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CHAPTER 1

OFFENSES AND NUISANCES

2022-1 NUISANCES

- (a) Any unreasonably loud, disturbing, disruptive, unnecessary noise which causes material distress, discomfort or injury to persons of ordinary sensibilities in the immediate vicinity thereof is hereby declared to be a nuisance and is prohibited.
- (b) Any noise of such character, intensity, and continued duration as to substantially interfere with the comfortable enjoyment of private homes by persons of ordinary sensibilities is declared to be a nuisance and is prohibited.
- (c) Silent Time: Operating or using, within the boundaries of the district, any device which produces noises such as radio, television, or musical instrument, motor, or engine between 11 PM and 8 AM in such a manner that unreasonably disturbs any person, excluding necessary medical devices is prohibited.

2022-1.1 Enumeration

The following acts, among others, are declared to be nuisances in violation of this article, but such enumeration shall not be deemed to be exclusive:

1. Radios, loudspeakers, stereos, etc. The playing of any radio, stereo, or other musical instrument in such a manner or with such a volume to annoy or disturb the quiet, comfort, rest, sleep, or repose of persons of ordinary sensibilities in any dwelling, hotel, campground, residential areas, beaches, and docks.
2. Dogs, other animals, and birds. The keeping of any animal or bird which by causing frequent or long-continued noise shall disturb the comfort or repose of persons of ordinary sensibilities in the immediate vicinity.
3. Horns, signal devices on automobiles, mufflers, and modification to any exhaust system. The continued or frequent sounding of any horn or signal device of any automobile, motorcycle, bus, or other vehicle, except as a danger or warning signal, or the creation by means of any such signal device of any unreasonably loud or harsh noise for any unnecessary or unreasonable period of time, so as to disturb persons of ordinary sensibilities in the immediate vicinity.

Commented [NA1]: From txcourts.gov:

City Ordinance cases involve ordinances enacted by municipalities (e.g., building codes, zoning laws, dog ordinances). Ordinance violations involving litter, fire safety, zoning, public health, and sanitation are punishable by fines only, up to a maximum of \$2,000. Punishment for violation of other types of city ordinances is limited to fines only, not to exceed \$500.

2022-1.2 Amplifiers on public or private property

It is prohibited/unlawful for any person to connect a loudspeaker or amplifier of any kind to a radio, television or record-playing machine or to any kind of machine which produces or reproduces sound of any kind and, when so connected, place said loudspeaker or amplifier on any building or vacant lot in the district, or place the same inside of any such building near an entrance or window or any opening in said building, or place such loudspeaker or amplifier on the sidewalk or in the street in front of any building or alongside of any building or vacant lot, and use or permit such loudspeaker or amplifier to be used to produce or reproduce sounds of any kind for the purpose of advertising, entertaining or for any other purpose unless permitted and approved by the water district and general manager. Nothing herein shall be construed as prohibiting the playing of a radio, television or record-playing machine when not connected with a loudspeaker or amplifier in any building or on any vacant lot in the district.

2022-1.3 Foul language

It is prohibited/unlawful for any person to speak words or phrases that would be interpreted as abusive, indecent, profane, or vulgar within the boundaries of the district. This ordinance shall also prohibit gestures or displays of offensive behavior, including gang signs.

2022-1.3 Penalty

Any person, firm or corporation violating the provisions of this section shall, upon conviction, be fined up to \$500 and in some instances, up to \$2000.

2022-2 FIREARMS AND WEAPONS

2022-2.1 Air guns, spring guns, and bow and arrows

It is prohibited/unlawful for any person to shoot or discharge any air or spring gun or air or spring rifle or bow and arrow of any description within the district.

2022-2.2 Throwing missiles

It is prohibited/unlawful for any person to throw rocks, stones, balls, clods of earth, or any other missile in such manner as may do injury to any person or property.

2022-2.3 Penalty

Any person, firm or corporation violating the provisions of this section shall, upon conviction, be fined up to \$500 and in some instances, up to \$2000.

2022-3 FIREWORKS AND FIRES

2022-3.1 Definition

Firework: Combustible or explosive compositions, or combustible or explosive devices, designed to produce visible or audible effects for amusement purposes.

2022-3.2 Possession, use, sale, manufacture, etc.

It is unlawful/prohibited for any person to possess, manufacture, sell or give away fireworks, or store, transport, or use fireworks within the district boundaries.

2022-3.3 Exemptions for display permit

Nothing in this article shall be construed to prevent any public or private demonstration or display of fireworks of any kind if conducted under proper police supervision after application has been made and permit issued by the general manager for such demonstration.

2022-3.4 Fires

It is prohibited/unlawful for any person to ignite and burn, or to knowingly cause to be ignited and burned, a fire on any of the designated beach areas within the district boundaries.

Fires shall be contained to an area of no more than two (2) feet wide by one (1) foot tall.

It is prohibited/unlawful to ignite and burn, or to knowingly cause to be ignited and burned, when wind speeds are 20 miles per hour or higher.

2022-3.5 Penalty

Any person, firm or corporation violating the provisions of this section shall, upon conviction, be fined up to \$500 and in some instances, up to \$2000.

