



City of Garden Ridge

"A way of life, not just a place to live"

AGENDA **CITY COUNCIL SPECIAL MEETING, AUGUST 21, 2018 AT 6:00 P.M.**

The Garden Ridge City Council will meet in a special session on Tuesday, August 21, 2018 at 6:00 p.m. in the City Council Chambers, 9400 Municipal Parkway, Garden Ridge, Texas. This is an open meeting, open to the public, subject to the Open Meetings Law of the State of Texas, and as required by law, notice is hereby posted on August 17, 2018 before 5:00 p.m., providing time, place, date and agenda thereof. The meeting facility is wheelchair accessible and accessible parking spaces are provided. Requests for accommodations or interpretative services must be made to the City Secretary 48 hours prior to this meeting.

1. Call to Order

2. Roll Call

3. Pledge of Allegiance

4. Citizen Comment Period – limited to 30 minutes total

Rules for Citizens' Participation:

The City Council welcomes citizen participation and comments at all City Council Meetings. The City Council offers citizens the opportunity to address them by signing up to speak prior to the meeting. If you speak, you follow these guidelines:

- a) Respect and courtesy:
 - i. Direct your comments to the entire City Council, not to an individual member, nor to the audience.
 - ii. Show the City Council the same respect that you would like to be shown.
 - iii. End your speaking at the time allotted below.
- b) Speaking:
 - i. First citizen comment period
 1. You are required to sign up to speak.
 2. You are limited to one 3-minute period.
 - ii. Business item period
 1. You are required to sign up to speak.
 2. You are limited to one 3-minute period.
 - iii. Second citizen comment period
 1. You are not required to sign up.
 2. You are limited to one 2-minute period.
 - iv. State your name and address before your comments begin.
 - v. You are only allowed to speak once per topic, unless also speaking during a posted Public Hearing.

NOTE: The Texas Open Meetings Act permits a member of the public or a member of the governmental body to raise a subject that has not been included in the notice for the meeting.

However, any discussion of the subject must be limited to a proposal to place the subject on the agenda for a future meeting and any response to a question posed to the City Council is limited to either a statement of specific factual information or a recitation of existing policy. TEX. GOV'T CODE § 551.042.

5. Business Items

The following items are for discussion, consideration and action.

a) Approvals/Authorizations/Reports/Discussions

i. 2018 Tax Rate.

1. Review and discuss the proposed 2018 Tax Rate of \$0.323146.
2. Hold a public hearing to receive comments for or against the adoption of a tax rate of \$0.323146 for the 2018 tax year.
3. Announce date, time and place of:
 - a. Second public hearing on proposed 2018 Property Tax Rate (Monday, August 27, 2018, 6:00 p.m., City Council Chambers, 9400 Municipal Parkway, Garden Ridge, Texas).
 - b. Adoption of the 2018 Property Tax Rate (Wednesday, September 5, 2018, 6:00 p.m., City Council Chambers, 9400 Municipal Parkway, Garden Ridge, Texas).

ii. City Ordinances Revision Program

1. Modify

- a. Ordinance 123-082018-Adoption Outdoor Burning Rules as outlined in Title 30 of the Texas Administrative Code for the City of Garden Ridge, Texas; establishing Exceptions for Outdoor Burning, requirements for Authorization, General Requirements for Burning; Severability and Remedies clause.
 - i. Present to City Council.
 - ii. Discussion and possible action on Ordinance.

2. Repeal

- a. Ordinance 213-082018-Repealing Ordinance 64, passed and approved August 1, 1990, authorizing the Municipal Court to collect a special expense of thirty-five dollars (\$35.00) for the issuance and service of a warrant of arrest for an offense; and authorizing the Municipal Court to collect a special expense of ten dollars (\$10.00) or actual costs, whichever is less, for dismissal of a case because of actions by or on behalf of the defendant which were subsequent to the date of the alleged offense; such fines are to be paid into the City Treasury and used for the benefit of the City; and prescribing an effective date.
 - i. Present to City Council.
 - ii. Discussion and possible action on Ordinance.
- b. Ordinance 214-082018-Repealing Ordinance 87, passed and approved December 15, 1995, prohibiting the possession of all firearms and concealed handguns on certain City premises and providing for a penalty of a fine of not less than twenty-five dollars (\$25) nor more than five hundred dollars (\$500).
 - i. Present to City Council.
 - ii. Discussion and possible action on Ordinance.
- c. Ordinance 215-082018-Repealing Ordinance 31, passed and approved March 29, 1979, authorizing Gloria K. Clennan, the Tax Assessor and Collector of Comal County, Texas, to act as Tax Assessor and Collector for the City of Garden Ridge, Texas, and providing that compensation be paid such tax assessor and collector.
 - i. Present to City Council.
 - ii. Discussion and possible action on Ordinance.

- iii. Resolution 438-082018-Authoring the City Building Inspector to issue a building permit for the construction or installation of an accessory building at 9305 Bluebell Drive due to special circumstances related to location of proposed construction.

