. A late fee shall~~can~~ be assessed if the renewal is more than 30 days late.

(c) An alarm permit cannot be transferred to another person or alarm site.

(d) No annual fee for an alarm permit or alarm permit renewal will be assessed for an alarm site that houses a federal, state or local government agency.

(e) The permit fees appearing in this section shall be in an amount as established by the city council from time to time and is on file in the city secretary's office and city website.

(Code 1961, § 3A-30; Ord. No. 151-02, § 1, 6-24-2002)

Sec. 6-30. - Duties of the permit holder.

(a) The permit holder shall come or cause a representative to come to the alarm site within 30 minutes after receiving a request from the law enforcement authority to do so, grant access to the alarm site, and, if necessary, deactivate the alarm system.

(b) The permit holder shall maintain the premises and the alarm system in a manner that will minimize or eliminate false alarms. Functional batteries for battery backup systems must be in place at all times to prevent false alarms due to power failure or power surge.

(c) The permit holder shall not manually activate an alarm system for any reason other than an occurrence of an event that the alarm system was intended to report.

(d) The permit holder shall not manually activate a duress alarm or a panic alarm when a life threatening or emergency situation requiring law enforcement response does not exist.

(e) The permit holder shall not manually activate a holdup alarm unless a robbery is in progress.

(f) The permit holder shall adjust the mechanism or cause the mechanism to be adjusted so that an alarm signal audible on the exterior of an alarm site will sound for no longer than 15 minutes.

Attachment: 2020-011 ATTH 01 Ch. 6 Article II revisions in redline (2211 : 2020-011 ORD Amending Ch. 6 (fire alarms) of the Code)

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Additionally, the audible alarm must not make a sound similar to that of a siren or any emergency vehicle or similar to that of a civil defense warning system.

(g) The permit holder shall train all persons who may activate the alarm system in the proper operation of the alarm system.

(h) The permit holder will be responsible for all fees and fines associated with the alarm permit or the operation of the alarm system.

(i) The permit holder shall not use automatic voice dialers.

(j) Reserved.~~(j) The permit holder shall keep the alarm permit at the alarm site and shall produce such alarm permit for inspection upon request of the law enforcement authority.~~

(k) The permit holder shall maintain a set of written operating instructions for each alarm system at the alarm site.

(l) The permit holder shall ensure that the alarm system is repaired within 72 hours of the time of notification by the alarm administrator that an alarm system is malfunctioning or causing potential excessive false alarms. The permit holder may cause the alarm system to be deactivated rather than having it repaired. If deactivated, the alarm system should not be reactivated until it has been repaired.

(m) The permit holder shall file an amendment to the application whenever an individual listed under section 6-27(a)(12) of the application is unable or unwilling to perform the duties as set out therein. The permit holder shall amend the application so that at all times the application on file with the alarm administrator includes at least three individuals who are willing and able to perform the required duties.

(n) The permit holder shall inform the alarm administrator of any change that alters any information listed on the alarm permit application within five business days of the change.

(Code 1961, § 3A-31; Ord. No. 151-02, § 1, 6-24-2002)

Sec. 6-31. - Duties of alarm company.

(a) Upon enactment of this chapter, alarm companies shall use control panels tested for conformance to the Security Industry Association (SIA) control panel standard features for false alarm reduction.

(b) Upon enactment of this chapter, alarm companies shall not program alarm systems so that they are capable of sending one plus duress alarms. Alarm companies may continue to report one plus duress alarms received from alarm systems programmed with one plus duress prior to enactment of this chapter. However, upon enactment of this chapter when a takeover or conversion occurs, an alarm company must remove the one plus duress alarm capability from the alarm system.

(c) Upon enactment of this chapter, alarm companies shall not install a device activating a holdup alarm which is a single nonrecessed button. An alarm company must remove all single action nonrecessed buttons when a takeover or conversion occurs.

(d) An alarm company performing monitoring services shall:

(1) Attempt to verify every alarm signal, except a duress, panic or holdup alarm activation, before requesting law enforcement response to an alarm system signal;

(2) Communicate cancellations to the law enforcement authority immediately upon determination that a false dispatch has occurred;

(3) Communicate any available information (north, south, front, back, floor, etc.) about the location of the alarm; and

(4) Communicate type of alarm activation (silent or audible, interior or perimeter).

Attachment: 2020-011 ATTH 01 Ch. 6 Article II revisions in redline (2211 : 2020-011 ORD Amending Ch. 6 (fire alarms) of the Code)

2020-011 ATTH 01

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(e) An alarm company shall notify the law enforcement authority before performing mechanical or technical testing on a alarm system that may cause a false alarm dispatch.

(Code 1961, § 3A-32; Ord. No. 151-02, § 1, 6-24-2002)

Sec. 6-32. - Alarm company license.

The alarm administrator may file a complaint with the state commission on private security when an alarm company fails to comply with the duties listed in section 6-31.

(Code 1961, § 3A-33; Ord. No. 151-02, § 1, 6-24-2002)

Sec. 6-33. - False alarm service fee.

(a) An alarm user shall pay a false alarm service fee for each false alarm emitted from an alarm site that is in excess of six false alarms within a 12-month alarm permit period. The false alarm fee shall be in an amount as established by the city council from time to time and is on file in the city secretary's office or city website.

(b) No false alarm service fee will be assessed during the first 30 days on newly installed alarm systems. False alarms during that period will not be counted in determining when a false alarm service fee will be assessed.

(c) If a false alarm is caused by a highly unusual weather condition, the false alarm will not be counted in determining when a false alarm service fee will be assessed. Highly unusual weather conditions include lightning storms, hurricane type winds in excess of 60 miles per hour, and other meteoric conditions which are not common to the city.

(d) If an alarm site emits multiple false alarms within a 24-hour period and the permit holder can prove, in writing, that the false alarms were caused by a mechanical malfunction of the alarm system, then all multiple false alarms will be counted as one false alarm for the purpose of this section.

(e) No false alarm service fee will be assessed for an alarm site that houses a federal, state or local government agency.

(Code 1961, § 3A-34; Ord. No. 151-02, § 1, 6-24-2002)

Sec. 6-34. - Alarm system requirements.

No person shall install, cause to be installed, or permit to be installed any alarm system unless the requirements of this section are met:

(1) Any local alarm system shall have a 15-minute shutoff and must not make a sound similar to that of a siren or any emergency vehicle or similar to that of a civil defense warning system.

(2) No holdup alarm shall include a money-clip, pressure pad, or similar device which can cause activation inadvertently; and any holdup alarm shall be designated so that it may be activated only by intentional and deliberate human action.

(3) No local alarm shall be activated by a holdup alarm.

(4) No person shall use or permit the use of any telephone device or telephone attachment which automatically selects any telephone line leading into the communication center of the law enforcement authority or any number leading into the offices of the city and then transmits a prerecorded message or signal.

Attachment: 2020-011 ATTH 01 Ch. 6 Article II revisions in redline (2211 : 2020-011 ORD Amending Ch. 6 (fire alarms) of the Code)

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(5) No person shall use or permit the use of any alarm system which gives notification of the activation of an alarm system directly to the law enforcement authority by any means other than live human voice.

(6) All alarm systems shall be equipped with a battery backup system.

(Code 1961, § 3A-35; Ord. No. 151-02, § 1, 6-24-2002)

Sec. 6-35. - Violations.

(a) A person commits an offense if the person violates by commission or omission any provision of this chapter that imposes upon the person a duty or responsibility.

(b) It shall be unlawful and a violation of this chapter for any person to operate a nonregistered alarm system whether said alarm system is revoked or never acquired.

(c) It shall be unlawful and a violation of this chapter for a permit holder to fail to comply with the duties listed in section 6-30.

(d) It shall be unlawful and a violation of this chapter for any alarm company to fail to comply with the duties listed in section 6-31.

(e) The penalty for a violation of the chapter shall be a fine of not less than $100.00 nor more than $500.00.

(f) Each day a violation shall be permitted to exist shall constitute a separate offense.

(g) Proof of a culpable mental state is not required for conviction of an offense or violation under this chapter. It is the intent of the city to dispense with the requirement of any culpable mental state in prosecutions filed hereunder.

(Code 1961, § 3A-36; Ord. No. 151-02, § 1, 6-24-2002)

Sec. 6-36. - Appeal of service fee, denial or revocation of alarm permit.

(a) Any permit holder assessed a service fee under section 6-33 may appeal the decision of the alarm administrator to the chief of police within ten days of receipt of notice of assessment of such fee and in the same manner for other appeals provided for herein.

(b) If the alarm administrator refuses to issue or renew an alarm permit, or revokes an alarm permit, written notice shall be sent to the applicant or permit holder by certified mail, return receipt requested. The notice shall include:

(1) The specific dates on which there have been false alarm dispatches from the alarm system, if revocation is based upon section 6-28(a)(5);

(2) The amount of any service fees assessed under section 6-33 that are due and owing and the date such fees were incurred, if revocation is based upon section 6-28(a)(4);

(3) That the applicant or permit holder may appeal the decision of the alarm administrator to the chief of police by filing with the chief of police a written request for a hearing, setting forth the reasons for the appeal, within ten days after receipt of the notice from the alarm administrator;

(4) That if a request for an appeal hearing is not made within the ten-day period, the action of the alarm administrator is final; and

(5) That the filing of a request for an appeal hearing with the chief of police stays an action of the alarm administrator in revoking an alarm permit until the chief of police makes a final decision.

(c) The chief of police shall set a time and place for the appeal hearing within 20 days of a request. Notice of the appeal hearing shall be served upon the applicant or permit holder by certified mail,

Attachment: 2020-011 ATTH 01 Ch. 6 Article II revisions in redline (2211 : 2020-011 ORD Amending Ch. 6 (fire alarms) of the Code)

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return receipt requested. The chief of police shall hear the appeal and consider evidence by any interested person. The formal rules of evidence do not apply at such an appeal hearing. All parties to the hearing shall have the right to present evidence and shall have the right of cross-examination. The chief of police shall make the chief of police decision based upon a preponderance of the evidence within ten days after the appeal hearing. The chief of police shall affirm, reverse or modify the action of the alarm administrator. The decision of the chief of police is final as to administrative remedies with the city.

(Code 1961, § 3A-37; Ord. No. 151-02, § 1, 6-24-2002)

Sec. 6-37. - Confidentiality.

To the extent allowed by law, the city shall treat all information on the application for an alarm permit as confidential; provided, however, that nothing in this chapter shall prohibit the use of such information for legitimate purposes relating to the health, safety and well-being of the community and for enforcement of the terms and provisions of this chapter.

(Code 1961, § 3A-38; Ord. No. 151-02, § 1, 6-24-2002)

Attachment: 2020-011 ATTH 01 Ch. 6 Article II revisions in redline (2211 : 2020-011 ORD Amending Ch. 6 (fire alarms) of the Code)

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

Perspectives	Goals
Serve the Community	☐ Promote an Environmentally Sensitive & Livable Community ☐ Provide a Safe Community ☑ Deliver Quality Services ☐ Foster a Healthy Community
Run the Operations	☐ Enhance Community Preparedness & Responsiveness ☑ Maximize Partnership Opportunities ☑ Provide Courteous & Responsive Customer Service ☐ Model a Positive City Image ☑ Deliver Efficient Services ☐ Cultivate Community Involvement & Access
Manage the Resources	☐ Maintain Fiscal Strength ☑ Maximize Utilization & Resources ☐ Invest in Infrastructure & Transportation
Develop Personnel	☐ Develop a Skilled & Diverse Workforce ☐ Create a Positive & Rewarding Work Culture

Perspectives and Goals Additional Comments:

NONE

Resource Impact:

Staff time required if item is approved:	No Additional

Other Potential Impacts:

NONE APPLICABLE

Public Information Plan:

☐	Newspaper Notice (Required by Statute)	☑	Public Hearing (Required by Statute)
☐	Public Forum/Input Session	☐	Press Release
☐	E-News Distribution	☐	Website Notice
☐	Social Media (Twitter, Facebook, etc.)	☐	Special Mailing
☐	Flyers Posted	☐	Banners Posted
☐	Survey	☐	Automated Phone Call
☑	None Required	☐	

Other:

Attachment: 2020-011 Goals & Perspectives (2211 : 2020-011 ORD Amending Ch. 6 (fire alarms) of the Code)

City of Texarkana, Texas

Version:

Briefing Sheet

Update Date: 2/20/2020 11:31 AM

Lead Department: Planning and Community Development **Action Officer:** Debbie Burk,

Subject: Ordinance No. 2020-018 amending PD-18-2(C) for revision to the site plan to allow new signage for a collision center on Lot 1, Block 2, Classic Auto Park East Subdivision, located at 924 Kenwood Road. Gregg Orr, applicant. MTG Engineers & Surveyors, agent.

Briefing: 2/24/2020 **Public Hearing:** 3/9/2020 **Council Vote:** 3/9/2020

Item Schedule

Schedule 1: Brief twice - vote once (six weeks)

Updates/History of Briefing:

"NOT APPLICABLE"

Executive Summary and Background Information:

Amendment to PD-18-2(C): This is a request for a revision to the site plan by Gregg Orr, owner, and Kayla Wood, MTG Engineers & Surveyors, agent, on Lot 1, Block 2, Classic Auto Park East, located at 924 Kenwood Road. The proposed use is a sign for a collision center for Mr. Orr that is currently under construction. See attached site plan for exact location.

The adjacent zoning is Planned Development-General Retail to the north and east, Planned Development-Commercial to the west and General Retail to the south. The adjacent land use is a restaurant (Golden Corral) to the north, vacant land to the south and Gregg Orr's development and property to the west.

This new development which includes the collision center, an RV sales building and marine service center are being constructed in phases. The site plan for these uses was previously approved by the Planning and Zoning Commission and City Council. However, the signage for the collision center was not included in that approval process.

The collision center is being constructed along the new extension of Kenwood Road which is presently under construction. Since the collision center does not front on Mall Drive and is located behind the Golden Corral restaurant, Mr. Orr is wanting as much visibility as possible from Mall Drive. This request for signage for this new business is to allow a 35' internally lit pole sign to be located at the northwest corner of the site. The applicant has submitted a rendering of the proposed signage (see attached Exhibit 'A').

Staff recommends for approval of the proposed 35' pole signage.

All notification and application requirements have been met to consider this request.

Potential Options:

"None"

Fiscal Implications:

None

Staff Recommendation:

Staff recommends for approval of the proposed 35' pole signage.

Advisory Board/Committee Review:

Planning and Zoning Commission

Board/Committee Recommendation:

The Planning and Zoning Commission unanimously recommended for approval of the request.