2022-4 GLASS CONTAINERS

2022-4.1 Glass Containers

It is prohibited/unlawful for any person to have in possession or in use, whether or not in the immediate possession of any person, any glass bottle or glass container of any kind, size, or shape within the boundaries of the district except on a resident's lot.

2022-4.2 Penalty

Any person, firm or corporation violating the provisions of this section shall, upon conviction, be fined up to \$500 and in some instances, up to \$2000.

2022-5 ADVERTISING

2022-5.1 Putting up placards, etc., in public places

(a) It is prohibited/unlawful for any person to fasten, tack, nail, tie, glue, paste or maintain any placard, poster, banner or any other material anywhere on the streets, sidewalks, curbs, gutters, signal light posts or bases, streetlight posts or bases, telephone posts or electric posts in the district or to cause the same to be done.

(b) This section shall not apply to any officer of the district, the state, or the United States who may place upon such objects, by tying with strings or ties, any posters or placards in the interest of public health and safety.

(c) The district shall allow political signs up to 36sq.ft. that can only be placed on private property as long as they do not create view obstructions for pedestrians or drivers. Signs must be removed within 10 days after the election.

2022-5.2 Distributing, etc., handbills, etc.

It is prohibited/prohibited/unlawful for any person to circulate or distribute upon any of the public streets, alleys, sidewalks or public grounds of the district, or to scatter about, or to place in or upon any vehicle standing upon any public street, alley, sidewalk or public grounds of the district, any dodgers, handbills or circulars unless permitted and approved by the water district and general manager.

2022-5.3 Obscene, etc., advertising and displays

It is prohibited/prohibited/unlawful for any person to post, paint or have posted or painted or to display or distribute any bill, sign, bulletin, card or banner, containing pictures or illustrations or any other matter of an obscene character, as defined by state law, at any point in the district where the same may be seen by persons traversing any alley, street or public place. (1978 Code, sec. 3-6)

2022-5.4 Penalty

Any person, firm or corporation violating the provisions of this section shall, upon conviction, be fined up to \$500 and in some instances, up to \$2000.

2022-6 ABANDONED OR JUNKED MOTOR VEHICLES

2022-6.1 Vehicle registration

Any vehicle subject to state registration shall be registered or shall be removed from the district within 72 hours at the owners expense.

2022-6.2 Definition of abandoned motor vehicle

For the purposes of this article, a motor vehicle is abandoned if the motor vehicle:

Commented [NA2]: Need to clarify ordinance for the storage area

- (1) Is inoperable, is more than five years old, and has been left unattended on public property for more than 48 hours;
- (2) Has remained illegally on public property for more than 48 hours;
- (3) Has remained on private property without the consent of the owner or person in charge of the property for more than 48 hours;
- (4) Has been left unattended on the right-of-way of a designated county, state, or federal highway for more than 48 hours.
- (5) Storage fees will be \$10/day for a maximum of 30 days and thereafter the district will start the process of liquidation.

---Refer here to Texas transportation code 683.075 (Abatement and removal of a public nuisance)
<https://texas.public.law/statutes/tex.transp.code.section.683.075>

Commented [NA3]: Include this statement in this ordinance?

2022-6.3 Authority to take abandoned motor vehicle into custody

(a) The police department may take into custody an abandoned motor vehicle, watercraft, or outboard motor found on public or private property.

(b) The police department may use agency personnel, equipment, and facilities or contract for other personnel, equipment, and facilities to remove, preserve, and store an abandoned motor vehicle, watercraft, or outboard motor taken into custody by the agency under this article.

2022-6.4 Taking abandoned motor vehicle into custody; notice

(a) The police department shall send notice of abandonment to:

(1) The last known registered owner of each motor vehicle, watercraft, or outboard motor taken into custody by the department; and

(2) Each lienholder recorded under chapter 501 [of the Transportation Code] for the motor vehicle or under chapter 31, Parks and Wildlife Code, for the watercraft or outboard motor.

(b) The notice under subsection (a) must:

(1) Be sent by certified mail not later than the 10th day after the date the agency:

(A) Takes the abandoned motor vehicle, watercraft, or outboard motor into custody; or

(B) Receives the report under section 683.031 of the Texas Transportation Code;

(2) Specify the year, make, model, and identification number of the item;

(3) Give the location of the facility where the item is being held;

(4) Inform the owner and lienholder of the right to claim the item not later than the 20th day after the date of the notice on payment of:

(A) Towing, preservation, and storage charges; or

(B) Garagekeeper's charges and fees under section 683.032; and

(5) State that failure of the owner or lienholder to claim the item during the period specified by subsection (4) is:

(A) A waiver by that person of all right, title, and interest in the item; and

(B) Consent to the sale of the item at a public auction.

(c) Notice by publication in one newspaper of general circulation in the area where the motor vehicle, watercraft, or outboard motor was abandoned is sufficient notice under this section if:

(1) The identity of the last registered owner cannot be determined;

(2) The registration has no address for the owner; or

(3) The determination with reasonable certainty of the identity and address of all lienholders is impossible.

(d) Notice by publication:

(1) Must be published in the same period that is required by subsection (b) for notice by certified mail and contain all of the information required by that subsection; and

(2) May contain a list of more than one abandoned motor vehicle, watercraft, or outboard motor.