1. Discussion and possible action on Resolution 438-082018.

- iv. Modify name of the Jay F. Fiebelman Garden Ridge Community Center to Jay F. Feibelman Garden Ridge Community and Event Center.
 1. Discussion and possible action on the name change.
- v. Discussion and direction on hiring a Wildlife Manager.

6. Citizen Comment Period – limited to 20 minutes total
See “Rules for Citizen’s Participation” under Item 4.

7. Adjournment

AGENDA NOTICES:

Decorum Required:

Any disruptive behavior, including shouting or derogatory statements or comments may be ruled out of order by the Presiding Officer. Continuation of this type of behavior could result in a request by the Presiding Officer that the individual leave the meeting, and if refused, an order of removal.

Action by Council Authorized:

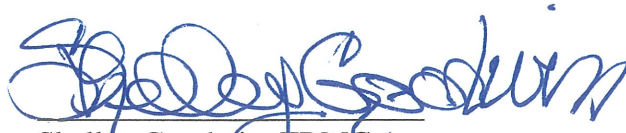
The Council may vote or act upon any item within this Agenda. The Council reserves the right to adjourn into closed session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Title 5, Chapter 551, of the Texas Government Code.

Executive Sessions Authorized:

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

Attendance By Other Elected or Appointed Officials:

It is anticipated that members of the other city boards, commissions and/or committees may attend the meeting in numbers that may constitute a quorum of the other city boards, commissions and/or committees. Notice is hereby given that the meeting, to the extent required by law, is also noticed as a meeting of the City Council, other boards, commissions and/or committees of the City, whose members may be in attendance. The members of the boards, commissions and/or committees may participate in discussions on the same items listed on the agenda, which occur at the meeting, but no action will be taken by such in attendance unless such item and action are specifically provided for on an agenda for that board, commission or committee subject to the Texas Open Meetings Act.


Shelley Goodwin, TRMC
City Secretary

This is to certify that I, Shelley Goodwin, posted this Agenda at 5:32 p.m. on August 16, 2018 on the bulletin board located at the entrance to the Garden Ridge City Hall, 9400 Municipal Parkway, Garden Ridge, Texas.


Shelley Goodwin, TRMC
City Secretary

2018 Tax Rate Proposal

Tax Year	Tax Revenue Budgeted	M&O Rate	Debt Rate	Total Tax Rate	Total Tax Rate Inc/(Dcr)	Average Home Value	Taxes Paid	Total Tax Revenue Generated	Prior Year Tax Rate Inc/(Dcr)
2017	\$1,447,069	0.211012	0.112134	0.323146		\$448,667	\$1,449.85	\$1,447,069	0.004841
2018	\$1,519,423	0.222114	0.101032	0.323146	7.72%	\$454,026	\$1,467.16	\$1,575,300	0

ORDINANCE 123-082018

AN ORDINANCE OF THE CITY OF GARDEN RIDGE ADOPTING OUTDOOR BURNING RULES AS OUTLINED IN TITLE 30 OF THE TEXAS ADMINISTRATIVE CODE FOR THE CITY OF GARDEN RIDGE, TEXAS; ESTABLISHING EXCEPTIONS FOR OUTDOOR BURNING, REQUIREMENTS FOR AUTHORIZATION, GENERAL REQUIREMENTS FOR BURNING; SEVERABILITY AND REMEDIES CLAUSE.

WHEREAS, the City of Garden Ridge desires to implement and enforce the outdoor burning rules as outlined in Title 30 of the Texas Administrative Code, Sections 111.201-111.221; and

WHEREAS, the City of Garden Ridge establishes exceptions to burning within the City for fire training, domestic and Scouts (BSA) outdoor fires, land clearing, municipal burning and diseased animal carcasses; and

WHEREAS, the City of Garden Ridge desires to implement these rules and regulations to continue to protect the health, safety and welfare of the citizens and community of the City of Garden Ridge by regulating burning within the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GARDEN RIDGE, TEXAS THAT:

SECTION 1. FINDINGS.

The findings set out herein are found to be true and correct and are hereby adopted by the City Council and made a part of this Ordinance for all purposes.

SECTION 2. ADOPTION OF TEXAS ADMINISTRATIVE CODE.

The City of Garden Ridge hereby adopts the outdoor burning rules as outlined in Title 30 of the Texas Administrative Code, Sections 111.201-111.221. If a conflict occurs between Title 30 of the Texas Administrative Code, Sections 111.201-111.221 and this Ordinance, the stricter of the two codes shall prevail.

SECTION 3. GENERAL PROHIBITIONS.

No persons may cause, suffer, allow, or permit any outdoor burning within the city limits of the City of Garden Ridge, except as provided by this Ordinance. The burning of household trash, garbage of any form, or municipal solid waste is prohibited within the city limits. It shall also be unlawful for any person to light or have lighted any fire in any street, alley, thoroughfare or public property with the exception of cooking receptacles located in designated city parks, Scouting campfires as discussed in Section 4 c) of this Ordinance, or Municipal Burning as discussed in Section 4 e) of this Ordinance. Outdoor disposal or disposition of any material capable of igniting spontaneously, with the exception of the storage of fossil fuels, shall not be allowed. No landscape brush, furniture, construction/demolition materials, heavy oils, asphaltic materials, potentially explosive materials, chemical wastes, and items containing natural or synthetic rubber shall be burned.