Advisory Board/Committee Meeting Date and Minutes:

February 3, 2020

Attachments

a. 2020-018 ORD amending site plan to allow signage (DOCX)
b. 2020-018 EXH 'A' (sign rendering) (PDF)
c. 2020-018 ATTH 01 (Maps) (PDF)
d. 2020-018 ATTH 02 (site plan showing sign location) (PDF)
e. 2020-018 ATTH 03 (photo of site) (PDF)
f. 2020-018 Goals & Perspectives (DOCX)

Staff Coordination

Planning and Community Development		David Orr	Department Head Review	Completed 02/13/2020 3:29 PM
City Manager	Shirley Jaster	City Manager Review	Completed	02/13/2020 4:40 PM
City Council	Vicky Coopwood	Meeting	Pending	02/24/2020 6:00 PM

Meeting History

Amendment to
PD-18-2(C)

ORDINANCE NO. 2020-018

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING PD-18-2(C) FOR REVISION TO THE SITE PLAN TO ALLOW SIGNAGE FOR A COLLISION CENTER LOCATED ON A PORTION OF AN 8.04 ACRE TRACT OF LAND IN THE GEORGE BRINLEE HRS, A-18 (LOT 1, BLOCK 2, CLASSIC AUTO PARK EAST), LOCATED AT 924 KENWOOD ROAD IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS, CONTAINING A REPEALER CLAUSE; CONTAINING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, an application has been filed requesting a **revision to the site plan to allow signage for a collision center (Exhibit 'A')** on a portion of an 8.04 acre tract of land in the George Brinlee HRS, A-18 (Lot 1, Block 2, Classic Auto Park East), located at 924 Kenwood Road in the City of Texarkana, Bowie County, Texas; and

WHEREAS, the subject property is zoned Planned Development-Commercial [PD-18-2(C)] and approval of the sign **(Exhibit 'A')** would constitute an amendment to PD-18-2(C); and

WHEREAS, the proposed use is consistent with the listed uses in the Land Development Code for the zoning classification of Planned Development-Commercial; and

WHEREAS, the Planning and Zoning Commission of the City of Texarkana, Texas, and the City Council of the City of Texarkana, Texas, in compliance with the laws of the State of Texas with reference to the granting of this amendment, have given the requisite notices by publication and otherwise, and have afforded and held full and fair hearings to all property owners generally and to all persons interested and situated in the affected area and in the vicinity thereof; and

WHEREAS, after consideration of said application, the Planning and Zoning Commission of the City of Texarkana, Texas, voted **unanimously by a vote of six (6) to zero (0) to recommend approval of the petition for revision to the site plan to allow signage (Exhibit 'A')** to the City Council of the City of Texarkana, Texas; and

WHEREAS, after consideration of said application and the recommendation of the Planning and Zoning Commission, the City Council of the City of Texarkana, Texas, does hereby find that the approval of the site plan for the above described property is in the best interest of the public health, safety, morals and general welfare of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS:

SECTION 1: That the revision to the site plan to allow signage **(Exhibit 'A')** for a collision center on a portion of an 8.04 acre tract of land in the George Brinlee HRS, A-18 (Lot 1, Block 2, Classic Auto Park East), located at 924 Kenwood Road in the City of Texarkana, Texas, Bowie County, Texas, is hereby approved and hereby amends PD-18-2(C).

Attachment: 2020-018 ORD amending site plan to allow signage (2224 : 2020-018 ORD amending PD-18-2(C) for revision to site plan at 924

SECTION 2: PD-18-2(C) is hereby amended for a revision to the site plan to allow the following type of signage for a collision center (**Exhibit 'A'**), incorporated herein by reference for all purposes:

- A 35' internally lit pole sign to be located at the northwest corner of the collision center site.

SECTON 3: It is further provided that in case a section, clause, sentence or part of this ordinance shall be deemed or adjudged by a court of competent jurisdiction to be invalid, then such invalidity shall not affect, impair, or invalidate the remainder of this ordinance.

SECTION 4: All ordinances or parts of ordinances in conflict herewith are specifically repealed to the extent of such conflict.

SECTION 5: That this ordinance shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED in Regular Council Session on this the **9th day of March, 2020.**

ATTEST:

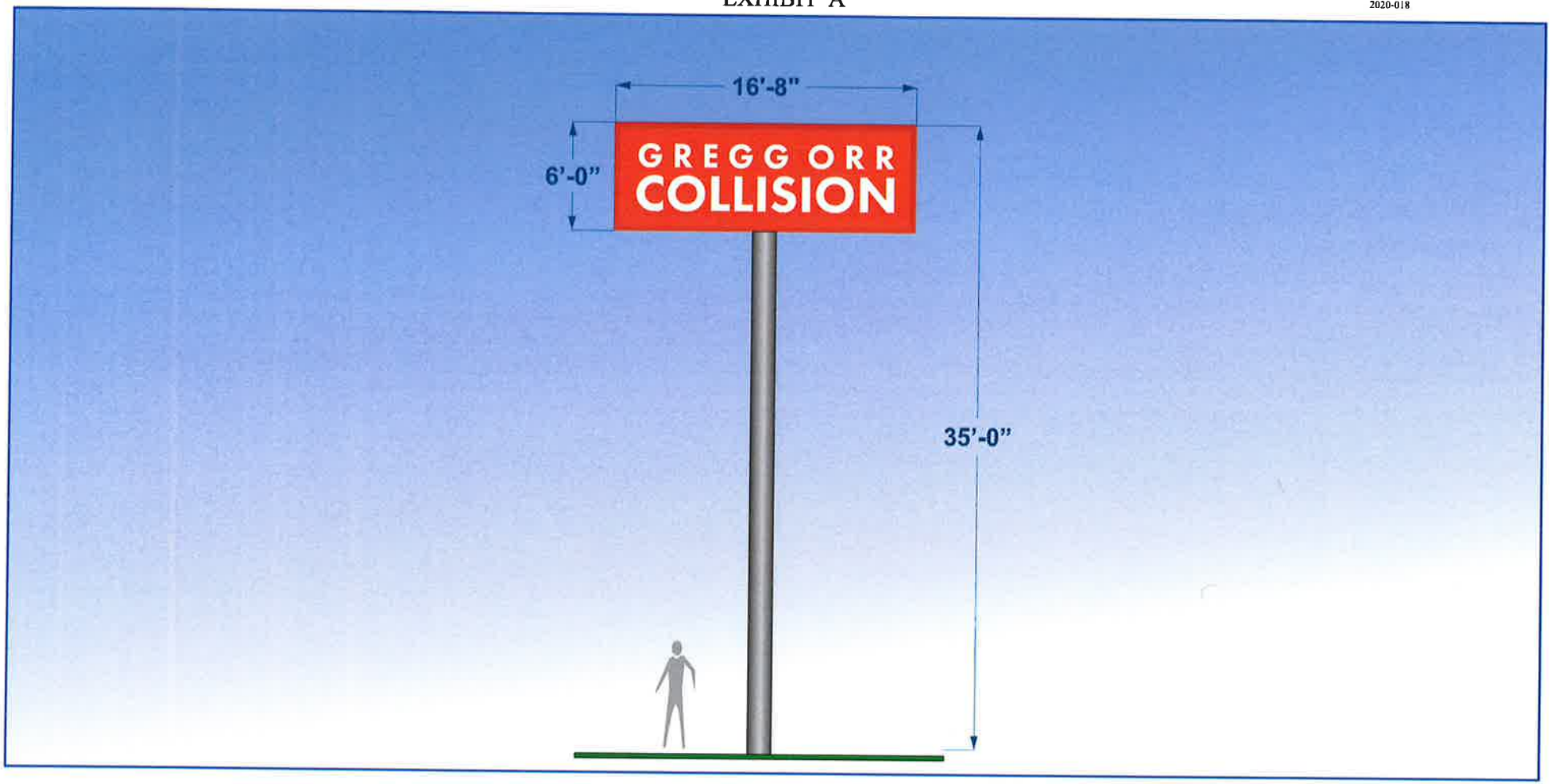
_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: 2020-018 ORD amending site plan to allow signage (2224 : 2020-018 ORD amending PD-18-2(C) for revision to site plan at 924

EXHIBIT 'A'

2020-018



Gregg Orr Collision

Gregg Orr Collision	Customer Approval	Notes:
File: Gregg Orr Collision Date: 12-17-19 Customer: Gregg Orr Location: Texarkana TX	Change As Noted	This is an original, unpublished drawing. It is not to be reproduced, copied, or edited in any fashion without written permission from White Sign Company. This drawing may contain copyrighted designs furnished to White Sign Company by the customer, all other designs herein are the property of White Sign Company. © Copyright 2019

All electrical components will be UL approved, all wiring will comply with UL & NEC requirements.

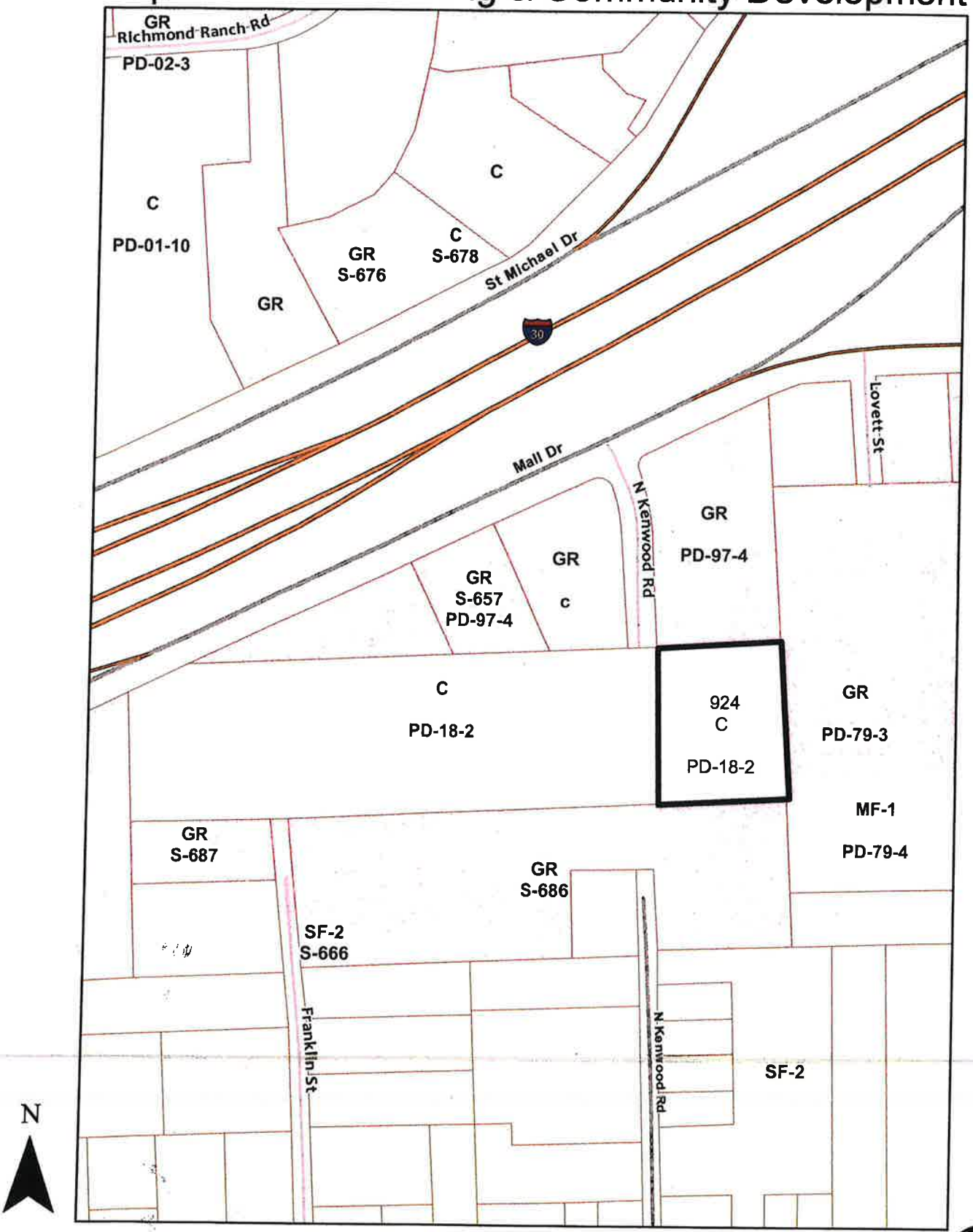
Signs will bear the UL mark.

All signs will be engineered to meet or exceed local wind load requirements.

white sign
Main Office
3501 Stoneledge Dr.
Texarkana, TX 75503
903 280 7849
WHITESIGN.com

Attachment: 2020-018 EXH 'A' (sign rendering) (2224 : 2020-018 ORD amending PD-18-2(C) for revision to

924 Kenwood Drive
Department of Planning & Community Development



1:3,000

Attachment: 2020-018 ATTH 01 (Maps) (2224 : 2020-018 ORD amending PD-18-2(C) for revision to site plan at 924 Kenwood Rd.)

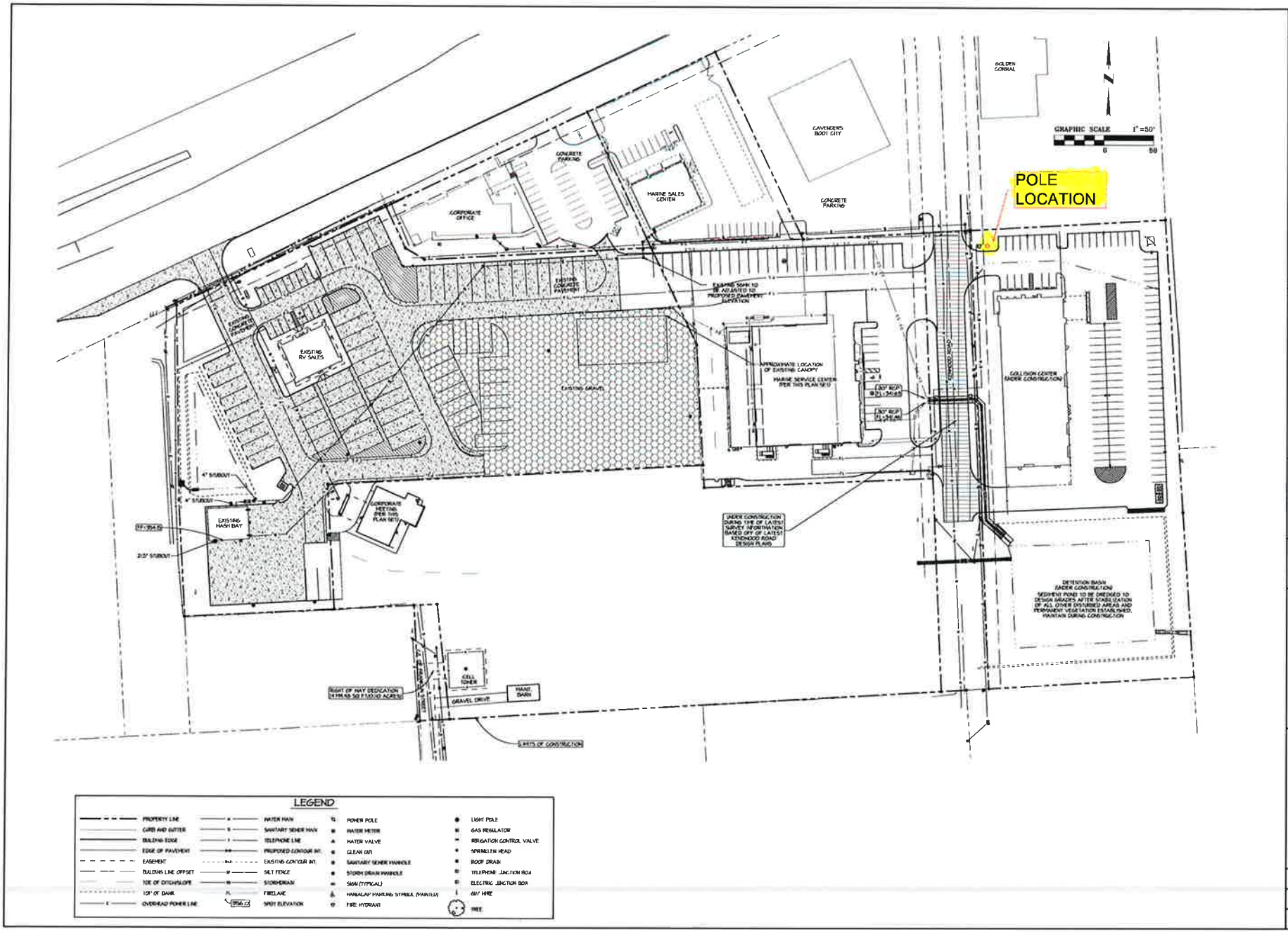
924 Kenwood Drive
Department of Planning & Community Development

N

1:1,500

Attachment: 2020-018 ATTH 01 (Maps) (2224 : 2020-018 ORD amending PD-18-2(C) for revision to site plan at 924 Kenwood Rd.)