2022-6.5 Storage fees

The district shall collect reasonable storage fees of at least \$20 per day in addition to wrecker fees:

Commented [NA4]: Did you want to include this wording?

(1) For not more than 10 days, beginning on the day the item is taken into custody and ending on the day the required notice is mailed; and

(2) Beginning on the day after the day the agency mails notice and ending on the day accrued charges are paid and the vehicle, watercraft, or outboard motor is removed.

2022-6.6 Auction or use of abandoned items; waiver of rights

(a) If an abandoned motor vehicle, watercraft, or outboard motor is not claimed under section 683.012 of the Texas Transportation Code:

(1) The owner or lienholder:

(A) Waives all rights and interests in the item; and

(B) Consents to the sale of the item by public auction; and

(2) The police department may sell the item at a public auction or use the item as provided by section 683.016 of the Texas Transportation Code.

(b) Proper notice of the auction shall be given. A garagekeeper who has a garagekeeper's lien shall be notified of the time and place of the auction.

(c) The purchaser of a motor vehicle, watercraft, or outboard motor:

(1) Takes title free and clear of all liens and claims of ownership;

(2) Shall receive a sales receipt from the law enforcement agency; and

(3) Is entitled to register the motor vehicle, watercraft, or outboard motor and receive a certificate of title.

2022-6.7 Auction proceeds

(a) The police department shall collect reimbursement from the proceeds of the sale of an abandoned motor vehicle, watercraft, or outboard motor for:

- (1) The cost of the auction;
- (2) Towing, preservation, and storage fees resulting from the taking into custody; and
- (3) The cost of notice or publication.

(b) After deducting the reimbursement allowed under subsection (a), the proceeds of the sale shall be held for 90 days for the owner or lienholder of the vehicle.

(c) After the period provided by subsection (b), proceeds unclaimed by the owner or lienholder shall be deposited in an account that may be used for the payment of auction, towing, preservation, storage, and notice and publication fees resulting from taking other vehicles, watercraft, or outboard motors into custody if the proceeds from the sale of the other items are insufficient to meet those fees.

2022-6.8 Junked vehicle defined

A junked vehicle means a vehicle that is self-propelled and:

- (1) Does not have lawfully attached to it:
 - (A) An unexpired license plate; or
 - (B) A valid motor vehicle inspection certificate.
- (2) Is wrecked, dismantled or partially dismantled, or discarded; or
- (3) Is inoperable and has remained inoperable for more than:

(A) 72 consecutive hours, if the vehicle is on public property; or

(B) 30 consecutive days, if the vehicle is on private property.

2022-6.9 Declaration of public nuisance

Consistent with the state Transportation Code, a junked vehicle or a part thereof that is visible from a public place or public right-of-way:

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

2022-6.10 Offense

Maintaining a public nuisance as defined by this article is a misdemeanor offense punishable by a fine not to exceed \$2000.00.

2022-6.11 Abatement of nuisance

(a) Motor vehicles, or a part thereof, constituting a public nuisance are subject to abatement pursuant to the following provisions:

(1) No junked vehicle, or a part thereof, removed from public or private property may be reconstructed or made operable after such removal.

(2) The provisions of this section shall be administered by the district administrator or his designee, except that any person may perform the actual removal of the vehicle.

(3) Any vehicle, or a part thereof, considered to be junked shall be tagged by affixing to its windshield or back glass a notice that such is considered to constitute a nuisance and that a public hearing for the purpose of securing an order to remove the vehicle will be held at a date and time certain in the municipal court and advising that any owner may appear to provide testimony. The district administrator or his designee shall attempt to determine the name and address of any owner or lienholder and shall, by United States mail, post a similar notice to those entities.

(b) The affixed notice and the posted notice shall be given 10 days in advance of the hearing, and by certified mail with a five-day return to:

(1) The last known registered owner of the nuisance;

(2) Each lienholder of record of the nuisance;

(3) The owner or occupant of:

(A) The property on which the nuisance is located; or

(B) If the nuisance is located on a public right-of-way, the property adjacent to the right-of-way.

(c) The notice must state that:

(1) The nuisance must be abated and removed no later than the 10th day after the date on which the notice was mailed; and

(2) Any request for a hearing must be made before that 10-day period expires.

(d) If the notice is returned undelivered or if the address is unknown, action to abate the nuisance shall be continued to a date not earlier than the 11th day after the return of the notice, on which date the hearing shall be held. If the address is unknown, the notice shall be placed on the nuisance or, if the owner is located, hand delivered.

(e) Within five days of the entry of an order for removal, the district administrator or his designee shall give to the state department of transportation notice identifying the vehicle or part thereof.

2022-6.12 Removal

A junked vehicle, or a part thereof, determined to be so after opportunity for a hearing may be removed to a scrap yard, a motor vehicle demolisher, or a site designated by the district.

2022-6.13 Exceptions

This article shall not apply to a vehicle or portion thereof that is:

(1) Lawfully situated within a building;

(2) Situated on private property as inventory of a vehicle dealer on an approved surface that is free of vegetation or in an automobile wrecking yard, or that is an antique or special interest vehicle stored by a collector on the collector's property, and stored on private property and without an accumulation of trash in, around, or underneath, or in proximity to the motor vehicle if the weeds and vegetation are trimmed to a height not exceeding eight (8) inches underneath the vehicle and within ten (10) feet of the vehicle and screened from ordinary public view.