SECTION 4. EXCEPTIONS.

Only fires, under the conditions described below, will be permitted:

- a) Fire Training: Outdoor burning shall be authorized for training of firefighting personnel when requested in writing and authorized by the Texas Commission on Environmental Quality, Region 13, Health Program Manager, Air Quality Division. The burning shall be authorized if notice of denial is not received within ten (10) working days after the date of postmark or the date for which personal delivery is requested.
- b) Domestic Outdoor Fires: Allowable domestic outdoor fires include: cooking, warmth, ceremonial, or camp fires for Scouts (BSA) under direct supervision of adult Scout leaders. These fires must be built in a fireproof container, such as a barbeque pit, fire ring or chimenea, made of brick, stone, metal, or other fireproof material or in a manner to contain the fire and prevent said fire from escaping. These fires must also comply with Section 3, General Prohibitions, of this Ordinance. With the exception of camp fires used by the Scouts (BSA), domestic outdoor fires do not require a burn permit and Section 5 of this Ordinance is not applicable.
- c) Scouts (BSA) are required to complete a Paul Davis Park Scouting Campfire Permit Application (Exhibit 3) and adhere to the Paul Davis Park Scouting Campfire Guidelines (Exhibit 4). Completed Paul Davis Park Scouting Campfire Permit Applications must be submitted to the City of Garden Ridge for approval at least one (1) City of Garden Ridge business day before a camp fire is ignited.
- d) Land Clearing: Burning of vegetation and/or brush in the clearing of land for agricultural purposes shall be allowed on tracts zoned Residential-Agriculture (RA).
- e) Municipal Burning: The City of Garden Ridge may burn vegetation and/or brush for the purpose of maintaining and/or clearing of rights of way for streets and/or drainage. The City of Garden Ridge may burn brush, trees and other plant growth causing a detrimental public health and safety condition upon receiving site and burn approval from the Texas Commission on Environmental Quality, Region 13, Health Program Manager, Air Quality Division.
- f) Diseased Animal Carcasses: Diseased animal carcasses may be burned when this is the best way to control spreading of diseases. Burning of diseased animal carcasses may only occur on property zoned Residential-Agriculture (RA) or on municipal property.

SECTION 5. REQUIREMENTS FOR PERMIT TO BURN AUTHORIZATION.

Application for a Permit to Burn shall be made to the City of Garden Ridge in writing by the owner, operator, or other person in control of the property upon which the burning is to occur. Application shall indicate the permitted address or location, name, address and telephone numbers and valid driver's license or identification number, and a \$10 fee. Application for a Permit to Burn is attached as Exhibit 1 and Outdoor Burning Guidelines are attached as Exhibit 2.

- a) The annual Permit to Burn is renewable in January of each year. There is no fee for permit renewals.
- b) Permittee must notify the Comal County Sheriff's Dispatch Office immediately prior to the burning to ensure that weather conditions will be conducive to this type of burning. Permittee must also notify the Bracken Fire Department prior to burning.
- c) All burn permits will automatically be placed on hold when a burn ban is issued by Comal County

Commissioner's Court or imposed by the Mayor of the City of Garden Ridge through proclamation.

SECTION 6. REQUIREMENTS FOR PAUL DAVIS PARK SCOUTING CAMPFIRE PERMIT AUTHORIZATION.

Application for a Paul Davis Park Scouting Campfire Permit shall be made to the City of Garden Ridge in writing by the Scout (BSA) leader responsible for the camp out. The Application must include the Scout Leader's address, name, and telephone numbers and valid driver's license or identification number. There is no fee for this permit. A Paul Davis Park Scouting Campfire Permit Application is attached as Exhibit 3 and Scouts (BSA) Campfire Guidelines are attached as Exhibit 4.

- a) Permits are only granted for a 24-hour period. An additional permit is required for each additional 24-hour period.
- b) Permittee must notify the Comal County Sheriff's Dispatch Office immediately prior to the burning to ensure that weather conditions will be conducive to this type of burning. Permittee must also notify the Bracken Fire Department prior to burning.
- c) All burn permits will automatically be placed on hold when a burn ban is issued by Comal County Commissioner's Court or imposed by the Mayor of the City of Garden Ridge through proclamation.

SECTION 7. GENERAL REQUIREMENTS FOR BURNING.