2020-018 (ATTH 02)



MTG engineers & surveyors

12/4/2019

MARINE SERVICE AND CORP MEETING
TEXARKANA, TX
GREGG ORR

OVERALL MASTER PLAN

Drawing Date 12/4/2019
Project Number 186034
Sheet Number C2

Attachment: 2020-018 ATTH 02 (site plan showing sign location) (2224 : 2020-018 ORD amending PD-18-

924 N. Kenwood Rd.
City of Texarkana, Texas

2020-018 (ATTH 03)

Attachment: 2020-018 ATTH 03 (photo of site) (2224 : 2020-018 ORD amending PD-18-2(C) for revision to

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

Perspectives	Goals
Serve the Community	☐ Promote an Environmentally Sensitive & Livable Community ☐ Provide a Safe Community ☐ Deliver Quality Services ☐ Foster a Healthy Community
Run the Operations	☐ Enhance Community Preparedness & Responsiveness ☐ Maximize Partnership Opportunities ☐ Provide Courteous & Responsive Customer Service ☑ Model a Positive City Image ☐ Deliver Efficient Services ☑ Cultivate Community Involvement & Access
Manage the Resources	☐ Maintain Fiscal Strength ☐ Maximize Utilization & Resources ☑ Invest in Infrastructure & Transportation
Develop Personnel	☐ Develop a Skilled & Diverse Workforce ☐ Create a Positive & Rewarding Work Culture

Perspectives and Goals Additional Comments:

NONE

Resource Impact:

NA	No Additional

Other Potential Impacts:

NA

Public Information Plan:

☑	Newspaper Notice (Required by Statute)	☑	Public Hearing (Required by Statute)
☐	Public Forum/Input Session	☐	Press Release
☐	E-News Distribution	☑	Website Notice
☐	Social Media (Twitter, Facebook, etc.)	☑	Special Mailing
☐	Flyers Posted	☐	Banners Posted
☐	Survey	☐	Automated Phone Call
☑	None Required	☑	Sign Posted

Other:

Attachment: 2020-018 Goals & Perspectives (2224 : 2020-018 ORD amending PD-18-2(C) for revision to site plan at 924 Kenwood Rd.)

City of Texarkana, Texas

Version: A

Briefing Sheet

Update Date: 2/14/2020 10:39 AM

Lead Department: Planning and Community Development **Action Officer:** Debbie Burk,

Subject: Ordinance No. 2020-019 granting a Specific Use Permit to allow a tattoo studio in a tenant space located at 3216 Texas Boulevard (Lots 7 & 8, Block 29, Ghio-Fish Boulevard Addition). Bryan Callaway, applicant. Joaquin Hernandez, agent.

Briefing: 2/24/2020 **Public Hearing:** 3/9/2020 **Council Vote:** 3/9/2020

Item Schedule

Schedule 1: Brief twice - vote once (six weeks)

Updates/History of Briefing:

"NOT APPLICABLE"

Executive Summary and Background Information:

S-713: This is a request by Bryan Callaway, owner, and Joaquin Hernandez, agent, for a Specific Use Permit, SUP, to allow a tattoo studio and art studio/gallery on Lots 7 & 8, Block 29, Ghio-Fish Boulevard Addition, located at 3216 Texas Boulevard. This is a vacant tenant space in a strip center that is owned by Mr. Callaway. This request is to add the one additional use of a tattoo studio. The proposed tenant, Mr. Hernandez, has indicated that he also plans to utilize this space as an art studio and gallery which will be the primary use of the property. Mr. Hernandez also has stated that clients will be seen by appointment only.

The adjacent zoning is General Retail to the north, west and south and Town House zoning to the east. The adjacent land use is an automobile repair shop to the north, a city building to the south (former fire station), residences to the west and a townhouse development under construction to the east.

This property is zoned General Retail. A Specific Use Permit is required to allow the one additional use of a tattoo studio in this zoning district. The tattooing and art studio/gallery will be by appointment only. Mr. Hernandez indicated that he would only do one appointment per day. The application of permanent cosmetics is also considered a tattoo as well as any inked body art. The State of Texas will regulate this business as to licensing and other health related issues. This request meets all city requirements to allow the one additional use of a tattoo studio on this property. It appears that there is adequate parking for this business.

Staff recommends for approval of this request with the following stipulations:

1. That the owner/or any employee performing the application of tattooing procedures be currently licensed by the State and meet all Federal, State and

City licensing laws and health regulations. (A copy of the current license must be provided to the City prior to the opening of the business).

2. That any tattooing will be by "appointment only".
3. That if any complaints concerning minors or any violations of the regulations listed above occur, the City has the right to revoke the Specific Use Permit.
4. That if this use ever ceases at this location, the City may revoke the Specific Use Permit that allows a tattoo studio.
5. That the sale of tobacco products or drug paraphernalia is prohibited.
6. That any remodeling of the current building meets all city codes and requires licensed contractors.
7. That no painting of the windows or the building with advertisement or graphic art is allowed.
8. No loitering allowed.

Potential Options:

"None"

Fiscal Implications:

None

Staff Recommendation:

Staff recommends for approval of this request with stipulations.

Advisory Board/Committee Review:

Planning and Zoning Commission

Board/Committee Recommendation:

The Planning and Zoning Commission unanimously recommended for approval of the Specific Use Permit with stipulations.

Advisory Board/Committee Meeting Date and Minutes:

February 3, 2020

Attachments

a. 2020-019 ORD granting SUP for tattoo studio at 3216 Texas (DOCX)
b. 2020-019 ATTH 01 (Maps) (PDF)
c. 2020-019 ATTH 02 (photo of site) (PDF)
d. 2020-019 ATTH 03 (photos of exterior, logo, paintings, tattoos) (PDF)
e. 2020-019 Goals & Perspectives (DOCX)

Staff Coordination

Planning and Community Development	David Orr	Department Head Review	Completed 02/13/2020 3:30 PM
City Manager	Shirley Jaster	City Manager Review	Completed 02/20/2020 10:43 AM

City of Texarkana, Texas

City Council 6:00 PM	Vicky Coopwood	Meeting	Pending	02/24/2020

Meeting History

ORDINANCE NO. 2020-019 S-713

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING THE ZONING MAP SHOWING THE LOCATION, BOUNDARY AND USE OF CERTAIN PROPERTY BY THE GRANTING OF SPECIFIC USE PERMIT NO. S-713 TO ALLOW THE ONE ADDITIONAL USE OF A TATTOO STUDIO ON LOTS 7 & 8, BLOCK 29, GHIO-FISH BOULEVARD ADDITION, LOCATED IN A TENANT SPACE AT 3216 TEXAS BOULEVARD, IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS; CONTAINING A REPEALER CLAUSE; CONTAINING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, an application has been filed with the City of Texarkana, Texas, requesting an amendment to the Zoning Ordinance to grant a **Specific Use Permit** to allow the **one additional use of a tattoo studio** on Lots 7 & 8, Block 29, Ghio-Fish Boulevard Addition, , located in a tenant space at 3216 Texas Boulevard, in the City of Texarkana, Bowie County, Texas; and

WHEREAS, the Planning and Zoning Commission of the City of Texarkana, Texas, and the City Council of the City of Texarkana, Texas, in compliance with the laws of the State of Texas with reference to the granting of zoning classifications and changes, have given the requisite notices by publication and otherwise, and have afforded and held full and fair hearings to all property owners generally and to all persons interested and situated in the affected area and in the vicinity thereof; and

WHEREAS, after consideration of said application, the Planning and Zoning Commission of the City of Texarkana, Texas, voted **unanimously six (6) to zero (0) to recommend** to the City Council of Texarkana, Texas, that a **Specific Use Permit be granted to allow the one additional use of tattoo studio** on said property; and

WHEREAS, after consideration of said application and the recommendation of the Planning and Zoning Commission, the City Council of the City of Texarkana, Texas, does hereby find that granting the **Specific Use Permit** is in the best interest of the public health, safety, morals and general welfare of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS:

SECTION 1: That the Zoning Ordinance of the City of Texarkana, Texas, Ordinance No. 127-70, passed and approved on September 14, 1970, be further amended to grant **Specific Use Permit Numbered S-713 to allow the one additional use of a tattoo studio on Lots 7 & 8, Block 29, Ghio-Fish Boulevard Addition, located in a tenant space at 3216 Texas Boulevard** in the City of Texarkana, Bowie County, Texas.

Attachment: 2020-019 ORD granting SUP for tattoo studio at 3216 Texas (2225 : 2020-019 ORD granting SUP for tatoo studio at 3216 Texas

SECTION 2: That the following stipulations are hereby imposed and made a part of this ordinance:

1. That the owner/or any employee performing the application of tattooing procedures be currently licensed by the State and meet all Federal, State and City licensing laws and health regulations. (A copy of the current license must be provided to the City prior to the opening of the business).
2. That any tattooing will be by "appointment only".
3. That if any complaints concerning minors or any violations of the regulations listed above occur, the City has the right to revoke the Specific Use Permit.
4. That if this use ever ceases at this location, the City may revoke the Specific Use Permit that allows a tattoo studio.
5. That the sale of tobacco products or drug paraphernalia is prohibited.
6. That any remodeling of the current building meets all city codes and requires licensed contractors.
7. That no painting of the windows or the building with advertisement or graphic art is allowed.
8. No loitering allowed.

SECTION 3: All ordinances or parts of ordinances in conflict herewith are specifically repealed to the extent of such conflict.

SECTION 4: It is further provided that in case a section, clause, sentence or part of this ordinance shall be deemed or adjudged by a court of competent jurisdiction to be invalid, then such invalidity shall not affect, impair, or invalidate the remainder of this ordinance.

SECTION 5: That this ordinance shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED in Regular Council Session on this the **9th day of March, 2020.**

ATTEST:

_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: 2020-019 ORD granting SUP for tattoo studio at 3216 Texas (2225 : 2020-019 ORD granting SUP for tatoo studio at 3216 Texas

3216 Texas Blvd.
Department of Planning & Community Development

Attachment: 2020-019 ATTH 01 (Maps) (2225 : 2020-019 ORD granting SUP for tatoo studio at 3216 Texas Blvd.)

2020-018 (ATTH 01)

3216 TEXAS BLVD
CITY OF TEXARKANA, TEXAS

N

Scale: 1:819

Attachment: 2020-019 ATTH 01 (Maps) (2225 : 2020-019 ORD granting SUP for tatoo studio at 3216 Texas Blvd.)

2020-019 ATTH02

3216 Texas Blvd.

Attachment: 2020-019 ATTH 02 (photo of site) (2225 : 2020-019 ORD granting SUP for tatoo studio at 3216 Texas Blvd.)

Exterior façade of Merchant House will be extended to studio so look will be uniform. Front of tenant space will be glass

Attachment: 2020-019 ATTH 03 (photos of exterior, logo, paintings, tattoos) (2225 : 2020-019 ORD

LOGO

BLACK PINES

Attachment: 2020-019 ATTH 03 (photos of exterior, logo, paintings, tattoos) (2225 : 2020-019 ORD

Sample of building interior

Attachment: 2020-019 ATTH 03 (photos of exterior, logo, paintings, tattoos) (2225 : 2020-019 ORD

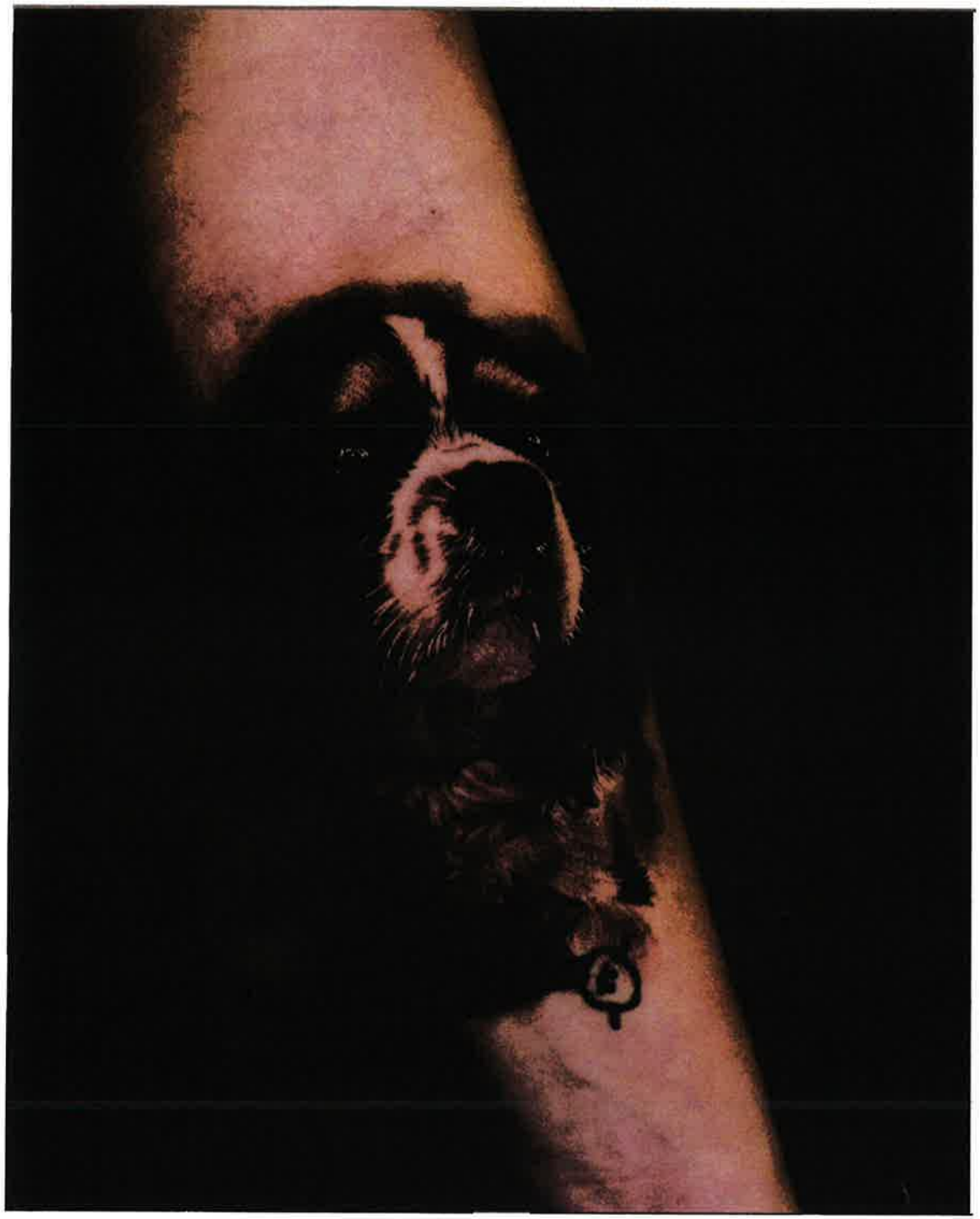
Sample of building interior

Attachment: 2020-019 ATTH 03 (photos of exterior, logo, paintings, tattoos) (2225 : 2020-019 ORD

Sample of art work

Attachment: 2020-019 ATTH 03 (photos of exterior, logo, paintings, tattoos) (2225 : 2020-019 ORD

2020-019 (ATTH 03)



Sample of tattoo

Attachment: 2020-019 ATTH 03 (photos of exterior, logo, paintings, tattoos) (2225 : 2020-019 ORD

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

Perspectives	Goals
Serve the Community	☐ Promote an Environmentally Sensitive & Livable Community ☐ Provide a Safe Community ☐ Deliver Quality Services ☐ Foster a Healthy Community
Run the Operations	☐ Enhance Community Preparedness & Responsiveness ☐ Maximize Partnership Opportunities ☐ Provide Courteous & Responsive Customer Service ☑ Model a Positive City Image ☐ Deliver Efficient Services ☑ Cultivate Community Involvement & Access
Manage the Resources	☐ Maintain Fiscal Strength ☐ Maximize Utilization & Resources ☑ Invest in Infrastructure & Transportation
Develop Personnel	☐ Develop a Skilled & Diverse Workforce ☐ Create a Positive & Rewarding Work Culture

Perspectives and Goals Additional Comments:

NONE

Resource Impact:

NA	No Additional

Other Potential Impacts:

NA

Public Information Plan:

☑	Newspaper Notice (Required by Statute)	☑	Public Hearing (Required by Statute)
☐	Public Forum/Input Session	☐	Press Release
☐	E-News Distribution	☑	Website Notice
☐	Social Media (Twitter, Facebook, etc.)	☑	Special Mailing
☐	Flyers Posted	☐	Banners Posted
☐	Survey	☐	Automated Phone Call
☑	None Required	☑	Sign Posted

Other:

Attachment: 2020-019 Goals & Perspectives (2225 : 2020-019 ORD granting SUP for tatoo studio at 3216 Texas Blvd.)