2022-6.14 Penalty

Any person, firm or corporation violating the provisions of this section shall, upon conviction, be fined up to \$500 and in some instances, up to \$2000.

2022-7 MINORS

2022-7.1 Curfew

2022-7.2 Definition

Public place. Any public road, street, sidewalk, parkway, alley, store building, workshop, restaurant, cafe, public theater, picture show (movie theater), public lobby of a hotel, motel or roominghouse, or any

place at which people are assembled or to which people commonly resort for the purposes of business, amusement or other lawful purposes, including but not restricted to any room in a private residence where the public generally is invited for purposes of business or amusement.

2022-7.3 Hours established

(a) No person under the age of 17 years shall remain in or upon any public place or any establishment on district property between the following hours:

(1) Between the hours of 11:00 p.m. and 8:00 a.m. of the following day, official district time.

(b) The provisions of this section shall not apply to any person under the age of 17 years accompanied by a parent, guardian, or legal adult custodian, or to a person under the age of 17 years upon an errand or other legitimate business directed by a parent, guardian, or legal adult custodian over the age 18 years, or to any person under the age of 17 years who is engaged in gainful lawful employment during the curfew hours, in religious activities, or observing rights guaranteed by the First Amendment to the United States Constitution.

2022-7.4 Prohibited/prohibited/unlawful conduct of parents

(a) No parent, guardian, or legal custodian shall knowingly permit any person under the age of 17 years to remain in or upon any public place or any establishment between the following hours:

(1) Between the hours of 11:00 p.m. and 8:00 a.m. of the following day, official district time.

(b) The provisions of this section shall not apply to any parent, guardian, or legal custodian, who accompanies a person under the age of 17 years, or to a parent, guardian, or legal custodian who directs a person under the age of 17 years upon an errand or other legitimate business or to any parent, guardian, or legal custodian of a person under the age of 17 years engaged in gainful lawful employment during the curfew hours, participating in religious activities or observing rights guaranteed by the First Amendment to the United States Constitution.

2022-7.5 Prohibited/prohibited/unlawful conduct of owners or operators of establishments or public places

No owner or operator of an establishment or public place or their agents or employees shall knowingly permit any person under the age of 17 years to remain upon the premises of said establishment or public place between the following hours:

(1) Between the hours of 11:00 p.m. and 8:00 a.m. unless such person under the age of 17 years shall be accompanied by a parent, guardian, or legal custodian, or to a person under the age of 17 years upon

an errand or other legitimate business directed by the parent, guardian, or legal custodian of such person under the age of 17 years, or to a person under the age of 17 years who is engaged in gainful lawful employment during the curfew hours, participating in religious activities or observing rights by the First Amendment to the United States Constitution.

2022-7.6 Penalties

(a) Any parent, guardian, or legal custodian who shall violate any provision of section 2022-8 of this article after having received notice of a prior violation shall be fined not exceeding \$2000.00.

(b) Any owner or operator of an establishment or public place and any agent or employees or any operator who shall violate the provisions of section 2022-8 of this article shall be fined upon conviction not exceeding \$2000.00.

(c) Any person under the age of 17 years who shall violate any provisions of section 2022-8 of this article shall be guilty of a misdemeanor and fined in a sum not exceeding \$2000.00.

(d) Each violation of the provisions of this article shall constitute a separate offense.

2022-8 SEX OFFENDERS' RESIDENCY

2022-8.1 Findings and intent

(a) Repeat sexual offenders, sexual offenders that use physical violence, and sexual offenders who prey on children are sexual predators who present an extreme threat to the public safety. Sexual offenders are extremely likely to use physical violence and to repeat their offenses and most sexual offenders commit many offences, have many more victims than are ever reported, and are prosecuted for only a fraction of their crimes. This makes the cost of sexual offender victimization to society at large, while incalculable, clearly exorbitant.

(b) It is the intent of this article to serve the district's compelling interest to promote, protect and improve the health, safety and welfare of the citizens of the district by creating areas around locations where children regularly congregate in concentrated numbers wherein certain sexual offenders and sexual predators are prohibited from establishing temporary or permanent residences.

2022-8.2 Definitions

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

Permanent residence. A place where the person abides, lodges or resides for 14 or more consecutive days.

Temporary residence. A place where the person abides, lodges or resides for a period of 14 or more days in the aggregate during any calendar year and which is not the person's permanent address, or a place where the person routinely abides, resides or lodges for a period of 4 or more consecutive or nonconsecutive days in any month and which is not the person's permanent residence.

2022-8.3 Prohibition; penalties; exceptions

(a) It is prohibited/prohibited/unlawful for any person who has been convicted of a violation of article 43.25 Penal Code, article 43.26 Penal Code, article 21.08 Penal Code, article 21.11 Penal Code, article 22.011 Penal Codes, article 22.021 Penal Code and article 25.02 Penal Code, regardless of whether the adjudication was deferred, in which the victim of the offence was less than sixteen (16) years of age, to establish a permanent residence or temporary residence within 1,000 feet of any premises where children commonly gather, including but not limited to, a school, day-care facility, playground, public or private youth center, public swimming pool, or video arcade facility, as those terms are defined in article 481.134 of the Health and Safety Code of the state.