- a) The Bracken Fire Department Fire Chief, or his designee may inspect the burn site and materials to ensure that no prohibited materials are included and that general requirements are being followed.
- b) If at any time the burning causes or may tend to cause smoke to blow onto or across a street, roadway, or highway, it is the responsibility of the person initiating the burn to post flag persons on the affected roads and immediately contact the Comal County Sheriff's Dispatch Office and request a Garden Ridge Police safety inspection.
- c) Fire must be kept downwind of or at least three hundred feet (300') away from any adjoining property line or structure.
- d) Burning shall not commence when the surface wind speed is predicted to be less than six miles per hour (6 mph or 5 knots) or greater than twenty-three miles per hour (23 mph or 20 knots) during the burn period.
- e) Burning shall not be conducted during periods of actual or predicted persistent low-level atmospheric temperature inversions. This includes days declared as Air Quality Days by the Alamo Area Council of Governments.
- f) Burning may begin no earlier than one (1) hour after sunrise and must end the same day no later than one (1) hour before sunset.
- g) A responsible party must be present at the burn site. Such person shall have an adequate water

supply or have other fire extinguishing equipment readily available for use. The responsible party must have a reliable means of communication available to call for assistance.

- h) Any residual fires and/or smoldering objects that continue to emit smoke must be extinguished at the end of the burn.
- i) Only brush/vegetation generated and gathered from the burn site area will be permitted. There shall be no importation of brush from any other properties for the purpose of burning.
- j) There shall be no burning of red oak wood.

SECTION 8. ADDITIONAL REQUIREMENTS FOR BURNING RELATED TO SCOUTS (BSA) CAMPFIRES.

- a) Campfires must be built and contained in the approved fire ring provided by the City of Garden Ridge.
- b) An adult Scout Leader must be present at the burn site at all times. Such person shall have an adequate water supply or have other fire extinguishing equipment readily available for use. The adult Scout Leader must have a reliable means of communication available to call for assistance.
- c) The adult Scout Leader whose name appears on the Paul Davis Park Scouting Campfire Permit Application is responsible for adhering to the Paul Davis Park Scouting Campfire Guidelines (Exhibit 4).

SECTION 9. PARALLEL REQUIREMENTS.

The authority to conduct outdoor burning under this Ordinance does not exempt or excuse the requestor from complying with all other applicable laws or ordinances, regulations, and orders of any governmental entity having jurisdiction, even though the burning is otherwise conducted in compliance with this Ordinance.

SECTION 10. SEVERABILITY.

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such provisions and such holding shall not affect the validity of the remaining portions of this Ordinance.

SECTION 11. REMEDIES.

Violators of this Ordinance shall be issued a citation and upon conviction for such violation may be punished by a penalty of not less than ten dollars (\$10) nor more than two thousand dollars (\$2,000).

SECTION 12. EFFECTIVE DATE.

This Ordinance shall be effective from and after its passage at a City Council meeting and publication as required by the Local Government Code.

PASSED AND APPROVED ON this 21st day of August, 2018.

Larry Thompson
Mayor

ATTEST:

Shelley Goodwin, TRMC
City Secretary



City of Garden Ridge

"A way of life, not just a place to live"

Permit to Burn

In accordance with the City of Garden Ridge Ordinance 123-082018 passed and approved on August 21, 2018, property owners desiring to burn vegetation and/or brush in the clearing of land for agricultural purposes on property zoned Residential-Agricultural in the City of Garden Ridge must make application for a Permit to Burn. This Permit to Burn is renewable in January of each year at no charge. Anyone signing an application for a Permit to Burn agrees to comply with Ordinance 123-082018 and further states that they have read and understand the requirements for burning in the City of Garden Ridge.

Outdoor Burn address or location: _____

Property zoned Residential-Agriculture (RA)? Yes _____ No _____

Name of Applicant: _____

Applicant's Address: _____

Home # _____ Work _____ Cell# _____

As the applicant for a Permit to Burn, I have read and understand Ordinance 123-082018 and further state that I will comply with the requirements of burning set forth in the Ordinance and the attached Outdoor Burning Guidelines.

Applicant's Signature: _____ Date: _____

Approved by: _____ Date: _____

Exhibit 1

Outdoor Burning Guidelines

No persons may cause, suffer, allow, or permit any outdoor burning within the city limits of the City of Garden Ridge, except as provided by Ordinance 123-082018. The burning of household trash, garbage of any form, or municipal solid waste is prohibited within the city limits. It shall also be unlawful for any person to light or have lighted any fire in any street, alley, thoroughfare or public property. Outdoor disposal or disposition of any material capable of igniting spontaneously, with the exception of the storage of fossil fuels, shall not be allowed. No furniture, construction/demolition materials, heavy oils, asphaltic materials, potentially explosive materials, chemical wastes, and items containing natural or synthetic rubber shall be burned.

Permittee may only burn vegetation/brush in the clearing of land for agricultural purposes on tracts zoned Residential - Agriculture (RA).

Permittee may burn diseased animal carcasses when this is the best way to control spreading of diseases.

Permittee must notify the Comal County Sheriff's Dispatch Office (830) 609-3921 immediately prior to the burning to ensure that weather conditions will be conducive to this type of burning.

Permittee must contact Bracken Fire Department (210) 651-5762 prior to burning. The Fire Chief, or his designee may inspect the burn site and materials to ensure that no prohibited materials are included and that general requirements are being followed.