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 2/13/2020 3:53 PM

Lead Department: Planning and Community Development **Action Officer:** Debbie Burk,

Subject: Ordinance No. 2020-020 rezoning the south 1/2 of Lot 1, Flower Acres Second Addition, located at 2720 Phillips Lane. Single Family-2 to Single Family-3. Terry Davis, applicant.

Briefing: 2/24/2020 **Public Hearing:** 3/9/2020 **Council Vote:** 3/9/2020

Item Schedule

Schedule 1: Brief twice - vote once (six weeks)

Updates/History of Briefing:

"NOT APPLICABLE"

Executive Summary and Background Information:

Z-20-1: This is a request by Terry Davis, owner, to rezone the south ½ of Lot 21, Flower Acres Second Addition, located at 2720 Phillips Lane from Single Family-2 to Single Family-3. The property is currently vacant land.

The adjacent zoning is Single Family-2 to the north, east and west and Single Family-1 to the south. The adjacent land use is vacant land to the north and south, and residences to the east and west.

The City's Zoning Ordinance was amended to comply with the state law in 2002, requiring that all manufactured housing be HUD code building standard. This amendment also stipulated that all HUD code manufactured homes inside the city limits be placed in the Single Family-3 zoning district along with the approval of a Specific Use Permit.

There is a large parcel of land located a block away to the west that is zoned Single Family 3 and a block to the east are more parcels zoned Single Family 3. HUD code double wide manufactured housing looks like some of the existing frame pier and beam houses in the area. This type housing could also be a revitalization housing alternative to traditional site-built homes. Therefore, staff recommends for approval of this request.

The applicant should also be aware that if this zoning change is approved, all other applicable city code/ordinance requirements must be met including but not limited to building codes, setbacks, subdivision, fire, parking, drainage, water and sewer prior to the issuance of building permits.

All notification and application requirements have been met to consider this request.

Potential Options:

"None"

Fiscal Implications:

None

Staff Recommendation:

Staff recommends for approval of this request.

Advisory Board/Committee Review:

Planning and Zoning Commission

Board/Committee Recommendation:

The Planning and Zoning Commission unanimously recommended for approval of this request.

Advisory Board/Committee Meeting Date and Minutes:

February 3, 2020

Attachments

a. 2020-020 ORD rezoning 2720 Phillips Lane (DOCX)
b. 2020-020 ATTH 01 (Maps) (PDF)
c. 2020-020 ATTH 02 (photo of site) (PDF)
d. 2020-020 Goals & Perspectives (DOCX)

Staff Coordination

Planning and Community Development		David Orr	Department Head Review	
	Completed	02/13/2020 3:36 PM		
City Manager	Shirley Jaster	City Manager Review	Completed	02/13/2020 4:49 PM
City Council	Vicky Coopwood	Meeting	Pending	02/24/2020 6:00 PM

Meeting History

Z-20-1

ORDINANCE NO. 2020-020

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING THE ZONING ORDINANCE OF THE CITY OF TEXARKANA, TEXAS, BY REZONING THE SOUTH 1/2 OF LOT 21, FLOWER ACRES SECOND ADDITION, LOCATED AT 2720 PHILLIPS LANE IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS FROM SINGLE FAMILY-2 TO SINGLE FAMILY-3; CONTAINING A REPEALER CLAUSE; CONTAINING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, an application has been filed requesting an amendment to the Zoning Ordinance of the City of Texarkana, Texas, to rezone the south 1/2 of Lot 21, Flower Acres Second Addition, located at 2720 Phillips Lane in the City of Texarkana, Bowie County, Texas, from **Single Family-2 to Single Family-3**; and

WHEREAS, the Planning and Zoning Commission of the City of Texarkana, Texas, and the City Council of the City of Texarkana, Texas, in compliance with the laws of the State of Texas with reference to the granting of zoning classifications and changes, have given the requisite notices by publication and otherwise, and have afforded and held full and fair hearings to all property owners generally and to all persons interested and situated in the affected area and in the vicinity thereof; and

WHEREAS, after consideration of said application, the Planning and Zoning Commission of the City of Texarkana, Texas, **voted unanimously six (6) to zero (0) to recommend the application for rezoning from Single Family-2 to Single Family-3 on the south 1/2 of Lot 21, Flower Acres Second Addition, located at 2720 Phillips Lane** to the City Council of Texarkana, Texas; and

WHEREAS, after consideration of said application and the recommendation of the Planning and Zoning Commission, the City Council of the City of Texarkana, Texas, does hereby find that rezoning the property from **Single Family-2 to Single Family-3** is in the best interest of the public health, safety, morals and general welfare of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS:

SECTION 1: That the Zoning Ordinance of the City of Texarkana, Texas, Ordinance No. 127-70, passed and approved on September 14, 1970, be and is hereby further amended to rezone the south 1/2 of Lot 21, Flower Acres Second Addition, located at 2720 Phillips Lane in the City of Texarkana, Bowie County, Texas, from **Single Family-2 to Single Family-3.**

Attachment: 2020-020 ORD rezoning 2720 Phillips Lane (2226 : 2020-020 ORD rezoning 2720 Phillips Lane)

SECTION 2: It is further provided that in case a section, clause, sentence or part of this ordinance shall be deemed or adjudged by a court of competent jurisdiction to be invalid, then such invalidity shall not affect, impair, or invalidate the remainder of this ordinance.

SECTION 3: All ordinances or parts of ordinances in conflict herewith are specifically repealed to the extent of such conflict.

SECTION 4: That this ordinance shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED in Regular Council Session on this the **9th day of March, 2020.**

ATTEST:

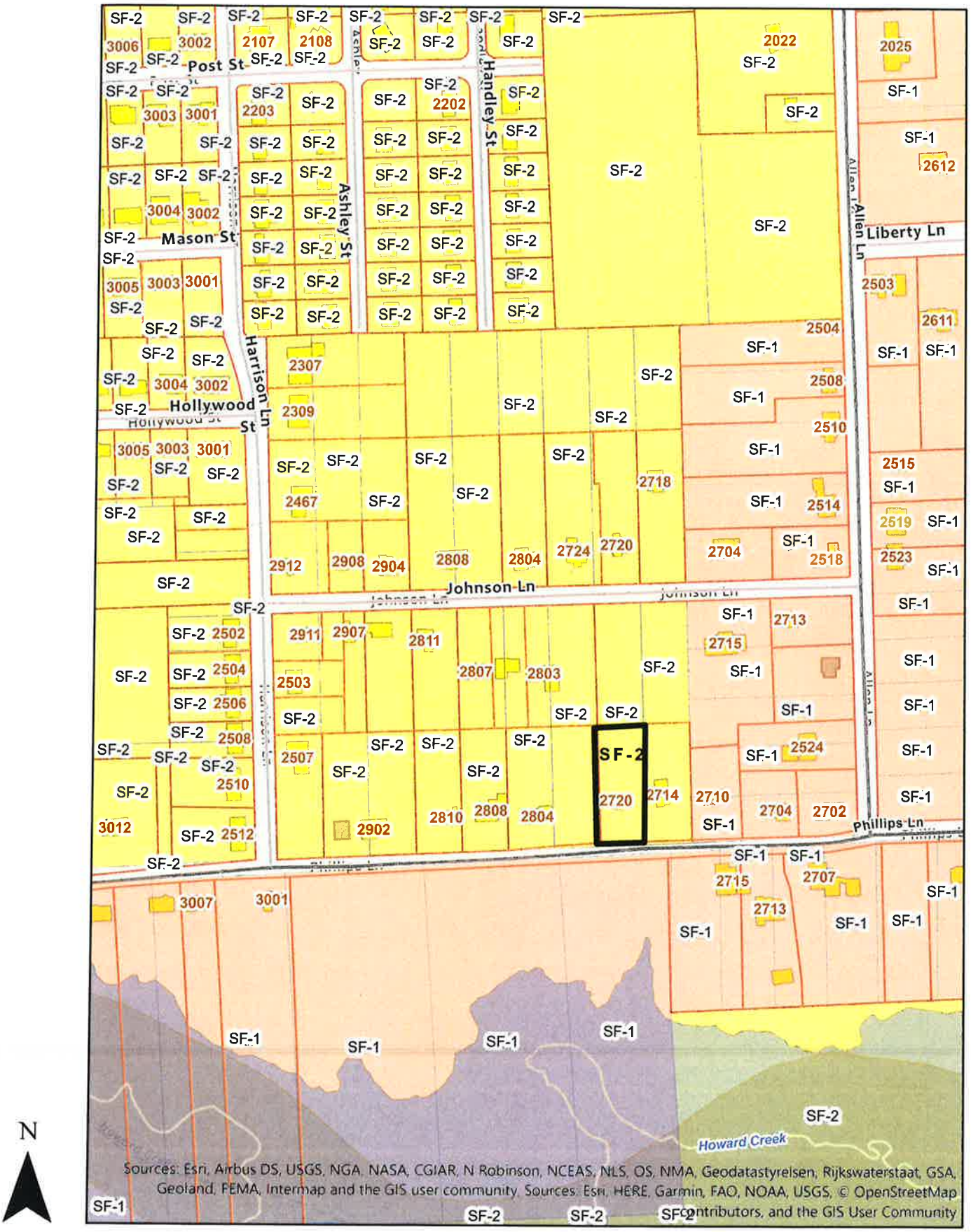
_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: 2020-020 ORD rezoning 2720 Phillips Lane (2226 : 2020-020 ORD rezoning 2720 Phillips Lane)

2720 PHILLIPS LANE
CITY OF TEXARKANA, TEXAS

2020-020 (ATTH 01)



Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatastyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap and the GIS user community. Sources: Esri, HERE, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

N

Scale: 1:3,500

Attachment: 2020-020 ATTH 01 (Maps) (2226 : 2020-020 ORD rezoning 2720 Phillips Lane)

2720 PHILLIPS LANE
CITY OF TEXARKANA, TEXAS

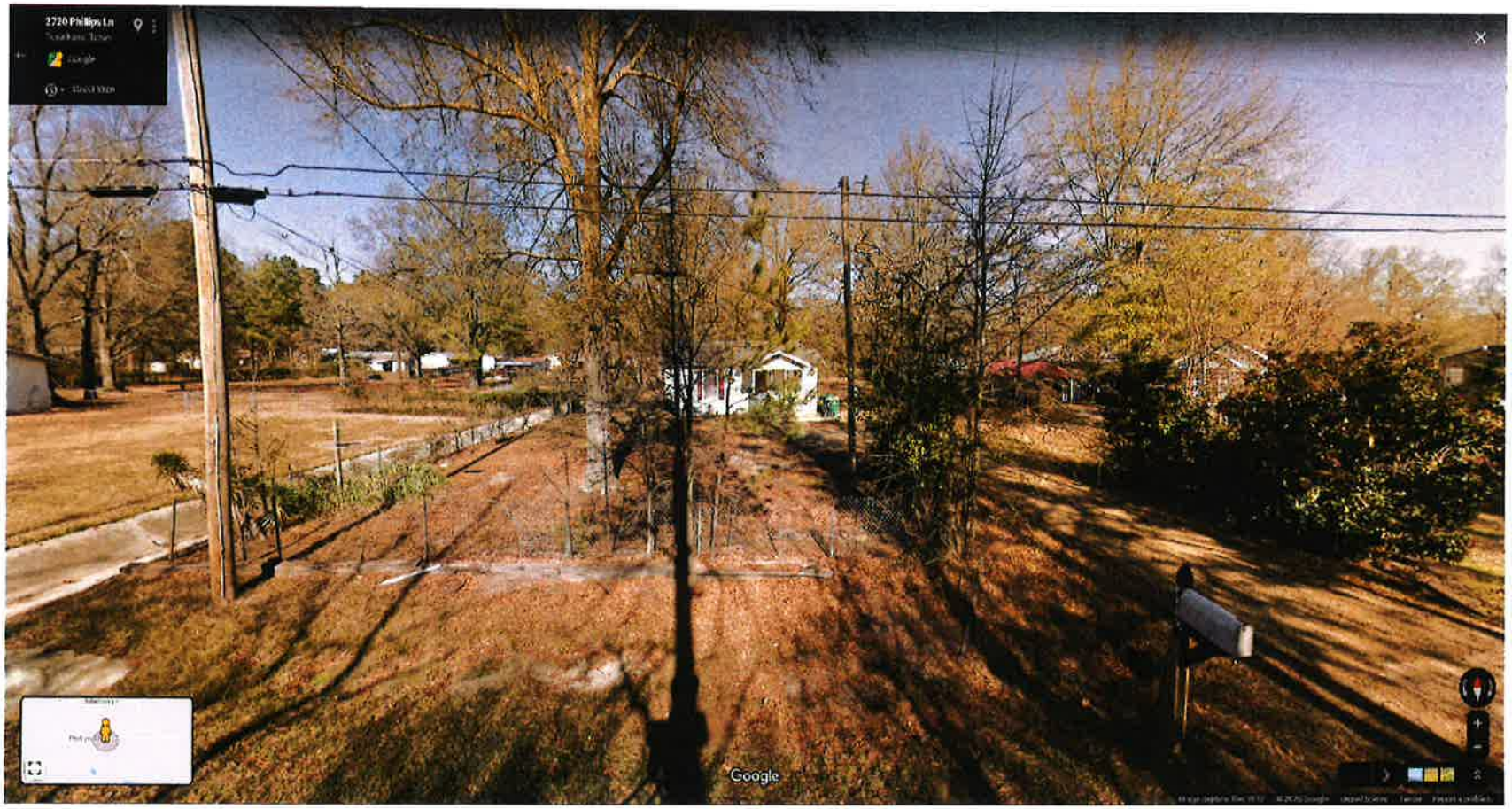
N

Scale: 1:2,000

Attachment: 2020-020 ATTH 01 (Maps) (2226 : 2020-020 ORD rezoning 2720 Phillips Lane)

2020-020 (ATTH 02)

2720 Phillips Lane
City of Texarkana, Texas



Attachment: 2020-020 ATTH 02 (photo of site) (2226 : 2020-020 ORD rezoning 2720 Phillips Lane)

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

Perspectives	Goals
Serve the Community	☐ Promote an Environmentally Sensitive & Livable Community ☐ Provide a Safe Community ☐ Deliver Quality Services ☐ Foster a Healthy Community
Run the Operations	☐ Enhance Community Preparedness & Responsiveness ☐ Maximize Partnership Opportunities ☐ Provide Courteous & Responsive Customer Service ☑ Model a Positive City Image ☐ Deliver Efficient Services ☑ Cultivate Community Involvement & Access
Manage the Resources	☐ Maintain Fiscal Strength ☐ Maximize Utilization & Resources ☑ Invest in Infrastructure & Transportation
Develop Personnel	☐ Develop a Skilled & Diverse Workforce ☐ Create a Positive & Rewarding Work Culture

Perspectives and Goals Additional Comments:

NONE

Resource Impact:

NA	No Additional

Other Potential Impacts:

NA

Public Information Plan:

☑	Newspaper Notice (Required by Statute)	☑	Public Hearing (Required by Statute)
☐	Public Forum/Input Session	☐	Press Release
☐	E-News Distribution	☑	Website Notice
☐	Social Media (Twitter, Facebook, etc.)	☑	Special Mailing
☐	Flyers Posted	☐	Banners Posted
☐	Survey	☐	Automated Phone Call
☑	None Required	☑	Sign Posted

Other:

Attachment: 2020-020 Goals & Perspectives (2226 : 2020-020 ORD rezoning 2720 Phillips Lane)

City of Texarkana, Texas

Version:

Briefing Sheet

Update Date: 2/13/2020 3:52 PM

Lead Department: Planning and Community Development **Action Officer:** Debbie Burk,

Subject: Ordinance No. 2020-021 granting a Specific Use Permit to allow a double wide HUD code manufactured home on the south 1/2 of Lot 1, Flower Acres Second Addition, located at 2720 Phillips Lane. Terry Davis, applicant.