(b) For the purpose of determining the minimum distance separation, the distance shall be measured by following a straight line from the outer property line of the permanent or temporary residence to the nearest property line of the premises where children commonly gather, as described herein.

(c) Penalties. Any person, firm or corporation who violates this section shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not to exceed \$2000.00

(d) Exceptions. A person residing within 1,000 feet of those places where children commonly gather, as specified herein, does not commit a violation of this article if any of the following apply:

(1) The person established the permanent or temporary residence and has complied with all the sex offender registration laws of the state, prior to the date of the adoption of this article.

(2) The person was a minor when he/she committed the offense and was not convicted as an adult.

(3) The person is a minor.

(4) The premises where children commonly gather, as specified herein, within 1,000 feet of the person's permanent or temporary residence was opened after the person established the permanent or temporary residence and complied with all sex offender registration laws of the state.

2022-8.4 Property owners prohibited from renting real property to sexual offenders; penalties

(a) It is prohibited/prohibited/unlawful to let or rent any place, structure or part thereof, manufactured home, trailer, or other conveyance, with the knowledge that it will be used as a permanent residence or temporary residence by any person prohibited from establishing such permanent residence or temporary residence pursuant to the terms of this article, if such place, structure or part thereof, manufactured home, trailer, or other conveyance, is located within 1,000 feet of any premises where children commonly gather, including but not limited to, a school, day-care facility, playground, public or private youth center, public swimming pool, or video arcade facility, as those terms are defined in article 481.134 of the Health and Safety Code of the state.

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2022-8.5 Penalty

Any person, firm or corporation violating the provisions of this section shall, upon conviction, be fined up to \$500 and in some instances, up to \$2000.

CHAPTER 2

TRAFFIC AND VEHICLES

Commented [NA6]: From Shallowater ordinances

2022-9 UNIFORM ACT AND STATE MOTOR VEHICLE LAWS ADOPTED

For the purpose of regulating traffic on the streets, alleys and thoroughfares of the district, there is hereby adopted the State Uniform Act Regulating Traffic on Highways, codified as Article 6701d, Vernon's Annotated Civil Statutes, and all other state motor vehicle laws, which act and laws, together with the provisions contained in this chapter, shall be controlling in the regulation of traffic in the district. A violation of said act or any state motor vehicle law for which the municipal court has jurisdiction shall constitute and be punishable as a violation of this code of ordinances.

2022-9.1 Operation of Motor Vehicles

This ordinance shall apply to any motor vehicle, motor home, motorcycle, motor-driven cycle, motor assisted bicycle, moped, golf cart, or UTV operated within the boundaries of the district:

- (a) It is prohibited/unlawful for any person to operate a motor vehicle who does not possess a valid driver's license.
- (b) It is prohibited/unlawful for any person under 6 years of age to be transported in a golf cart unless restrained by a child safety seat.
- (c) Three (3) or more vehicles operating in tandem shall be considered a parade and shall be required to obtain a permit to operate on roadways and Off Highway Vehicles trails within the district boundaries.

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2022-9.2 Permitting Operation of Golf Carts on Roadways

If this ordinance is required, this is the link to Ransom Canyon's golf cart ordinance:

https://z2codes.franklinlegal.net/franklin/Z2Browser2.html?showset=ransomcanyonset&collection=ransomcanyon&doccode=z2Code_z20000311

2022-9.3 TRAFFIC CONTROL DEVICES

2022-9.4 Traffic Control Devices Shall Conform to Manual

All traffic control devices including signs, signals and pavement or curb markings installed or used for the purpose of directing and controlling traffic within the district shall conform with the Texas manual on Uniform Traffic Control Devices for Streets and Highways, which is published by the State Department of Highways and Public Transportation. All signs, signals and markings erected or used by the district shall be uniform and be located so far as practicable according to the directions shown in the said manual. All existing traffic control devices and those erected in the future by the district being consistent with the manual, state law and this chapter, shall be official traffic control devices.

2022-9.5 Unauthorized Traffic Control Devices

- (a) No person shall place, maintain or display upon or in view of any highway, street or alley any unauthorized sign, signal, marking or device which purports to be or is an imitation of or resembles an official traffic control device or railroad sign or signal, or which attempts to direct the movement of traffic or which hides from view or interferes with the effectiveness of any official traffic control device or any railroad sign or signal.

- (b) No person shall place or maintain nor shall any public authority permit upon any highway, street or alley any traffic sign or signal bearing thereon any commercial.

- (c) Every such prohibited sign, signal or marking is hereby declared to be a public nuisance, and the general manager is hereby empowered to remove the same or cause it to be moved without notice.

- (d) This section shall not be deemed to prohibit the erection upon private property adjacent to highways, streets or alleys of signs giving useful directional information and of a type that cannot be mistaken for official signs when erected in accordance with district sign regulations.

2022-9.6 Prohibited/unlawful to Tamper With Traffic Control Devices or Street Name Signs

No person shall without lawful authority, attempt to or in fact alter, deface, injure, knock down, or remove any official traffic control device, sign or signal or any railroad sign or signal or any inscription, shield or insignia thereof, or any street name sign or any part thereof.