Permit is automatically on hold if a burn ban has been issued by Comal County Commissioner's Court or imposed by the Mayor of the City of Garden Ridge through proclamation.

If at any time the burning causes or may tend to cause smoke to blow onto or across a street, roadway, or highway, it is the responsibility of the person initiating the burn to post flag persons on the affected roads and immediately contact the Comal County Sheriff's Dispatch Office and request a Garden Ridge Police safety inspection.

Fires must be kept downwind of or at least three hundred feet (300') away from any adjoining property line or structure. If the property is located part in the city and part out of the city, burning must occur on the property located out of the city.

Burning shall not commence when the surface wind speed is predicted to be less than six miles per hour (6 mph or 5 knots) or greater than twenty-three miles per hour (23 mph or 20 knots) during the burn period.

Burning shall not be conducted during periods of actual or predicted persistent low-level atmospheric temperature inversions. This includes days declared as Air Quality Days by the Alamo Area Council of Governments.

Burning may begin no earlier than one (1) hour after sunrise and must end the same day no later than one (1) hour before sunset.

A responsible party must be present at the burn site. Such person shall have an adequate water supply or have other fire extinguishing equipment readily available for use. The responsible party must have a reliable means of communication available to call for assistance.

Any residual fires and/or smoldering objects that continue to emit smoke must be extinguished at the end of the burn.

No burning of Red Oak.

Only brush/vegetation generated and gathered from the burn site area will be permitted to be burned. There shall be no importation of brush from any other properties for the purpose of burning.

The authority to conduct outdoor burning under Ordinance 123-082018 does not exempt or excuse the requestor from complying with all other applicable laws or ordinances, regulations, and orders of any governmental entity having jurisdiction, even though the burning is otherwise conducted in compliance with this Ordinance.

Violators of Ordinance 123-082018 shall be issued a citation and upon conviction of such violation may be subject to a penalty of not less than ten dollars (\$10) nor more than two thousand dollars (\$2,000).

Exhibit 2



City of Garden Ridge

"A way of life, not just a place to live"

Paul Davis Park Scouts (BSA) Campfire Permit

In accordance with the City of Garden Ridge Ordinance 123-082018 passed and approved on August 21, 2018, Scouts (BSA) desiring to have a campfire in Paul Davis Park must make application for a Paul Davis Park Scouting Campfire Permit. A Paul Davis Park Scouting Campfire Permit must be completed by the adult Scout Leader in charge of the campout and approved by the Bracken Fire Department at least one business day prior to the campout. Anyone signing the application for a Paul Davis Park Scouting Campfire Permit agrees to comply with Ordinance 123-082018 and further states that they have read and understand the requirements for Scout campfires in Garden Ridge's Paul Davis Park.

Location: **Paul Davis Park, Corner of Grassy Creek Road & Bluebell Drive**

Scouting Name & Troop #: _____

Name of Scout Leader: _____

Applicant's Address: _____

Home # _____ Work # _____ Cell# _____

As the applicant for a Paul Davis Park Scouts (BSA) Campfire Permit, I have read and understand Ordinance 123-082018 and further state that I will comply with the requirements for a Scout campfire as set forth in this Ordinance and the attached Scouts (BSA) Campfire Guidelines.

Applicant's Signature: _____ Date: _____

Approved by: _____ Date: _____

Exhibit 3

Scouts (BSA) Campfire Guidelines

No persons may cause, suffer, allow, or permit any outdoor burning within the city limits of the City of Garden Ridge, except as provided by Ordinance 123-082018. The burning of household trash, garbage of any form, or municipal solid waste is prohibited within the city limits. It shall also be unlawful for any person to light or have lighted any fire in any street, alley, thoroughfare or public property. Outdoor disposal or disposition of any material capable of igniting spontaneously, with the exception of the storage of fossil fuels, shall not be allowed. No furniture, construction/demolition materials, heavy oils, asphaltic materials, potentially explosive materials, chemical wastes, and items containing natural or synthetic rubber shall be burned.

Permittee must not bring or burn red oak wood in Paul Davis Park.

Permittee must notify the Comal County Sheriff's Dispatch Office (830) 609-3921 immediately prior to the burning to ensure that weather conditions will be conducive to this type of burning.

Permittee must contact Bracken Fire Department (210) 651-5762 prior to burning. The Fire Chief, or his designee may inspect the burn site and materials to ensure that no prohibited materials are included and that general requirements are being followed.

Permit is automatically on hold if a burn ban has been issued by Comal County Commissioner's Court or imposed by the Mayor of the City of Garden Ridge through proclamation.

If at any time the burning causes or may tend to cause smoke to blow onto or across a street, roadway, or highway, it is the responsibility of the person initiating the burn to post flag persons on the affected roads and immediately contact the Comal County Sheriff's Dispatch Office and request a Garden Ridge Police safety inspection.

