

Notice of Regular Meeting of the City Council

Tuesday: March 11, 2014 – 7:00 pm

Village of Surfside Beach

1304 Monument Drive

Surfside Beach, Texas 77541

TO ALL INTERESTED CITIZENS OF THE VILLAGE OF SURFSIDE BEACH

AGENDA

An Agenda information packet is available for public inspection at City Hall, Utility Department

- 1) CALL REGULAR CITY COUNCIL MEETING TO ORDER
- 2) MOMENT OF SILENCE
- 3) PLEDGE OF ALLEGIANCE
- 4) CITIZENS/VISITORS COMMENTS TO COUNCIL

Please fill out an "Appearance before City Council" form in order to address the Council, and turn the form in prior to Citizens and Visitors Comments, or by 7:00 p.m. to City Secretary, Sandra Miller.

Speakers are normally limited to five minutes. Time limits can be adjusted by the Mayor as to accommodate more or fewer speakers.

The purpose of this item is to allow citizens an opportunity to address the City Council on issues that are not the subject of a public hearing. Any item requiring a Public Hearing will allow citizens or visitors to speak at the time that item appears on this agenda as indicated as a "Public Hearing". Items that are the subject matter jurisdiction of the City Council include City policy and legislative issues. Issues regarding daily operational or administrative matters should first be dealt with at the administrative level by calling City Hall at 979-233-1531 during business hours.

- 5) MAYORAL/ALDERMEN/COMMITTEE/POLICE ANNOUNCEMENTS
- 6) CONSENT ITEMS:

All of the following items on the Consent Agenda are considered to be self-explanatory by the Council and will be enacted with one motion. There will be no separate discussion of these items unless a Council Member or citizen so request. For a citizen to request removal of an item, a speaker card must be filled out and submitted to the City Secretary

- a) Consider approval of the minutes from City Council Regular Meeting on February 11, 2014.
- b) Consider approval of the financials for February 2014.
- c) Consider resignation of Linda Manning from the Planning Commission.

ORIGINAL
FILE COPY

7) OLD BUSINESS

- a) Update on Inventory and correspondence tracking system
- b) Update on Velasco Drainage work
- c) Update and review jobs descriptions of key city employees.

8) REGULAR SESSION

- a) Discuss and consider adopting a Proclamation in support of the American Red Cross.
- b) Discuss and consider a Resolution naming April 2014 Fair Housing Month.
- c) Discuss and consider granting Brazoria County permission "to spray" or "not to spray" Surfside Beach.
- d) Discuss and consider granting a variance to the amplified sound ordinance for Bingos Boards.
- e) Discuss and consider appointing a new member to the Planning Commission.
- f) Discuss and consider appointing a new alternate to the Planning Commission.
- g) Discuss and consider appointing 5 new members to the Beautification Committee.
- h) Discuss and consider appointing 2 new alternate members to the Beautification Committee.

9) CLOSED SESSION

1. The City Council to convene in closed session pursuant to the Texas Government Code: Section 551.074, deliberation on the appointment, employment, evaluation, and/or duties regarding personnel as follows:

- a.) Discuss the employment positions: public works director and the building official.

10) RECONVENE INTO OPEN SESSION

1. The City Council to reconvene in open session pursuant to the Texas Government Code: Section 551.074, deliberation on the appointment, employment, evaluation, and/or duties regarding personnel as follows:

- a.) Discuss and consider the employment positions: public works director and the building official.

FILE COPY

11) ADJOURNMENT – CITY COUNCIL MEETING

I, the undersigned authority do hereby certify that the Notice of Meeting was posted on the front door of the City Hall of the Village of Surfside Beach, Texas, a place convenient and readily accessible to the general public at all times and said Notice was posted on the following date and time: **February 7, 2014 at 5:00 p.m.** and remained so posted continuously for at least **72 hours** preceding the schedule time of said meeting.



Sandra Miller
City Secretary

ORIGINAL

If you plan to attend this public meeting and you have a disability that requires special arrangements at the meeting, please contact Sandra Miller, City Secretary at (979) 233-1531 extension 103 within 48 business hours of the scheduled meeting date. Reasonable accommodations will be made to assist your needs.

This back section has items on it that are for information purposed only.