2022-9.7 Installation of Traffic Control Devices

(a) After the adoption of this code of ordinances, the board of directors shall by ordinance direct the location of all future traffic control signs, signals and markings. The general manager shall have the duty of erecting or installing upon, over, along or beside any highway, street or alley, signs, signals and markings as are necessary to enforce such ordinances or cause the same to be erected, installed, or placed in accordance with this Chapter and consistent with the manual on uniform traffic control devices. Said traffic control devices shall be installed immediately upon authorization by the district council, or as soon as such specific device, sign or signal can be procured.

(b) Whenever the general manager has erected and installed any official traffic control device, sign or signal at any location in the district, or has caused the same to be done under his direction in obedience to this article and the manual on uniform traffic control devices, he shall thereafter file a report with the

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district secretary in writing, stating the type of traffic control device, sign or signal, and when and where the same was erected and installed. The district office shall file and maintain such report of the general manager among the official papers of the district.

2022-9.8 Prima Facie Evidence of Authorized Installation

It being prohibited/unlawful for any person other than the general manager, acting pursuant to an ordinance of the district, to install or cause to be installed any signal, sign or device purporting to direct the use of the streets or the activities on those streets of pedestrians, vehicles, motor vehicles or animals, proof in any prosecution for a violation of this article or any traffic ordinance of the district, that any traffic control device, sign, signal, or marking was actually in place on any street shall constitute prima facie evidence that the same was installed by the general manager pursuant to the authority of this article and of the ordinance directing the installation of such device, signal or marking.

2022-9.9 Duty to Obey Traffic Control Device

The driver of any vehicle, motor vehicle or animal shall obey the instructions of any official traffic control device, sign, signal or marking applicable thereto placed in accordance with this article, unless otherwise directed by a law enforcement officer, subject to the exceptions granted the driver of an authorized emergency vehicle as provided for in the state motor vehicle laws.

2022-9.10 Emergency Installation of Traffic Control Devices

The general manager is hereby empowered to install or erect temporary traffic control devices to protect the public in case of emergencies and special situations.

2022-9.11 Ratification of Existing Traffic Control Devices

All traffic control signs, signals, devices and markings placed or erected prior to the adoption of this code and in use for the purpose of regulating, warning or guiding vehicles or pedestrian traffic are hereby affirmed, ratified and declared to be official traffic control devices, provided such traffic control devices are not inconsistent with the provisions of this article or state law.

2022-9.12 Placement of Traffic Control Devices

A list of all traffic control devices on file with the district office.

2022-9.13 Penalty

Any person, firm or corporation violating the provisions of this section shall, upon conviction, be fined up to \$500 and in some instances, up to \$2000.

2022-10 SPEED LIMITS

2022-10.1 Generally

(a) Speed Restriction. It shall hereafter be prohibited/unlawful for any person to, drive or operate a motor vehicle upon any street, roadway or highway in the district limits at a speed greater than is reasonable and prudent under the conditions then existing, having regard to the actual and potential hazards when approaching and crossing an intersection or a railway grade crossing, when approaching and going around a curve, when approaching a hill crest, when traveling upon any narrow or winding roadway, or when special hazard exists with respect to pedestrians or other traffic or by reason of weather or highway conditions; and in every event, speed shall be so controlled as may be necessary to avoid colliding with any person, vehicle, or other conveyance on or entering the highway in compliance with legal requirements and the duty of all persons to use due care.

(b) If any person shall operate or drive any motor vehicle or other vehicle within the corporate limits of the district on any street or highway at a greater speed than twenty-five (25) miles per hour, it shall be prima facie evidence of violation of this section, unless a special speed limit has been established and signs are erected designating another speed limit.

2022-10.2 Procedure for Establishing Special Speed Limit

Whenever the district shall determine upon the basis of an engineering and/or traffic investigation that speed limit set forth is greater or less than is reasonable or safe under the conditions found to exist at any intersection or other place, or upon any part of any street or highway, the general manager shall upon authorization by the board of directors by appropriate ordinance, establish such special speed limit as shall be effective at all times when appropriate signs giving notice thereof are erected at such intersection or other place or part of said highway or street.

2022-10.3 Slow Speed

No person shall drive a motor vehicle at such a slow speed as to impede the normal and reasonable movement of traffic, except when reduced speed is necessary for safe operation, or in compliance with law or at the direction of a law enforcement officer.

2022-10.4 Special Speed Limits Enumerated

The speed limits are on file in the office of the district office.

2022-10.5 Penalty

Any person, firm or corporation violating the provisions of this section shall, upon conviction, be fined up to \$500 and in some instances, up to \$2000.

2022-11 PARKING

2022-11.1 Parking of Trucks in Residential Areas

(a) It is prohibited/unlawful for any person owning or having control of any commercial motor vehicle as defined by the Transportation Code having a capacity in excess of three-fourths ($\frac{3}{4}$) of a ton or which is more than eighteen feet (18') in length, seven feet (7') in width, or seven feet (7') in height, to park within any residential area inside the district limits of the district, provided, the provisions of this subsection shall not be deemed to prohibit parking any commercial vehicle for the purpose of the actual loading and unloading of goods, wares and merchandise when such vehicle is accompanied by a driver, and provided the loading and unloading shall be limited to the actual time necessary to perform such operations.