Briefing: 2/24/2020 **Public Hearing:** 3/9/2020 **Council Vote:** 3/9/2020

Item Schedule

Schedule 1: Brief twice - vote once (six weeks)

Updates/History of Briefing:

"NOT APPLICABLE"

Executive Summary and Background Information:

S-714: This is a request by Terry Davis, owner, for a Specific Use Permit to allow the use of a double wide HUD code manufactured home as a residence on the south ½ of Lot 21, Flower Acres Second Addition, located at 2720 Phillips Lane.

The adjacent zoning is Single Family-2 to the north, east and west and Single Family-1 to the south. The adjacent land use is vacant land to the north and south, and residences to the east and west.

The City's Zoning Ordinance was amended to comply with the state law in 2002, requiring that all manufactured housing be HUD code building standard. This amendment also stipulated that all HUD code manufactured homes inside the city limits be placed in the Single Family-3 zoning district along with the approval of a Specific Use Permit.

Staff recommends for approval of this request with the following stipulations:

1. That a 2019 or newer 4-bedroom, 2 bath HUD code manufactured home be allowed on this property. See attached floor plan (Exhibit 'A').
2. That the double wide HUD code manufactured home be tied down/skirted/underpinned.
3. That the double wide HUD code manufactured home be used for dwelling purposes only, human occupancy only.
4. That the Specific Use Permit be in effect for a period of three (3) years, beginning at the date of this Ordinance. It is the owner's responsibility to renew this permit.
5. That if the HUD code manufactured home is not placed on the property within the three (3) year period, the Specific Use Permit will automatically be revoked.

6. That all driveways, parking, building codes/setbacks, engineered foundation, platting and flood plain requirements must be in accordance with the City of Texarkana, Texas codes.

All notification and application requirements have been met to consider this request.

Potential Options:

"None"

Fiscal Implications:

None

Staff Recommendation:

Staff recommends for approval of this request with stipulations.

Advisory Board/Committee Review:

Planning and Zoning Commission

Board/Committee Recommendation:

The Planning and Zoning Commission unanimously approved this request with staff stipulations.

Advisory Board/Committee Meeting Date and Minutes:

February 3, 2020

Attachments

a. 2020-021 ORD granting SUP at 2720 Phillips Ln. (DOCX)
b. 2020-021 EXH 'A' (floor plan of manf. home) (PDF)
c. 2020-021 ATTH 01 (Maps) (PDF)
d. 2020-021 ATTH 02 (photo of site) (PDF)
e. 2020-021 Goals & Perspectives (DOCX)

Staff Coordination

Planning and Community Development		David Orr	Department Head Review	
	Completed	02/13/2020 3:54 PM		
City Manager	Shirley Jaster	City Manager Review	Completed	02/13/2020 4:51 PM
City Council	Vicky Coopwood	Meeting	Pending	02/24/2020 6:00 PM

Meeting History

ORDINANCE NO. 2020-021 S-714

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY TEXARKANA, TEXAS, AMENDING THE ZONING MAP SHOWING THE LOCATION, BOUNDARY AND USE OF CERTAIN PROPERTY BY THE GRANTING OF SPECIFIC USE PERMIT NO. S-714 TO ALLOW THE LOCATION OF A DOUBLE WIDE HUD CODE MANUFACTURED HOME ON THE SOUTH 1/2 OF LOT 21, FLOWER ACRES SECOND ADDITION, LOCATED AT 2720 PHILLIPS LANE, IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS; CONTAINING A REPEALER CLAUSE; CONTAINING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, an application has been filed with the City of Texarkana, Texas, requesting an amendment to the Zoning Ordinance to grant a **Specific Use Permit** to allow the **location of a double wide HUD code manufactured home** on the south 1/2 of Lot 21, Flower Acres Second Addition, located at 2720 Phillips Lane, in the City of Texarkana, Bowie County, Texas; and

WHEREAS, the Planning and Zoning Commission of the City of Texarkana, Texas, and the City Council of the City of Texarkana, Texas, in compliance with the laws of the State of Texas with reference to the granting of zoning classifications and changes, have given the requisite notices by publication and otherwise, and have afforded and held full and fair hearings to all property owners generally and to all persons interested and situated in the affected area and in the vicinity thereof; and

WHEREAS, after consideration of said application, the Planning and Zoning Commission of the City of Texarkana, Texas, voted **unanimously six (6) to zero (0) to recommend** to the City Council of Texarkana, Texas, that a **Specific Use Permit be granted to allow the location of a double wide HUD code manufactured home** on said property; and

WHEREAS, after consideration of said application and the recommendation of the Planning and Zoning Commission, the City Council of the City of Texarkana, Texas, does hereby find that granting the **Specific Use Permit** is in the best interest of the public health, safety, morals and general welfare of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS:

SECTION 1: That the Zoning Ordinance of the City of Texarkana, Texas, Ordinance No. 127-70, passed and approved on September 14, 1970, be further amended to grant **Specific Use Permit Numbered S-714 to allow the location of a double wide HUD code manufactured home on the south 1/2 of Lot 21, Flower Acres Second Addition, located at 2720 Phillips Lane** in the City of Texarkana, Bowie County, Texas.

Attachment: 2020-021 ORD granting SUP at 2720 Phillips Ln. (2227 : 2020-021 ORD granting a SUP 2720 Phillips Ln)

SECTION 2: That the following stipulations are hereby imposed and made a part of this ordinance:

1. That one 2019 or newer 4-bedroom, 2 bath HUD code manufactured home be allowed on this property. See attached floor plan (**Exhibit 'A'**).
2. That the double wide HUD code manufactured home be tied down/skirted/underpinned.
3. That the double wide HUD code manufactured home be used for dwelling purposes, human occupancy only.
4. That the Specific Use Permit be in effect for a period of three (3) years, beginning at the date of this ordinance. It is the owner's responsibility to renew this permit.
5. That if the HUD code manufactured home is not placed on the property within the three (3) year period, the Specific Use Permit will automatically be revoked.
6. That all driveways, parking, building codes/setbacks, engineered foundation, platting and flood plain requirements must be in accordance with the City of Texarkana, Texas, codes.

SECTION 3: All ordinances or parts of ordinances in conflict herewith are specifically repealed to the extent of such conflict.

SECTION 4: It is further provided that in case a section, clause, sentence or part of this ordinance shall be deemed or adjudged by a court of competent jurisdiction to be invalid, then such invalidity shall not affect, impair, or invalidate the remainder of this ordinance.

SECTION 5: That this ordinance shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED in Regular Council Session on this the **9th day of March, 2020.**

ATTEST:

_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: 2020-021 ORD granting SUP at 2720 Phillips Ln. (2227 : 2020-021 ORD granting a SUP 2720 Phillips Ln)

EXH 'A'

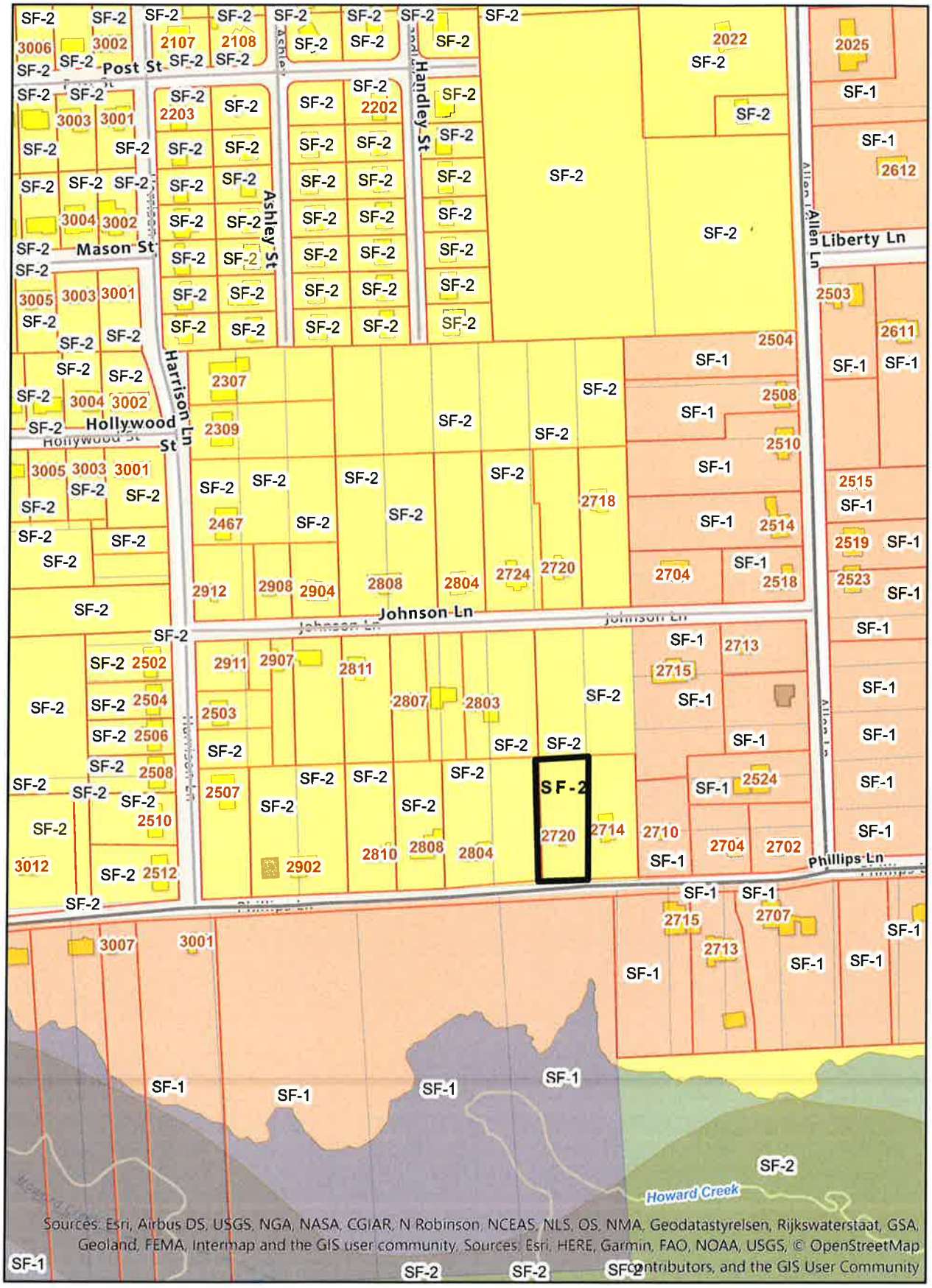
2020-021

Greg Tilley's
"The Choice"
28X76 4 Bed / 2 Bath / Family Room
2,016 SQ. Ft.

Attachment: 2020-021 EXH 'A' (floor plan of manf. home) (2227 : 2020-021 ORD granting a SUP 2720

2720 PHILLIPS LANE
CITY OF TEXARKANA, TEXAS

2020-021 (ATTH 01)



N

Scale: 1:3,500

Attachment: 2020-021 ATTH 01 (Maps) (2227 : 2020-021 ORD granting a SUP 2720 Phillips Ln)

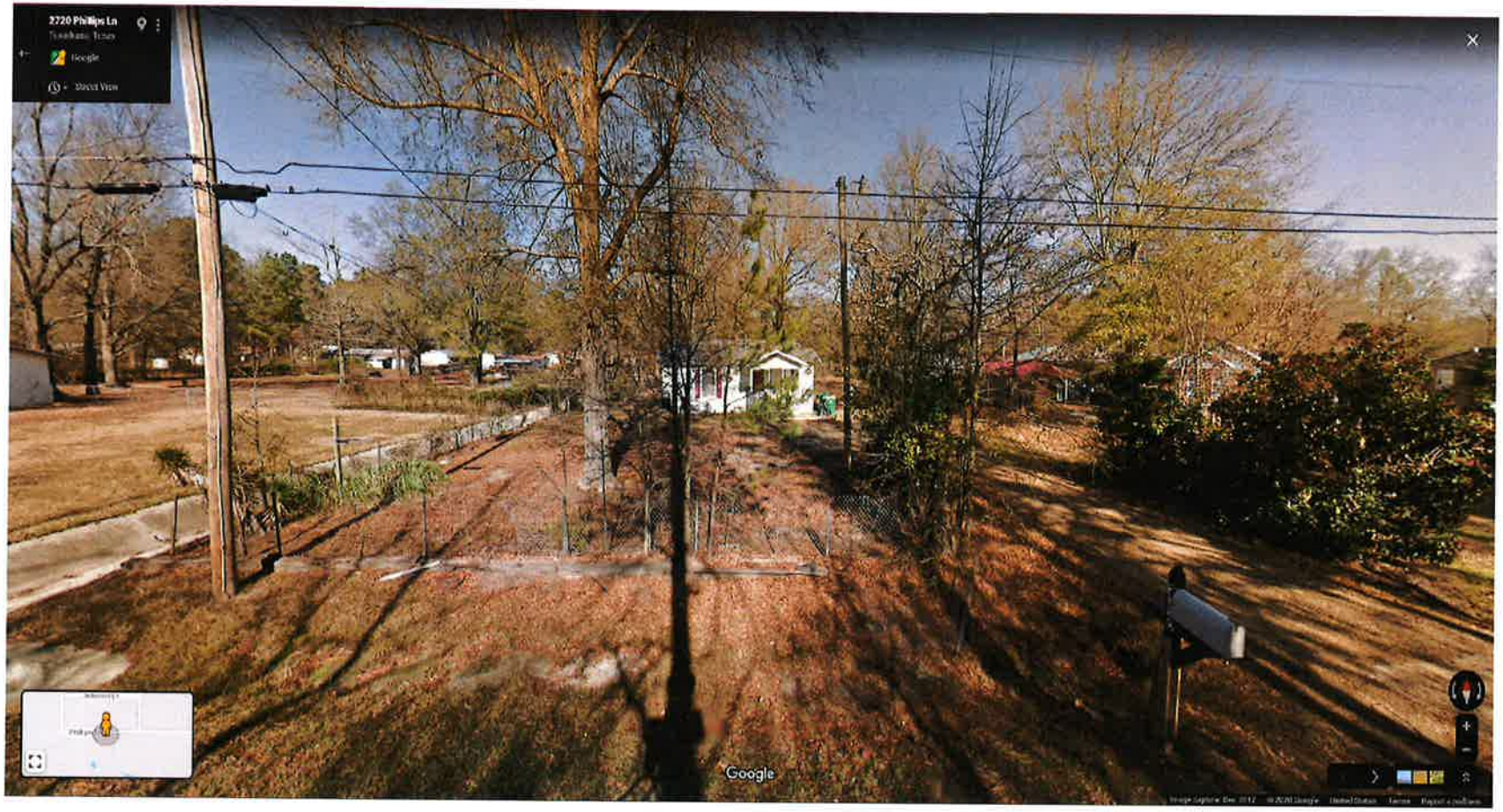
2720 PHILLIPS LANE
CITY OF TEXARKANA, TEXAS

N

Scale: 1:2,000

Attachment: 2020-021 ATTH 01 (Maps) (2227 : 2020-021 ORD granting a SUP 2720 Phillips Ln)