Campfires must be contained in the metal fire ring provided by the Garden Ridge Public Works Department. The fire ring must not be moved from the site designated by the Garden Ridge Public Works Department.

Burning shall not commence when the surface wind speed is predicted to be less than six miles per hour (6 mph or 5 knots) or greater than twenty-three miles per hour (23 mph or 20 knots) during the burn period.

Burning shall not be conducted during periods of actual or predicted persistent low-level atmospheric temperature inversions. This includes days declared as Air Quality Days by the Alamo Area Council of Governments.

An adult Scout Leader must always be present at the burn site. Such person shall have a minimum of three five-gallon containers of water or have other fire extinguishing equipment readily available for use. The Scout Leader must have a reliable means of communication available to call for assistance.

Any residual fires and/or smoldering objects that continue to emit smoke must be extinguished at the end

of the burn.

The authority to conduct Scout campfires under Ordinance 123-082018 does not exempt or excuse the requestor from complying with all other applicable laws or ordinances, regulations, and orders of any governmental entity having jurisdiction, even though the burning is otherwise conducted in compliance with this Ordinance.

Violators of Ordinance 123-082018 shall be issued a citation and upon conviction of such violation may be subject to a penalty of not less than ten dollars (\$10) nor more than two thousand dollars (\$2,000).

ORDINANCE NO 213-082018

AN ORDINANCE OF THW CITY OF GARDEN RIDGE REPEALING ORDINANCE 64, PASSED AND APPROVED AUGUST 1, 1990, AUTHORIZING THE MUNICIPAL COURT TO COLLECT A SPECIAL EXPENSE OF THIRTY-FIVE DOLLARS (\$35.00) FOR THE ISSUANCE AND SERVICE OF A WARRANT OF ARREST FOR AN OFFENSE; AND AUTHORIZING THE MUNICIPAL COURT TO COLLECT A SPECIAL EXPENSE OF TEN DOLLARS (\$10.00) OR ACTUAL COSTS, WHICHEVER IS LESS, FOR DISMISSAL OF A CASE BECAUSE OF ACTIONS BY OR ON BEHALF OF THE DEFENDANT WHICH WERE SUBSEQUENT TO THE DATE OF THE ALLEGED OFFENSE; SUCH FINES ARE TO BE PAID INTO THE CITY TREASURY AND USED FOR THE BENEFIT OF THE CITY; AND PRESCRIBING AN EFFECTIVE DATE.

WHEREAS, the City of Garden Ridge City Council passed and approved Ordinance 64 on August 1, 1990, and

WHEREAS, authorization for the Municipal Court to collect a Special Expense for issuance and service of a warrant of arrest for an offense has been incorporated into Ordinance 101-042018, and

WHEREAS, authorization for the Municipal Court to collect a Special Expense for dismissal of a case because of actions by or on behalf of a defendant has been incorporated into Ordinance 101-042018, and

WHEREAS, the City Council deems it necessary to repeal Ordinance 64 to avoid confusion and conflicts between Ordinance 64 and Ordinance 101-042018.

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

SECTION 1. FINDINGS. The findings set out herein are found to be true and correct and are hereby adopted by the City Council and made a part of this Ordinance for all purposes.

SECTION 2. REPEALING PRIOR ORDINANCE. The City of Garden Ridge, Texas, Ordinance 64 passed and approved August 1, 1990, and all amendments thereto, are hereby repealed.

PASSED AND APPROVED ON this 21st day of August, 2018.

Larry Thompson
Mayor

ATTEST:

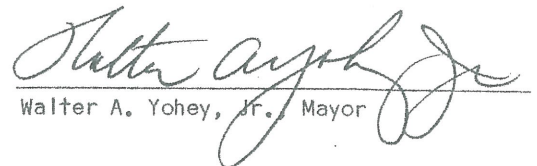
Shelley Goodwin
City Secretary

AN ORDINANCE AUTHORIZING THE MUNICIPAL COURT TO COLLECT A SPECIAL EXPENSE OF THIRTY-FIVE DOLLARS (\$35.00) FOR THE ISSUANCE AND SERVICE OF A WARRANT OF ARREST FOR AN OFFENSE; AND AUTHORIZING THE MUNICIPAL COURT TO COLLECT A SPECIAL EXPENSE OF TEN DOLLARS (\$10.00) OR ACTUAL COSTS, WHICHEVER IS LESS, FOR DISMISSAL OF A CASE BECAUSE OF ACTIONS BY OR ON BEHALF OF THE DEFENDANT WHICH WERE SUBSEQUENT TO THE DATE OF THE ALLEGED OFFENSE; SUCH FINES ARE TO BE PAID INTO THE CITY TREASURY AND USED FOR THE BENEFIT OF THE CITY; AND PRESCRIBING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GARDEN RIDGE, TEXAS:

1. Pursuant to Article 45.06, Texas Code of Criminal Procedure, the City Council of the City of Garden Ridge hereby authorizes the municipal court to collect a special expense of thirty-five dollars (\$35.00) for the issuance and service of a warrant of arrest for an offense under Section 38.11, Penal Code, or under Section 149, Uniform Act Regulating Traffic on Highways (Article 6701d, V. T. C. S.); and for the special expense described in Article 17.04, V. T. C. S., dealing with the requisites of a personal bond and special expense for the issuance and service of a warrant of arrest, after due notice, shall be paid into the city treasury for the use and benefit of the city.
2. The City Council of the City of Garden Ridge hereby authorizes the municipal court to collect a special expense for services performed in cases in which the laws of this State require that a case be dismissed because of the actions by or on behalf of the defendant which were subsequent to the date of the alleged offense. Such actions are limited to compliance with the provisions of Subsection (a), Section 143A, Uniform Act Regulating Traffic on Highways (Article 6701d, V. T. C. S.). Such special expense shall not exceed the actual expenses incurred for the services or ten dollars (\$10.00), whichever is less.
3. This ordinance shall take effect immediately upon its passage and approval.

PASSED AND APPROVED by the City Council of Garden Ridge, Texas, this 1st day of August, 1990.


Walter A. Yohey, Jr., Mayor

ATTEST:


Linda M. Klekar, City Secretary

ORDINANCE NO. 214-082018

AN ORDINANCE OF THE CITY OF GARDEN RIDGE REPEALING ORDINANCE 87, PASSED AND APPROVED DECEMBER 15, 1995, PROHIBITING THE POSSESSION OF ALL FIREARMS AND CONCEALED HANDGUNS ON CERTAIN CITY PREMISES AND PROVIDING FOR A PENALTY OF A FINE OF NOT LESS THAN TWENTY-FIVE DOLLARS (\$25) NOR MORE THAN FIVE HUNDRED DOLLARS (\$500).

WHEREAS, the City of Garden Ridge City Council passed and approved Ordinance 87 on December 15, 1995, and

WHEREAS, the City of Garden Ridge has determined that Ordinance 87 conflicts with state law and actions taken by the Garden Ridge City Council concerning the possession of firearms and concealed handguns on City premises.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GARDEN RIDGE, TEXAS THAT:

SECTION 1. FINDINGS. The findings set out herein are found to be true and correct and are hereby adopted by the City Council and made a part of this Ordinance for all purposes.

SECTION 2. REPEALING PRIOR ORDINANCE. The City of Garden Ridge, Texas, Ordinance 87 passed and approved on December 15, 1995, and all amendments thereto, are hereby repealed.

PASSED AND APPROVED ON this 21st day of August, 2018.

Larry Thompson
Mayor

ATTEST:

Shelley Goodwin, TRMC
City Secretary

AN ORDINANCE

PROHIBITING THE POSSESSION OF ALL FIREARMS AND CONCEALED HANDGUNS ON CERTAIN CITY PREMISES AND PROVIDING FOR A PENALTY OF A FINE OF NOT LESS THAN TWENTY-FIVE DOLLARS (\$25) NOR MORE THAN FIVE HUNDRED DOLLARS (\$500).

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GARDEN RIDGE, TEXAS:

1. Possession of all firearms and concealed handguns on all City premises except those exempted under Paragraph 2 hereof by anyone other than licensed Texas Peace officers (as defined Ch. 1.07(a)(36) Penal Code and Art. 2.12 Code of Criminal Procedure), and special investigators of the United States Government (as defined Art. 2.122 Code of Criminal Procedure) is hereby prohibited.

2. Exempted from this prohibition is the carrying of a firearm by a licensee in a park or at a political rally or a parade.

3. City premises for this ordinance shall be defined as all city buildings and parts of building and other city property, other than parking areas of city building, sidewalks, streets, and public parks.

4. "Firearm" means any device that is designed, made, or adapted to expel a projectile through a barrel by using the energy generated by an explosion or by burning substance or any device readily convertible to that use.

5. "Handgun" means any device that is designed, made or adapted to be fired with one hand.

6. Each violation of this ordinance shall be punished by a penalty of a fine of not less than \$25 nor more than \$500.

7. This ordinance shall be effective upon its passage, approval and publication as provided by law.

PASSED AND APPROVED this 15th day of December, 1995.

ATTEST:

Chris Loving
CITY SECRETARY

MAYOR

[Signature]

ORDINANCE NO. 215-082018

AN ORDINANCE REPEALING ORDINANCE 31, PASSED AND APPROVED MARCH 29, 1979, AUTHORIZING GLORIA K. CLENNAN, THE TAX ASSESSOR AND COLLECTOR OF COMAL COUNTY, TEXAS, TO ACT AS TAX ASSESSOR AND COLLECTOR FOR THE CITY OF GARDEN RIDGE, TEXAS, AND PROVIDING THAT COMPENSATION BE PAID SUCH TAX ASSESSOR AND COLLECTOR.

WHEREAS, the City of Garden Ridge City Council passed and approved Ordinance 31 on March 29, 1979, and

WHEREAS, the duly elected Tax Assessor Collector for Comal County, Texas assesses and collects property taxes for the City of Garden Ridge and the City is billed annually per parcel for property tax collection services.