(b) It is prohibited/unlawful for any person to leave, park or stand any commercial motor vehicle used in the transportation of hazardous material in a quantity requiring placards under regulation promulgated pursuant to the Hazardous Material Transportation Act 49 U.S.C. App. 1801 - 1813, upon any property owned by the district, any public street within the boundaries of the district or any private property within 500 feet of any private residence. In constructing the phrase "commercial motor vehicle" reference is made to the regulations and rulings under the Federal Motor Carrier Safety Act.

2022-11.2 Parking of Trucks at Night

(a) It is prohibited/unlawful for any person to park or leave parked any vehicle that is two (2) tons or over on any street in the district for longer than sixty (60) minutes between the hours of 10:00 p.m. and 6:00 a.m. except in areas designated by the district as areas for such parking.

(b) It is prohibited/unlawful for any person to park or leave parked any vehicle with an auxiliary motor that is running on any street in the district for longer than sixty (60) minutes between the hours of 11:00 p.m. and 8:00 a.m. except in areas designated by the district as areas for such parking.

2022-11.3 Parking of Trailers, Motor Homes, Buses, Semi-trucks, and Recreational Vehicles

It is prohibited/unlawful for any person owning or having control of any trailer, motor home, bus, semi-truck, or recreational vehicle or other similar vehicle, to park the same upon any district street or public use area outside of available marked public parking, or upon any street in a residential area in the district for a period in excess of one (1) hour. However, the provisions hereof shall not be deemed to prohibit the parking of any such trailer, motor home, bus, semi-truck, recreational vehicle or other similar vehicle on any district street or any residential area for the purpose of the actual loading and unloading of goods, wares and merchandise when such vehicle is accompanied by a driver, provided further that loading and unloading shall be limited to the actual time necessary consumed in such operation.

- (a) No temporary occupancy allowed in motor homes, campers, or other temporary structures outside of designated camping areas.

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2022-11.4 No Parking

No person shall stop or park a vehicle except when necessary to avoid conflict with other traffic or in compliance with the laws or directions of a police officer, upon the following described property:

- (a) On the South, West, and North side of the Fire Department.
- (b) The curbing shall be marked "Fire Zone No Parking." For the purpose of this section, the term "vehicle" shall mean every device in, upon or by which any person or property is or may be transported or drawn upon a street or highway.

2022-11.5 No Parallel Parking with Intrusion onto Roadway

It is prohibited/unlawful for any person to parallel park on any roadway within the district boundaries.

- (a) Exceptions. A person with an authorized building permit may be permitted to parallel park on a roadway for no more than 1 hour for loading and unloading purposes only.

2022-11.6 Penalty

Any person, firm or corporation violating the provisions of this section shall, upon conviction, be fined up to \$500 and in some instances, up to \$2000.

2022-12 DESIGNATION OF PEDESTRIAN CROSSWALKS

2022-12.1 In General

- (a) Any person operating a motor vehicle which is self-propelled shall yield to the right-of-way by stopping to a pedestrian crossing the roadway within a crosswalk when a pedestrian is upon or within any portion of such crosswalk.

(b) Whenever a motor vehicle is stopped at a marked crosswalk to permit a pedestrian to cross the roadway, the driver of any other vehicle approaching from the rear shall not overtake and pass such stopped vehicle.

2022-12.2 Penalty

Any person, firm or corporation violating the provisions of this section shall, upon conviction, be fined up to \$500 and in some instances, up to \$2000.

CHAPTER 3

ANIMAL CONTROL

2022-13 DOGS

2022-13.1 Vaccination Tag Required

It is prohibited/unlawful for any person to maintain or keep a dog more than six (6) months of age on any premises within the city unless such dog wears a collar or harness securely attached to its body, to which shall be securely attached a tag issued for said dog by a licensed veterinarian licensed to practice veterinary medicine in the State of Texas, showing that the dog has been within the current calendar year, vaccinated against rabies.

2022-13.2 Impoundment of Tagged Dogs

It shall be the duty of the animal warden or any of his deputies, or any city police officer while on duty, to seize and impound all dogs not wearing such collar or harness. Any person may take up and deliver to the animal warden any dog which the animal warden is required to impound. Any animal impounded under the provisions of this article may be reclaimed by the owner upon the payment of all impoundment fees.

2022-13.3 Prohibited/Unlawful to Run Loose

It is prohibited/unlawful for any person to allow a dog to run loose within the district property except within the designated dog park enclosure. It shall be the duty of the animal warden or any of his deputies, or any police officer while on duty, to seize and impound all dogs running loose in the city. Any person may pick up and deliver to the animal warden any dog which the animal warden is required to impound.

2022-13.4 Prohibited/Unlawful on Beaches

It is prohibited/unlawful for any person to allow a pet or pets to be on any beach within the boundaries of the district at any time.

2022-13.5 Records

The animal warden, upon receiving the dog, shall make a complete registry, entering the breed, color and sex of such dog, and the place and time of taking into custody; shall keep such records as are necessary to show in detail the disposition of all dogs impounded and shall file such reports under oath as are required by the district.

2022-13.6 Dangerous Dogs*

Dangerous dogs, as defined in V.T.C.A., Health and Safety Code, Section 822.041, shall be regulated in accordance with the provisions of V.T.C.A., Health and Safety Code, Chapter 822, Subchapter D.