2720 Phillips Lane
City of Texarkana, Texas



Attachment: 2020-021 ATTH 02 (photo of site) (2227 : 2020-021 ORD granting a SUP 2720 Phillips Ln)

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

Perspectives	Goals
Serve the Community	☐ Promote an Environmentally Sensitive & Livable Community ☐ Provide a Safe Community ☐ Deliver Quality Services ☐ Foster a Healthy Community
Run the Operations	☐ Enhance Community Preparedness & Responsiveness ☐ Maximize Partnership Opportunities ☐ Provide Courteous & Responsive Customer Service ☑ Model a Positive City Image ☐ Deliver Efficient Services ☑ Cultivate Community Involvement & Access
Manage the Resources	☐ Maintain Fiscal Strength ☐ Maximize Utilization & Resources ☑ Invest in Infrastructure & Transportation
Develop Personnel	☐ Develop a Skilled & Diverse Workforce ☐ Create a Positive & Rewarding Work Culture

Perspectives and Goals Additional Comments:

NONE

Resource Impact:

NA	No Additional

Other Potential Impacts:

NA

Public Information Plan:

☑	Newspaper Notice (Required by Statute)	☑	Public Hearing (Required by Statute)
☐	Public Forum/Input Session	☐	Press Release
☐	E-News Distribution	☑	Website Notice
☐	Social Media (Twitter, Facebook, etc.)	☑	Special Mailing
☐	Flyers Posted	☐	Banners Posted
☐	Survey	☐	Automated Phone Call
☑	None Required	☑	Sign Posted

Other:

Attachment: 2020-021 Goals & Perspectives (2227 : 2020-021 ORD granting a SUP 2720 Phillips Ln)

City of Texarkana, Texas

Version: A

Briefing Sheet

Update Date: 2/20/2020 11:32 AM

Lead Department: Building Code Administration **Action Officer:** Mashell Daniel,

Subject: Ordinance No. 2020-023 amending the Code of Ordinances/Electrical Code sections 105-163 [electrical inspector appointment and vacancy], 105-231 [administrative review of electrical inspector decision], and 105-235 [compliance inspections], adding section 105-194 [penalty for violation of article], and repealing sections 105-229, 105-230, 105-232, 105-233, and 105-234.

Briefing: 2/24/2020 **Public Hearing:** 3/9/2020 **Council Vote:** 3/9/2020

Item Schedule

Schedule 2: Brief once - vote once (two weeks)

Updates/History of Briefing:

Not Applicable.

Executive Summary and Background Information:

The Electrical Code contained in Chapter 105 of the Land Development Code contains provisions that have not been used in several years and need to be revised.

In the past, the electrician licenses were handled by an electrical board that was nominated by the mayor and confirmed by a majority vote of the city council. The electrical board would issue the license exams, grade the exams, and be in control of all electrical licenses at the city level. The City no longer needs a standing examining board relating to the electrical code and licensures since all licenses, exams, and certifications go through the state level.

Also in the past, if there was a discrepancy between a decision of the electrical inspector and an electrician, the discrepancy would be brought before the electrical board. For the past several years, if there is a disagreement between the electrical inspector and an electrician, both have access through the internet and phone to experts on the National Electric Code and the International Building Code, of which both are adopted by the City. Therefore Section 105-231 of the ordinance is being amended to where any discrepancies can be solved within the inspection's office.

Section 105-194 "Penalty for violation of article" is amended to state, "Such violations of any provision of this article that govern public health and sanitation, upon conviction, shall be fined in an amount not to exceed $2,000." Staff recommends a steeper penalty for violations of articles that are a danger to public health.

Potential Options:

- Approve amendments to the Code of Ordinances.
- Disapprove the amendments to the Code of Ordinances.

Fiscal Implications:

None.

Staff Recommendation:

Staff recommends approval.

Advisory Board/Committee Review:

None.

Board/Committee Recommendation:

Not Applicable.

Advisory Board/Committee Meeting Date and Minutes:

Not Applicable.

Attachments

a. 2020-023 Ord Electrical Code Changes (jcl rev 3) (DOCX)
b. 2020-023 ATTH 01 Red Line Version (DOCX)
c. 2020-023 Goals & Perspectives (DOCX)

Staff Coordination

Building Code Administration	Mashell Daniel	Department Head Review	Completed	02/19/2020 11:41 AM
Municipal Prosecutor	Jennifer Evans	Asst. City Attorney Review	Skipped	02/19/2020 4:58 PM
City Attorney	Mashell Daniel	City Attorney Review	Skipped	02/19/2020 11:40 AM
City Manager	Shirley Jaster	City Manager Review	Completed	02/20/2020 3:59 PM
City Council	Vicky Coopwood	Meeting	Pending	02/24/2020 6:00 PM

Meeting History

PUBLISH

ORDINANCE NO. 2020 - 023

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING CHAPTER 105 "BUILDINGS AND CONSTRUCTION", ARTICLE III "ELECTRICAL CODE", OF THE CODE OF ORDINANCES OF THE CITY OF TEXARKANA, TEXAS, BY AMENDING SECTIONS 105-163 [ELECTRICAL INSPECTOR APPOINTMENT AND VACANCY], 105-231 [ADMINISTRATIVE REVIEW OF ELECTRICAL INSPECTOR DECISION], AND 105-235 [COMPLIANCE INSPECTIONS]; ADDING SECTION 105-194 [PENALTY FOR VIOLATION OF ARTICLE]; REPEALING SECTIONS 105-229, 105-230, 105-232, 105-233, AND 105-234; PROVIDING FOR PUBLICATION; PROVIDING FOR A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the "Electrical Code" contained in Chapter 105 of the Land Development Code contains provisions that have been not been utilized in decades or otherwise require updating; and

WHEREAS, the City no longer needs a standing examining board relating to the Electrical Code since licensure is addressed at the state level; and

WHEREAS, the City Council's enactment of a process for forming advisory committees [Section 2-55 of the City Code] allows for eliminating a standing examining board and related regulations; and

WHEREAS, City Staff submits that updating and eliminating regulations as set out below is in the best interest of citizens and the City's future growth.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS:

SECTION 1: Section 105-163 of the Code of Ordinances of the City of Texarkana, Texas, is hereby amended in its entirety as follows:

Section 105-163. - Same—Appointment and Vacancy.

The electrical inspector shall be appointed by the chief building official of the city. If for any reason this office of electrical inspector shall become vacant, the responsibility of such office shall be assumed by the chief building official.

SECTION 2: Chapter 105 "Buildings and Construction", Article III "Electric Code", Division 1, "Generally" of the Code of Ordinances of the City of Texarkana, Texas, is hereby amended by adding the following section 105-194 as follows:

Section 105-194. – Penalty for violation of article.

Any person, firm or corporation violating any of the provisions of this article shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined in an amount not to exceed $500, except for such violations of any provisions of this article that govern public health and sanitation, upon conviction, shall be fined in an amount not to exceed $2,000.00. Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such thereunder.

Attachment: 2020-023 Ord Electrical Code Changes (jcl rev 3) (2222 : 2020-023 ORD Electrical Code changes)

PUBLISH

SECTION 3: Section 105-251 of the Code of Ordinances of the City of Texarkana, Texas, is hereby amended in its entirety as follows:

Section 105-231. - Administrative review of electrical inspector decision.

Whenever the electrical inspector shall reject or refuse to approve the mode or manner of electrical installation proposed to be followed or materials to be used in the electrical installations of a building or structure, or when it is claimed that the provisions of the Code do not apply, or that an equally good or more desirable form of electrical installation can be employed in any specific case, or when it is claimed that the true intent and meaning of this code or any of the regulations thereunder have been misconstrued or wrongly interpreted, the owner of such building or structure, or the owner's duly authorized agent, shall request a review of the decision of the electrical inspector by the Director of Inspections (or the director's designee). The request for review shall be in writing and must be filed with the Director of Inspections within thirty (30) calendar days after the decision is rendered by the electrical inspector; provided, however, that if, in the opinion of the electrical inspector, a building or structure is unsafe or dangerous, the electrical inspector may, in the inspections order, limit the time for such request for review to a shorter period.

SECTION 3: Section 105-235 of the Code of Ordinances of the City of Texarkana, Texas, is hereby amended in its entirety as follows:

Section 105-235. – Compliance inspections.

The chief building official shall arrange for an electrical code compliance inspection when requested by the owner or builder of any single-family duplex, townhouse, condominium or house under construction in the city's extraterritorial jurisdiction and outside a legal subdivision. A fee will be assessed for the inspection service of each unit designed to house a single family. The fee shall be due and payable to the city prior to the request by the owner or builder for a final inspection. The final inspection report shall not be provided to the owner or builder until the required payment has been received. This section shall not be applicable to apartments or nonresidential structures. The inspection fee shall be in an amount as established by the city council from time to time and is on file in the city secretary's office or city website.

SECTION 4: Sections 105-229, 105-230, 105-232, 105-233, and 105-234 of the Code of Ordinances of the City of Texarkana, Texas, are hereby repealed in their entirety, with the "Reserved" notation substituted, as follows:

Section 105-229. – Reserved.
Section 105-230. – Reserved.
Section 105-232. – Reserved.
Section 105-233. – Reserved.
Section 105-234. – Reserved.

SECTION 5: The City Secretary shall give notice of the passage of this ordinance as provided in Article XI, Section 3 of the Charter of the City of Texarkana, Texas.

SECTION 6: In case a section, clause, sentence or part of this Ordinance shall be deemed or adjudged by a Court of competent jurisdiction to be invalid, then such invalidity shall not affect, impair or invalidate the remainder of this Ordinance.

SECTION 7: This Ordinance shall be in full force and effect ten (10) days after its passage and approval.

Attachment: 2020-023 Ord Electrical Code Changes (jcl rev 3) (2222 : 2020-023 ORD Electrical Code changes)

PUBLISH

PASSED AND APPROVED in Regular Council Session on this the **9th day of March, 2020**.

ATTEST:

_____	_____
JENNIFER EVANS, CITY SECRETARY	BOB BRUGGEMAN, MAYOR

Attachment: 2020-023 Ord Electrical Code Changes (jcl rev 3) (2222 : 2020-023 ORD Electrical Code changes)

ARTICLE III. - ELECTRICAL CODE[2]

Footnotes:

--- (**2**) ---

State Law reference— National Electrical Code adopted as municipal electrical construction code throughout the state, Texas Local Government Code § 214.214; Texas Electrical Safety and Licensing Act, Texas Occupations Code § 1305.001 et seq.; municipality may regulate electricians by requiring inspections, collecting permit fees for electrical work performed in the municipality and adopting procedures for the administration and enforcement of the National Electrical Code and any local amendments thereto adopted by the municipality, Texas Occupations Code § 1305.201.

DIVISION 1. - GENERALLY

Sec. 105-159. - National Electrical Code, 2014 edition adopted.

There is hereby adopted by the City of Texarkana, Texas, for the purpose of establishing rules and regulations for the safe installation and maintenance of electrical equipment and systems, that certain code known as the National Electrical Code, 2014 edition, save and except such portions as are hereinafter amended, modified or deleted by this chapter, said code being incorporated herein as if fully set out herein; the provisions thereof shall be controlling in the installation of electrical systems therein contained within the corporate limits of the city.

(Code 1961, § 8-1; Ord. of 3-11-1947, § 1; Ord. No. 5-67, § 1, 1-23-1967; Ord. No. 31-81, § 1, 2-23-1981; Ord. No. 71-84, § 2, 3-12-1984; Ord. No. 290-87, § 1, 12-21-1987; Ord. No. 96-90, §§ 1, 2, 4-23-1990; Ord. No. 003-06, § 1, 1-9-2006; Ord. No. 077-2011, § 1, 5-23-2011; Ord. No. 2015-111 , § 1, 12-14-2015)

Sec. 105-160. - Amendments, modifications, and deletions.

The following amendments, modifications and deletions to and from the National Electrical Code adopted by section 105-159, are hereby made and adopted, such amendments, modifications and deletions being set forth herein with reference to and prefaced by the section number or chapter number of the National Electrical Code:

Section 110.26(E) Headroom, of the said Electrical Code adopted by section 105-159 herein, is hereby amended by the deletion of the exception.

Section 250-66(B) Connections to Concrete-Encased Electrodes, of the said Electrical Code adopted by section 105-159 herein, is hereby amended in its entirety to read as follows: "The size of the grounding electrode conductor of a grounded or underground system shall not be less than given in Table 250-66 and in no case smaller than #6 copper. This provision supersedes the allowance of #8 copper for grounding electrode conductors in Table 250-66."

Section 300.5(D), of said Electrical Code is hereby amended by adding the following: "All underground wiring over 24 volts, nominal, shall be installed in Rigid Metal Conduit, Intermediate Metal conduit, or Rigid Nonmetallic conduit raceways."

Section 300.22(C) Other Space Used for Environmental Air, of the said Electrical Code adopted by section 105-159 herein, is hereby amended by the deletion of the exception.

Section 330.12, of said Electrical Code is hereby amended by adding the following: "Metal-clad cable will only be allowed for connections to movable installations (such as lighting in in-lay ceilings) or where vibration is a consideration and then in lengths not to exceed 6 feet." It will further be allowed in lengths exceeding 6 feet only for the purpose of fishing circuits in existing structures, under cabinets and counters or in new structures where conduit would not be practical (such as locations where wire connections and junction boxes would not be accessible). Home runs will not be allowed in metal-clad cable.

Section 362, of the said Electrical Code is amended by adding the following: "Electrical non-metallic flexible tubing shall not be used for any wiring construction over 24 volts nominal."

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Section 680.8(B) Communication Systems, of the said Electrical Code adopted by section 105-159 herein, is hereby amended in its entirety to read as follows: "Communication, radio, and television coaxial cables within the scope of articles 800 through 820 shall be permitted at a height of not less than 14 feet above swimming and wading pools, diving structures, and observation stands, towers, or platforms."