WHEREAS, the City Council deems it no longer necessary to designate by Ordinance the Tax Assessor Collector for the City of Garden Ridge and repeals Ordinance 31.

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

SECTION 1. FINDINGS. The findings set out herein are found to be true and correct and are hereby adopted by the City Council and made a part of this Ordinance for all purposes.

SECTION 2. REPEALING PRIOR ORDINANCE. The City of Garden Ridge, Texas, Ordinance 31 passed and approved March 29, 1979, and all amendments thereto, are hereby repealed.

PASSED AND APPROVED ON this 21st day of August, 2018.

Larry Thompson
Mayor

ATTEST:

Shelley Goodwin
City Secretary

AN ORDINANCE OF THE CITY OF GARDEN RIDGE, TEXAS, AUTHORIZING GLORIA K. CLENNAN, THE TAX ASSESSOR AND COLLECTOR OF COMAL COUNTY, TEXAS, TO ACT AS TAX ASSESSOR AND COLLECTOR FOR THE CITY OF GARDEN RIDGE, TEXAS, AND PROVIDING THAT COMPENSATION BE PAID SUCH TAX ASSESSOR AND COLLECTOR.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GARDEN RIDGE, TEXAS:

1. Gloria K. Clennan, the Tax Assessor and Collector of Comal County, Texas, is hereby authorized to act as Tax Assessor and Collector for the City of Garden Ridge, Texas.
2. All taxable property of the City of Garden Ridge, Texas, shall be assessed at the same value as it is assessed by the said Comal County Tax Assessor and Collector for County and State purposes at one hundred percent (100%).
3. The City of Garden Ridge, Texas, shall have the same early payment discount as Comal County.
4. The City of Garden Ridge, Texas, hereby agrees, binds and obligates itself to pay to the Tax Assessor and Collector of Comal County, Texas, for her services rendered in the premises, one per cent (1%) of the taxes assessed pursuant to this agreement, and further, one per cent (1%) of the taxes of the City of Garden Ridge, so collected hereunder, and five per cent (5%) of delinquent taxes collected. Said Tax Assessor or Collector is authorized to deduct such fees from the taxes so collected for her fees provided hereto.

PASSED AND APPROVED this 29th day of March, 1979.

/s/ Ben O. White, Jr.
Mayor

ATTEST:

/s/ Marilyn C. Crigler
City Secretary

RESOLUTION NO. 438-082018

A RESOLUTION OF THE CITY OF GARDEN RIDGE AUTHORIZING THE CITY BUILDING INSPECTOR TO ISSUE A BUILDING PERMIT FOR THE CONSTRUCTION OR INSTALLATION OF AN ACCESSORY BUILDING AT 9305 BLUEBELL DRIVE DUE TO SPECIAL CIRCUMSTANCES RELATED TO LOCATION OF PROPOSED CONSTRUCTION.

WHEREAS, Ordinance No. 11-032015 requires City Building Inspector (“Inspector”) to issue a building permit only after the Inspector has determined that the proposed construction is in compliance with deed restrictions and City construction requirements ; and

WHEREAS, section 5.1.13 of Ordinance No. 13-062017 requires that any lot having an Extreme High Voltage electric transmission easement shall ensure that construction of an accessory building be at least seventy (70) feet from the center of such easement; and

WHEREAS, the City has received a request for a building permit for construction or installation of an accessory building within seventy (70) feet from the center of such an easement; and

WHEREAS, City staff has confirmed with City Public Service (CPS) that its requirement as to the high voltage easement is that no construction be allowed within the established easement and that there is no requirement for the additional easement area as provided for by the City’s ordinance; and

WHEREAS, City Council finds that section 5.1.13 exceeds the scope of the existing high voltage utility easement and does not serve the intended purpose of preventing construction within the actual easement area; and

WHEREAS, City Council finds that section 5.1.13 should be reviewed for removal from the City ordinance or for compliance with the actual easement document; and

WHEREAS, City Council finds that past interpretation of section 5.1.13 has created inconsistencies in the permitting of similar requests; and

WHEREAS, City Council finds that the requirements of section 5.1.13 and the variance requirements of the City Ordinances creates an undue burden on the property owner in light of previous history and pending ordinance revision; and

WHEREAS, City Council finds that this is a novel issue that has not been previously presented to Council and that Council desires to ensure that all residents of Garden Ridge are afforded fair and equitable treatment in the application of the provisions of City Ordinances;

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

SECTION 1. FINDINGS. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes and findings of fact.

SECTION 2. PERMIT. The City Council determines that the proposed construction or installation of an accessory building at 9305 Bluebell Drive is not within the actual high voltage utility easement and finds that the necessary building permit may be issued, so long as the proposed construction is otherwise compliant with City building requirements.

PASSED AND ADOPTED ON this the 21st day of August, 2018.

CITY OF GARDEN RIDGE

Larry Thompson
Mayor

ATTEST:

Shelley Goodwin
City Secretary