2022-13.7 Penalty

Any person, firm or corporation violating the provisions of this section shall, upon conviction, be fined up to \$500 and in some instances, up to \$2000.

2022-14 LIVESTOCK AND FOWL

2022-14.1 Prohibited/Unlawful

It is prohibited/unlawful for any person to keep, raise, maintain or otherwise cause to be present livestock and fowl within the city. It is prohibited/unlawful for any person to bring into the city any livestock or fowl for the purpose of raising, keeping or maintaining such livestock or fowl on premises located within the city limits. Nothing in this section however, shall make it prohibited/unlawful for any person to transport such livestock through the city or to bring such livestock through the city or to bring such livestock into the city limits for the purpose of immediate slaughter, consumption or sale as opposed to keeping, maintaining or raising such livestock or fowl within the city limits on a continuous or continuing basis.

2022-14.2 Penalty

Any person, firm or corporation violating the provisions of this section shall, upon conviction, be fined up to \$500 and in some instances, up to \$2000.

2022-15 ANIMAL NUISANCES

2022-15.1 Generally

It is prohibited/unlawful for the owner, custodian, keeper or caretaker of any animal to permit or allow such animal to be or remain a nuisance within the corporate limits of the city. For the purpose of this article, the term nuisance shall be defined to include any noxious odor or annoying sound emitted or caused by any animal. The general manager shall be authorized to institute proceedings for the enforcement of this article by the filing of a written complaint describing any violation as to the location and person with the district office and/or the county judge.

2022-15.2 Number of Dogs and Cats Allowed

It is prohibited/unlawful for any person to have more than three (3) dogs and/or three (3) cats or combination thereof within the city limits. This restriction does not apply to breeders, new litters, kennels and groomers.

2022-15.3 Penalty

Any person, firm or corporation violating the provisions of this section shall, upon conviction, be fined up to \$500 and in some instances, up to \$2000.

CHAPTER 4

PARKS AND RECREATION CODE

There are hereby established the following rules and regulations pertaining to boating safety, operation of boats, and sport fishing activities in the district:

2022-16 FISHING

2022-16.1 Fishing Activities

Any person participating in fishing activities on the lake shall require a current and valid state parks and wildlife fishing license. All fish and game laws regarding fish possession limits and size of catch restrictions are hereby adopted.

- (a) It is prohibited/unlawful for any person to fish at designated beach areas within the district boundaries.

2022-16.2 Fishing Gear Restrictions

Any person participating in fishing activities on the lake may fish using rod and reel, perch traps, and cast nets only. It is prohibited/unlawful for any person to fish with more than two poles.

2022-16.3 Bow Fishing

It is prohibited/unlawful for any person to fish with a bow.

2022-16.4 Unattended Fishing Lines

It is prohibited/unlawful for any person to leave fishing lines unattended.

2022-16.5 Penalty

Any person, firm or corporation violating the provisions of this section shall, upon conviction, be fined up to \$500 and in some instances, up to \$2000.

2022-17 SWIM AREAS

2022-17.1 Swimming Areas

Swimming areas within the district boundaries are marked with ropes.

- (a) It is prohibited/unlawful for any person to drive a motorized vessel into any designated swimming area within the district boundaries.

2022-17.2 Penalty

Any person, firm or corporation violating the provisions of this section shall, upon conviction, be fined up to \$500 and in some instances, up to \$2000.

2022-18 BOATING

2022-18.1 Rowed/Oared Watercraft

Canoes, punts, rowboats, rowing sculls, kayaks, and other paddle crafts when paddled, poled, or oared are not authorized on the East side of the lake (known as the *fast side*) between the hours of Friday at 12:00 PM until Monday at sunrise.

During Holiday weekends, canoes, punts, rowboats, rowing sculls, kayaks, and other paddle crafts when paddled, poled, or oared are not authorized on the East side of the lake (known as the *fast side*) between the hours of Friday at 12:00 PM until Tuesday at sunrise.

2022-18.2 No Wake Zones

Certain designated areas of the lake, including the west side of the lake, also known as the “Upper Lake”, are designated as no-wake zones. The Upper Lake is defined as being from the bridge that lies east of the Marina and extending west down the inlet. A no-wake zone is an area where vessels are expected to travel at idle speed to minimize their wake. Idle speed is the slowest speed a vessel can travel while still maintaining steerage.

It is prohibited/unlawful for any person to drive a motorized vessel at greater than idle speed within the district boundaries in areas designated as No Wake Zones.

It is prohibited/unlawful for any person to drive a motorized vessel at greater than idle speed within 50ft of the shoreline

2022-18.3 Direction of Travel

It is prohibited/unlawful for any person to drive a motorized vessel on the east side of the lake in any manner other than in a counterclockwise direction.

2022-18.4 Boat Parking

It is prohibited/unlawful for any person to park, moor, tether, or dock their boat in any area of the lake for more than 48 hours. Any vessel left moored for more than 48 hours will be towed at the owner’s expense.

2022-18.5 Penalty

Any person, firm or corporation violating the provisions of this section shall, upon conviction, be fined up to \$500 and in some instances, up to \$2000.