(Code 1961, § 8-1.1; Ord. No. 29-70, § 1, 2-23-1970; Ord. No. 171-72, § 1, 8-28-1972; Ord. No. 176-74, § 1, 7-22-1974; Ord. No. 102-83, § 1, 4-25-1983; Ord. No. 43-84, § 1, 2-13-1984; Ord. No. 003-06, § 2, 1-9-2006; Ord. No. 077-2011, § 2, 5-23-2011)

Sec. 105-161. - Object and scope of article.

(a) The purpose of this article is the preservation of life and the protection of the public safety by reducing personal hazard and fire hazard resulting from electrical causes. Therefore, the following provisions are enacted relating to the installation, alteration or repair of all electrical installations on all property and in all buildings and structures now erected or to be erected, changed, constructed, reconstructed, repaired or altered within the city. The intent and purpose of this article is to provide a minimum standard for electrical installations within the city and to regulate the installation, alteration or repair of all electrical installations in or about all premises located within the city.

(b) The provisions of this article shall not apply to the installation or repair of traffic signals by or in conjunction with the state or the city, electrical installations in railway cars, automotive equipment, electrical railway companies, nor to installations used by electrical public utility companies, telephone and telegraph companies, radio transmission stations and television transmission stations in the generation, transmission or distribution of electricity, or for the operation of signals or the transmission of intelligence in the exercise of their function as such agencies and located outdoors or in buildings used exclusively for that purpose, and no provision of this article shall require a permit or inspection of the above mentioned installations. Provided, however, that nothing in this article shall be construed as exempting from the permit and inspection requirements hereof other electrical installations which are used in conjunction with the specialized uses enumerated above.

(Code 1961, § 8-2; Ord. of 3-11-1947, § 2; Ord. No. 5-67, § 2, 1-23-1967; Ord. No. 23-71, § 1, 2-8-1971; Ord. No. 163-96, § 1, 6-14-1996)

Sec. 105-162. - Electrical inspector—Office created and qualifications.

There is hereby created the office of electrical inspector. The person chosen to fill the office of electrical inspector shall be of good moral character, shall be possessed of such executive ability as is requisite for the performance of the inspector duties and shall have a thorough knowledge of the standard materials and methods used in the installation of electrical equipment. The inspector shall be well versed in approved methods of construction for safety of persons and property, the statutes of this state relating to electrical work and any orders, rules and regulations issued by the authority thereof, and the provisions of the National Electrical Code. In addition, the inspector shall have had at least five years' experience as an electrical inspector or in the installation of electrical equipment.

(Code 1961, § 8-3; Ord. of 3-11-1947, § 3; Ord. No. 5-67, § 3, 1-23-1967; Ord. No. 171-72, § 2, 8-28-1972)

Sec. 105-163. - Same—Appointment and vacancy.

The electrical inspector shall be appointed by the chief building official ~~appointing authority~~ of the city. If for any reason the office of electrical inspector shall become vacant, the responsibility of such office shall be assumed by the chief building official ~~city engineer,~~ until such vacancy is filled.

(Code 1961, § 8-4; Ord. of 3-11-1947, § 3; Ord. No. 5-67, § 4, 1-23-1967)

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Sec. 105-164. - Same—Duties generally.

It shall be the duty of the electrical inspector to enforce the provisions of this article. The inspector shall, upon application, grant permits for the installation, alteration or repair of electrical equipment, and shall make inspections of electrical installations as provided in this article. The inspector shall keep complete records of all permits issued, inspections and reinspections made and other official work performed in accordance with the provisions of this article.

(Code 1961, § 8-5; Ord. of 3-11-1947, § 4; Ord. No. 5-67, § 5, 1-23-1967)

Sec. 105-165. - Same—Not to engage in electrical business.

It shall be unlawful for the electrical inspector, or for any of the inspector's assistants, to engage in the business of the sale, installation or maintenance of electrical equipment, either directly or indirectly, and they shall have no financial interest in any concern engaged in such business in the city.

(Code 1961, § 8-6; Ord. of 3-11-1947, § 4)

Sec. 105-166. - Same—Right of entry; filing of complaint; delegation of duties.

The electrical inspector shall have the right, during reasonable hours, to enter any building or premises in the discharge of the inspector's official duties or for the purpose of making any inspections, reinspections or tests of electrical equipment contained therein, or its installation. The inspector shall have the right to enter any building or premises at any time when it shall appear that the preservation of life or property requires such emergency action. It shall be the inspector's duty to file a written complaint for prosecution in the city court for the violation of any of the provisions of this article. The electrical inspector may delegate any of the inspector's duties to any of the inspector's assistants.

(Code 1961, § 8-7; Ord. of 3-11-1947, § 5; Ord. No. 5-67, § 6, 1-23-1967)

Sec. 105-167. - Who may do electrical work.

All electrical work within the scope of this article must be done under the direction of a master electrician or sign electrician; provided, however, that electrical work may be done by a property owner in a building owned and occupied by the owner as the owner's home. All work so performed by any property owner shall be subject to inspection and approval in accordance with the terms of the provisions of this article.

(Code 1961, § 8-8; Ord. of 3-11-1947, § 7; Ord. of 1-30-1950, § 1; Ord. No. 5-67, § 7, 1-23-1967; Ord. No. 176-74, § 1, 7-22-1974)

Sec. 105-168. - Work permit required; exceptions.

No installation, or alteration of, or addition to any electrical wiring or equipment within or on any building, structure or premises, publicly or privately owned, shall be commenced, unless the master electrician or sign electrician in charge of the proposed work, or the property owner doing the owners own work in accord with this article, first secures a permit therefor from the electrical inspector; provided, however, that no permit shall be required for the following classes of work:

(1) Replacement of lamps, fuses or the connection of portable electrical equipment to suitable permanently installed receptacles.

(2) The installation, alteration or repair of electrical equipment for the operation of signals or for the transmission of intelligence by wire by a communication agency.

(3) The installation, alteration or repair of electrical equipment installed by or for an electrical utility for the use of such utility in the generation, transmission and distribution of electricity.

(4) Master electricians and sign electricians shall have the privilege of making minor repairs or alterations, where material and labor does not exceed $25.00, without a permit.

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(Code 1961, § 8-9; Ord. of 3-11-1947, § 8; Ord. of 1-30-1950, § 1; Ord. No. 5-67, § 8, 1-23-1967; Ord. No. 176-74, § 1, 7-22-1974)

Sec. 105-169. - Application for initial inspection and permit.

(a) Before proceeding with any work for which a permit is required by section 105-168, the master electrician or sign electrician in charge of such proposed work, or a person that is designated in writing filed with the city by the master electrician, or sign electrician to call for said permit or inspection, or the property owner who may be doing the owners own work, shall first file with the electrical inspector an application requesting inspection and a permit therefor. Such application shall be in writing and shall describe the work to be done and shall give the exact street number of the premises on which the work is to be done. In the absence of a street address, the application shall state the legal description of the property upon which the work is to be done.

(b) Where plans and specifications for the proposed work require installation above the minimum standards as set forth in this article, the plans and specifications for such work shall accompany the application for inspection. All applications for inspections shall be accompanied by the inspection fees prescribed by this article.

(c) A permit issued shall be construed to be a license to proceed with the work and shall not be construed as the authority to violate, cancel, alter or set aside any of the provisions of this Code. Nor shall such issuance of a permit prevent the electrical inspector from thereafter requiring a correction of errors in plans or of violations of this Code. Every permit issued shall become invalid, unless the work authorized by such permit is commenced within six months after its issuance or if the work authorized by such permit is suspended or abandoned for any six-consecutive-month period after the time the work is commenced, provided that, for cause, one or more extensions of time for periods not exceeding 90 days each may be allowed and such extensions shall be in writing by the electrical inspector.

(Code 1961, § 8-10; Ord. of 3-11-1947, § 8; Ord. of 1-30-1950, § 1; Ord. No. 5-67, § 9, 1-23-1967; Ord. No. 171-72, § 3, 8-28-1972; Ord. No. 176-74, § 1, 7-22-1974; Ord. No. 196-78, § 1, 8-14-1978)

Sec. 105-170. - Progress reports to inspector; inspections generally.

(a) Persons responsible for the installation of or addition to any electrical wiring or equipment under terms of this article shall at all times keep the electrical inspector notified of the progress of the work and shall request inspection as the work progresses. Upon receipt of an application requesting inspection, the electrical inspector shall inspect or cause to be inspected such work within 48 hours after receiving the application, Saturdays, Sundays and legal holidays not to be included in this time. After inspecting the electrical wiring covered by any application, the electrical inspector shall leave a tag, which tag shall state that the work has been inspected and approved or that it is not approved and must be held open for correction. If the wiring is to be held open for inspection, no person shall lath, ceil or in any other manner conceal any wiring, until the inspector is informed that such wiring has been approved by the electrical inspector.

(b) All electrical work shall be inspected before it is covered or concealed. All cabinet and panel board covers or trims shall be left off for final inspection and any fitting or cover that conceals any wiring which may hinder the proper inspection of electrical work shall be removed at the request of the electrical inspector at no expense to the city.

(Code 1961, § 8-11; Ord. of 3-11-1947, § 8; Ord. of 1-30-1950, § 1; Ord. No. 5-67, § 10, 1-23-1967)

Sec. 105-171. - Removal of obstructions hindering inspection.

The electrical inspector shall have the right to remove or compel the removal of any obstruction, such as lath, plastering, ceiling or flooring, which may hinder a full and complete inspection of wires or apparatus. The inspector may also remove or compel the removal of any conductors which are enclosed in conduit or

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otherwise inaccessible for complete inspection. When such conductors or appliances are not in accordance with the requirements of this article, or are found to be unsafe to life or property, the inspector shall have the right to condemn such conductors or appliances.

(Code 1961, § 8-12; Ord. of 3-11-1947, § 5)

Sec. 105-172. - Final inspection and certificate.

Upon completion and receipt of final inspection papers covering electrical work, the electrical inspector shall make a final inspection and, if such work is found to comply with this article, a certificate of inspection shall be issued stating that the work has been done according to the provisions of this article and the rules governing the respective class to which it belongs. This certificate shall not relieve the person responsible for the work of the person's responsibility for any defective work that may have been concealed or escaped the notice of the inspector.

(Code 1961, § 8-13; Ord. of 3-11-1947, § 8; Ord. of 1-30-1950, § 1)

Sec. 105-173. - Inspection fees.

(a) Fees to be paid for inspections made by the electrical inspector under the provisions of this article shall be in an amount as established by the city council from time to time and is on file in the city secretary's office or city website.

(b) Any person, firm or corporation, including licensed electricians who do not take out a permit before beginning any work under this article, shall be charged double the permit rate for that work.

(c) In case the electrical inspector is required to make more than one trip from the inspector's office for the purpose of inspecting any work because of a building being locked or because of a wrong address given by the person doing the work, a charge shall be made for each additional trip required of the inspector. The additional trip charge shall be in an amount as established by the city council from time to time and is on file in the city secretary's office or city website.

(d) On installations where several persons are concerned with the installation of electric conductors or appliances, each party shall be required to pay the fees as established under the provisions of this article for that portion of such work for which each party is concerned.

(Code 1961, § 8-14; Ord. of 3-11-1947, § 9; Ord. No. 55-61, 9-18-1961; Ord. No. 5-67, § 11, 1-23-1967; Ord. No. 176-74, § 1, 7-22-1974; Ord. No. 196-78, § 2, 8-14-1978; Ord. No. 374-80, § 1, 12-8-1980; Ord. No. 295-83, § 1, 10-24-1983; Ord. No. 322-85, § 1, 10-14-1985)

Sec. 105-174. - Installation and construction standards generally.

All electrical equipment installed or used, and including all electrical installations of any individual, corporation or utility company, shall be in strict conformity with the provisions of this article, the statutes of the state and any orders, rules or regulations issued by authority thereof, and with approved electrical standards of construction for safety to life and property. Unless by the provisions of this article, by any statute of the state or by any order, rule or regulation issued by authority thereof, a specific type or class of electrical equipment is disapproved for installation or use, conformity with the regulations laid down in the National Electrical Code as published by the National Fire Protection Association and adopted by the city council of the city and incorporated by referencing to this article, shall be prima facie evidence of conformity with approved standards of installation and construction for safety to life and property. Provided, however, that this section shall not apply to equipment owned and used by any electrical utility company or any communication agency in the generation, transmission or distribution of electricity or for the operation of signals or for the transmission of intelligence.

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(Code 1961, § 8-15; Ord. of 3-11-1947, § 6; Ord. No. 5-67, § 12, 1-23-1967; Ord. No. 207-71, § 1, 10-25-1971; Ord. No. 176-74, § 1, 7-22-1974; Ord. No. 283-74, § 1, 12-23-1974; Ord. No. 196-78, § 3, 8-14-1978; Ord. No. 31-81, § 2, 2-23-1981)

Sec. 105-175. - Work to be done in neat and workmanlike manner.

All electrical work shall be executed in a neat and workmanlike manner. Slipshod work or work not in keeping with good electrical practice is prohibited.

(Code 1961, § 8-16; Ord. of 3-11-1947, § 7)

Sec. 105-176. - Approval of apparatus, fittings and material.

No electrical apparatus, fitting or material shall be used within the city, or within the two-mile extraterritorial jurisdiction limits of the city, unless it is approved by the electrical inspector as complying with the safety requirements of this article; provided, however, that all such apparatus, fittings or material which bear the label of Underwriters' Laboratories, Incorporated, shall be deemed prima facie evidence to satisfy the requirements of this article, and the electrical inspector is authorized to approve such apparatus, fittings and material without requiring further tests thereof to be made.

(Code 1961, § 8-17; Ord. of 3-11-1947, § 6; Ord. No. 5-67, § 13, 1-23-1967)

Sec. 105-177. - Disapproved wiring methods.

The following shall constitute disapproved wiring methods for electrical work:

(1) Armored cable (Type BX);

(2) Service entrance cable for meter loops (braided outside neutral);

(3) No aluminum or copper-clad aluminum No. 6 or smaller shall be used.

(Code 1961, § 8-18; Ord. of 3-11-1947, § 6; Ord. No. 5-67, § 14, 1-23-1967; Ord. No. 31-81, § 3, 2-23-1981)

Sec. 105-178. - Minimum service.

A minimum service of 100 amperes is to be provided all new electrical installations, except temporary poles, electrical signs and other installations when in the opinion of the electrical inspector such installation shall not be hazardous.

(Code 1961, § 8-19; Ord. No. 171-72, § 4, 8-28-1972)

Sec. 105-179. - Concealed knob and tube work.

Concealed knob and tube work shall be used only in the following places and for the following purposes:

(1) Private dwelling outside the fire limits.

(2) Electrical signs.

(3) For wiring temporary installations by written permission from the electrical inspector.

(Code 1961, § 8-20; Ord. of 3-11-1947, § 6; Ord. No. 5-67, § 16, 1-23-1967)

Sec. 105-180. - Nonmetallic sheathed cable.

Nonmetallic sheathed cable shall be used only in private dwellings outside the fire limits.

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(Code 1961, § 8-21; Ord. of 3-11-1947, § 6)

Sec. 105-181. - Reserved.

Editor's note— Ord. No. 2016-046 , § 1, adopted April 25, 2016, repealed § 105-181, which pertained to health care facilities and derived from the Code of 1961, § 8-22 and Ord. No. 331-88, § 1, adopted Nov. 14, 1988.

Sec. 105-182. - Signs—Location and height.

Electrical signs may extend from private property to within 18 inches of the curbline, provided that the sign remains a safe distance from utility wires. No sign shall, at its lowest point, be less than nine feet above the sidewalk. All signs must be supported from poles, structures or buildings located entirely on private property. High-rise signs shall conform with the provisions of section 130-10. It shall be unlawful for any person to attach any sign, device or representation used in the nature of advertisements, announcements or direction on any electrical sign which would reduce the clearance to less than the minimum set forth above. Lighting reflectors for the illumination of a building or sign board shall not project more than eight feet beyond the building line.

(Code 1961, § 8-25; Ord. of 3-11-1947, § 7; Ord. No. 5-67, § 20, 1-23-1967)

Sec. 105-183. - Same—Circuits.

Sign circuits must be separate and must not be used for other purposes.

(Code 1961, § 8-26; Ord. of 3-11-1947, § 7; Ord. No. 5-67, § 21, 1-23-1967)

Sec. 105-184. - Same—Dangerous signs.

When, upon inspection or reinspection, any electrical sign is found to be in a dangerous or unsafe condition and the owner, or user thereof, fails to place such sign in safe condition after being notified so to do by the electrical inspector within the time limit specified by the inspector, the inspector shall remove such sign at the expense of the owner or user.

(Code 1961, § 8-27; Ord. of 3-11-1947, § 7)

Sec. 105-185. - Extensions or additions to existing systems.

Persons making extensions or additions to existing electrical systems shall, before proceeding with such work, ascertain from the electrical inspector if old work must be changed or must be brought up to the requirements of this article.

(Code 1961, § 8-28; Ord. of 3-11-1947, § 8; Ord. of 1-30-1950, § 1)

Sec. 105-186. - Clearance for current to be furnished new or disconnected work.

It shall be unlawful for any public service company operating in the city to furnish current to any new building, tent, structure or outdoor wiring of any kind, nature or description without first obtaining a clearance from the electrical inspector, stating that such wiring is approved and a permit has been issued for the use of current. Whenever any service is discontinued to any building or structure for any cause whatever, except nonpayment of bill, a clearance will be necessary before each building or structure can be reconnected.

(Code 1961, § 8-29; Ord. of 3-11-1947, § 8; Ord. of 1-30-1950, § 1)

Sec. 105-187. - Defective equipment.

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When any electrical equipment is found by the electrical inspector to be dangerous to persons or to property because it is defective or defectively installed, the person responsible for the electrical equipment shall be notified in writing and shall make any changes or repairs required, in the judgment of the electrical inspector, to place such equipment in safe condition, and, if such work is not completed within 15 days or any longer period that may be specified by the electrical inspector in the notice, the inspector shall have authority to disconnect or order the discontinuance of electric service to such equipment. In cases of emergency, where necessary for safety of persons or of property, or where electrical equipment may interfere with the work of the fire department, the electrical inspector shall have the authority to immediately disconnect or cause the disconnection of any electrical equipment.

(Code 1961, § 8-30; Ord. of 3-11-1947, § 5)

Sec. 105-188. - Defective conductors or material.

Whenever any electrical conductor or electrical material in or on any building or any electrical conductor on any pole line or any conductor underground becomes or is in a condition that is dangerous to life and property, the electrical inspector is hereby empowered to condemn, disconnect and cause the owner of such conductor or material to immediately correct the same or have it removed.

(Code 1961, § 8-31; Ord. of 3-11-1947, § 8; Ord. of 1-30-1950, § 1)

Sec. 105-189. - Article does not affect liability for damages.

This article shall not be construed to affect the responsibility or liability of any party owning, operating, controlling or installing any electrical equipment for damages to persons or to property caused by any defect therein, nor shall the city or any officer or employee of the city be held as assuming such liability by reason of the inspection or reinspection authorized herein or the certificate of approval issued as herein provided or by reason of the approval or disapproval of any equipment authorized herein.

(Code 1961, § 8-32; Ord. of 3-11-1947, § 13)

Sec. 105-190. - Rules of construction for technical codes.

(a) Wherever the term "municipality" is used in within the technical codes which are adopted by reference in this article, it shall be held to mean the city.

(b) Wherever the term "chief appointing authority" is used within the technical codes which are adopted by reference in this article, it shall be held to mean the city.

(c) Wherever the term "corporation counsel" or "legal counsel" is used within the technical codes which are adopted by reference in this article, it shall be held to mean the city attorney for the city.

(d) Where reference is made to the duties of certain officials named within the technical codes which are adopted by reference in this article, then that designated official of the city who has duties corresponding to those of the named official in said technical code, shall be deemed to be the responsible official insofar as enforcing the provisions of that technical code are concerned.

Sec. 105-191. - Interpretations.

The electrical inspector is hereby authorized to render interpretations of this Code and the adopted technical codes and to adopt policies and procedures in order to clarify the application of their provisions. Such interpretations, policies and procedures shall be in compliance with the intent and purpose of this article. Such policies and procedures shall not have the force and effect of law and shall not have the effect of waiving requirements specifically provided for in this Code or in the adopted technical codes.

Sec. 105-192. - Administrative liability.

No officer, agent or employee of the city charged with the administration and enforcement of this article and acting in good faith without malice in the discharge of those duties, shall render themselves personally liable for any damage that may occur to any person or property as a result of any act required or permitted, or by reason of any act or omission, in the discharge of their duties under this article, and they have hereby

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relieved from all personal liability for any damage that may accrue to persons or property as a result of any act required or by reason of any act or omission in the discharge of their duties.

Sec. 105-193. - Referenced codes and standards.

The technical codes and standards referenced in this Code shall be considered part of the requirements of this Code to the prescribed extent of each such reference. Where differences occur between provisions of this Code and the referenced technical codes and standards, the provisions of this Code shall apply.

Sec. 105-194

Any person, firm or corporation violating any of the provisions of this article shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined in an amount not to exceed $500, except for such violations of any provisions of this article that govern public health and sanitation, upon conviction, shall be fined in an amount not to exceed $2,000.00. Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such thereunder.

Sec. 105-195—105-209. - Reserved.

DIVISION 2. - MASTER ELECTRICIANS AND SIGN ELECTRICIANS

Subdivision I. - In General

Sec. 105-210. - Duty to supervise work.

Every master electrician and sign electrician, or their qualified journeyman, shall direct, superintend and always be present during all electrical installations and repairs under their control within the city and may supervise a maximum of three apprentices at any one time. Nothing in this section, however, is to be construed as relieving the master electrician or sign electrician of any responsibility established under this division for work directed or superintended by a journeyman electrician.

(Code 1961, § 8-40; Ord. of 3-11-1947, § 11; Ord. No. 171-72, § 5, 8-28-1972; Ord. No. 176-74, § 1, 7-22-1974; Ord. No. 175-2011, § 1, 11-14-2011)

Sec. 105-211. - Responsibility for defective installations.

Every person holding a certificate under this division shall be responsible for any defect in any construction, insofar as correction thereof is concerned, installed by the person until such time as a certificate of approval has been issued, and also for any defects that may have been concealed by such person and discovered by the electrical inspector, or the inspectors duly authorized agent, after a certificate of approval has been issued by the electrical inspector approving such construction. After the issuance of the certificate of approval, the person in whose name the meter is contracted shall be responsible for all defects caused by the person.

(Code 1961, § 8-41; Ord. of 3-11-1947, § 11)

Secs. 105-212—105-227. - Reserved.

Subdivision II. - Certificate

Sec. 105-228. - Required.

No person shall engage in the business of installing, repairing or removing electrical wiring without first securing from the state, a master electrician license and electrical contractor license or master sign electrician license and a sign contractor's license.

(Code 1961, § 8-47; Ord. of 3-11-1947, § 10; Ord. No. 176-74, § 1, 7-22-1974; Ord. No. 003-06, § 3, 1-9-2006)

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Sec. 105-229. – Reserved. ~~Electrical advisory Examining board—Composition; appointment, term of members; general duties.~~

~~(a) The examination required of applicants for a certificate under this subdivision shall be given by the electrical examining board. Such electrical advisory board shall be composed of five members as follows: one electrical engineer, two master electricians, one general business owner, man or and one building contractor, and one councilmember. The members of the board and their successors shall be appointed pursuant to the provisions of section 100___ of this Code shall be nominated by the mayor and confirmed by a majority vote of the city council, and shall hold office for two years and serve without salary. A chairperson shall be elected from and by the board membership, and meetings shall be called for the purpose of considering any proper matters to come before the board. The chief building official, city engineer and city electrical inspector shall be ex officio members of the board. The board shall recommend changes to this article to the city council.~~

~~(b) Specific duties of the board shall include, but are not limited to:~~

~~(1) Preparation of examination questions for applicants;~~

~~(2) Supervising the written examination and grading the same;~~

~~(3) Providing standard answers to prepared questions from recognized authorities;~~

~~(4) Authorizing the issuance of master electrician and electrical sign manufacturer's certificates; and~~

~~(5) The board shall Recommending changes to this subdivision, in writing, to the city council.~~

(Code 1961, § 8-50; Ord. of 3-11-1947, § 11; Ord. of 9-11-1956, § 1; Ord. No. 5-67, § 22, 1-23-1967)

Sec. 105-230. – Reserved ~~Same—Appellate authority.~~

~~In addition to the duties referred to in section 105-229, the electrical examining board shall have authority to hear appeals from decisions of the electrical inspector related to this subdivision.~~

(Code 1961, § 8-51; Ord. No. 58-73, § 2, 3-12-1973)

Sec. 105-231. - Time limit.

(a) Whenever the electrical inspector shall reject or refuse to approve the mode or manner of electrical installation proposed to be followed or materials to be used in the electrical installations of a building or structure, or when it is claimed that the provisions of this Code do not apply, or that an equally good or more desirable form of electrical installation can be employed in any specific case, or when it is claimed that the true intent and meaning of this Code or any of the regulations thereunder have been misconstrued or wrongly interpreted, the owner of such building or structure, or the owner's duly authorized agent, may appeal from the decision of the electrical inspector to the Director of Inspections (or the director's designee) ~~electrical examining board~~. Notice of appeal shall be in writing and filed with the Director of Inspections within 30 calendar days after the decision is rendered by the electrical inspector; provided however, that if, in the opinion of the electrical inspector, a building or structure is unsafe or dangerous, the electrical inspector may, in the inspections order, limit the time for such request for review to a shorter period. ~~A fee shall accompany such notice of appeal. The appeal fee shall be in an amount as established by the city council from time to time and is on file in the city secretary's office or city website.~~

(b) ~~In case of a building or structure which, in the opinion of the electrical inspector is unsafe or dangerous, the electrical inspector may, in the inspectors order, limit the time for such appeal to a shorter period. Appeals hereunder shall be on forms provided by the electrical inspector.~~

(Code 1961, § 8-51.1; Ord. No. 58-73, § 2, 3-12-1973)

Attachment: 2020-023 ATTH 01 Red Line Version [Revision 1] (2222 : 2020-023 ORD Electrical Code changes)

Sec. 105-232. – Reserved ~~Variations and modifications.~~

~~(a) The electrical examining board when so appealed to shall conduct a hearing wherein their primary consideration is the health, safety and general welfare of the citizens of the city. After determining that the health, safety and general welfare of the city or any of its citizens shall not be harmed or endangered in any way, the electrical examining board may vary the application of any provision of this Code to any particular case when, in its opinion, the enforcement thereof would do manifest injustice and would be contrary to the spirit and purpose of this Code or when, in its opinion, the interpretation of the electrical inspector should be modified or reversed.~~

~~(b) A decision of the electrical examining board to vary the application of any provision of this Code or to modify an order of the electrical inspector shall specify in what manner such variation or modification is made, the conditions upon which it is made and the reasons therefor.~~

(Code 1961, § 8-51.2; Ord. No. 58-73, § 2, 3-12-1973)

Sec. 105-233. – Reserved ~~Decisions.~~

~~(a) Every decision of the electrical examining board shall be final, subject, however, to such remedy as any aggrieved party might have at law or in equity. It shall be in writing and shall indicate the vote upon the decision. Every decision shall be promptly filed in the office of the electrical inspector and shall be open to public inspection; a certified copy shall be sent by mail or otherwise to the appellant and a copy shall be kept publicly posted in the office of the electrical inspector for two weeks after filing.~~

~~(b) The electrical examining board shall, in every case, reach a decision without unreasonable or unnecessary delay.~~

~~(c) If a decision of the electrical examining board reverses or modifies a refusal, order or disallowance of the electrical inspector, or varies the application of any provision of this Code, the electrical inspector shall immediately take action in accordance with such decision.~~

(Code 1961, § 8-51.3; Ord. No. 58-73, § 2, 3-12-1973)

Sec. 105-234. – Reserved. - ~~Penalty for violation of article subdivision~~.

~~Any person, firm or corporation violating any of the provisions of this subdivision shall be deemed guilty of a misdemeanor and the person, firm or corporation, or an employee, agent, manager or officer thereof, who is guilty of violating any of the provisions, shall, upon conviction thereof, be fined in any amount not to exceed $500.00 for each offense and every violation of and each and every day's failure or refusal to comply with the said provision will constitute a separate offense and in case of willful or continued violations by any person, firm or corporation as aforesaid, or their agents, employees, servants or officers, the city, acting by and through the board of examiners, shall have power to revoke and repeal any license under which said person, firm or corporation may be acting and revoke all permits, privileges and franchises granted to said person, firm or corporation aforesaid.~~

(Code 1961, § 8-57; Ord. No. 5-67, § 23, 1-23-1967; Ord. No. 53-88, § 1, 2-22-1988)

Sec. 105-235. - Compliance inspections.

The chief building official shall arrange for an electrical code compliance inspection when requested by the owner or builder of any single-family duplex, townhouse, condominium or house under construction in the city's extraterritorial jurisdiction and outside a legal subdivision. A fee will be assessed for the inspection service of each unit designed to house a single family. The fee shall be due and payable to the city prior to the request by the owner or builder for a final inspection. The final inspection report shall not be provided to the owner or builder until the required payment has been received. This section shall not be applicable to apartments or nonresidential structures. The inspection fee shall be in an amount as established by the city council from time to time and is on file in the city secretary's office or city website.

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(Code 1961, § 8-59; Ord. No. 163-96, § 2, 6-14-1996)

Secs. 105-236—105-251. - Reserved.

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City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

Perspectives	Goals
Serve the Community	☐ Promote an Environmentally Sensitive & Livable Community ☑ Provide a Safe Community ☑ Deliver Quality Services ☐ Foster a Healthy Community
Run the Operations	☐ Enhance Community Preparedness & Responsiveness ☐ Maximize Partnership Opportunities ☑ Provide Courteous & Responsive Customer Service ☑ Model a Positive City Image ☑ Deliver Efficient Services ☐ Cultivate Community Involvement & Access
Manage the Resources	☐ Maintain Fiscal Strength ☑ Maximize Utilization & Resources ☐ Invest in Infrastructure & Transportation
Develop Personnel	☐ Develop a Skilled & Diverse Workforce ☐ Create a Positive & Rewarding Work Culture

Perspectives and Goals Additional Comments:

NONE

Resource Impact:

Staff time required if item is approved:	No Additional

Other Potential Impacts:

NONE APPLICABLE

Public Information Plan:

☐	Newspaper Notice (Required by Statute)	☐	Public Hearing (Required by Statute)
☐	Public Forum/Input Session	☐	Press Release
☐	E-News Distribution	☐	Website Notice
☐	Social Media (Twitter, Facebook, etc.)	☐	Special Mailing
☐	Flyers Posted	☐	Banners Posted
☐	Survey	☐	Automated Phone Call
☑	None Required	☐	

Other:

Attachment: 2020-023 Goals & Perspectives (2222 : 2020-023 ORD Electrical Code changes)