BOA question

#3

Notice of Regular Meeting of the City Council
Tuesday: 5/08/2007 – 7:00 pm

Village of Surfside Beach
1304 Monument Drive
Surfside Beach, Texas 77541

TO ALL INTERESTED CITIZENS OF THE VILLAGE OF SURFSIDE BEACH

AGENDA

**An Agenda information packet is available for public inspection at
City Hall, Utility Department**

- 1) CALL REGULAR CITY COUNCIL MEETING TO ORDER**
- 2) MOMENT OF SILENCE**
- 3) PLEDGE OF ALLEGIANCE**
- 4) CITIZENS/VISITORS COMMENTS TO COUNCIL**

Please fill out an "Appearance Before City Council" form in order to address the Council, and turn the form in prior to Citizens and Visitors Comments, or by 7:00 p.m. to City Secretary, Karlyn "Kelly" Hamby.

Speakers are normally limited to five minutes. Time limits can be adjusted by the Mayor as to accommodate more or fewer speakers.

The purpose of this item is to allow citizens an opportunity to address the City Council on issues that are not the subject of a public hearing. Any item requiring a Public Hearing will allow citizens or visitors to speak at the time that item appears on this agenda as indicated as a "Public Hearing". Items that are the subject matter jurisdiction of the City Council include City policy and legislative issues. ***Issues regarding daily operational or administrative matters should first be dealt with at the administrative level by calling City Hall at 979-233-1531 during business hours.***

5) MAYORAL/ALDERMEN/COMMITTEE/POLICE ANNOUNCEMENTS

6) CONSENT ITEMS:

All of the following items on the Consent Agenda are considered to be self-explanatory by the Council and will be enacted with one motion. There will be no separate discussion of these items unless a Council Member or citizen so request. For a citizen to request removal of an item, a speaker card must be filled out and submitted to the City Secretary

- 1. Consider approval of the minutes from City Council Regular Meeting, April 10, 2007.
- 2. Consider approval of the minutes from City Council Special Meeting, April 26, 2007.
- 3. Consider approval of the un-paid bills for April, 2007.
- 4. Consider resignation of police officer Sgt. Hector Gonzalez.

7) REGULAR ITEMS

1. Discuss and consider amending Traffic Ordinance No. 47 and repealing Ordinance No 2007-4 regarding setting a speed limit on the "S" curve on Bluewater Highway (CR257).
2. Discuss and consider giving a variance to the Temporary Vendor Ordinance for SOBA to sell food, drinks (non-alcoholic), t-shirts, koozies, and hats in the northwest area of the corner of SH332 and Fort Velasco; on Saturday May 26, 2007.
3. Discuss requiring that contractors be bonded within the Village.
4. Discuss and consider amending Ordinance No. 2004-15A the Building Code, Section R. 112 of the International Residential Code to clarify Board of Appeals.
5. Discuss and consider amending Ordinance No. 92-9 Pedestrian Beach by decreasing the length of it by 200 feet to the East.

8) CLOSED SESSION

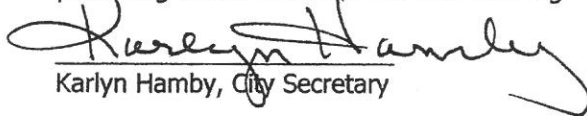
1. The City Council to convene in closed session pursuant to the Texas Government Code: Section 551.074, deliberation on the appointment, employment, evaluation, and/or duties regarding personnel as follows:
 - a. Discuss police officers and EMS employee's pay and positions, including Beach Patrol.
 - b. Discuss termination of full time public works employee Steven Sproat.

9) RECONVENE INTO OPEN SESSION

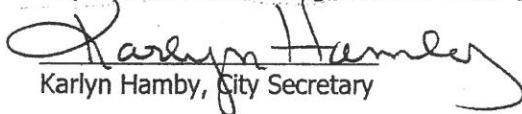
1. The City Council to reconvene into open session pursuant to the Texas Government Code: Section 551.074, deliberation on the appointment, employment, evaluation, and/or duties regarding personnel as follows:
 - a. Consider police officers and EMS employee's pay and positions, including Beach Patrol.
 - b. Consider termination of full public works employee Steven Sproat.

ADJOURNMENT – CITY COUNCIL MEETING

I, the undersigned authority do hereby certify that the Notice of Meeting was posted on the front door of the City Hall of the Village of Surfside Beach, Texas, a place convenient and readily accessible to the general public at all times and said Notice was posted on the following date and time: May 4, 2007 at 4:00 p.m. and remained so posted continuously for at least 72 hours preceding the schedule time of said meeting.


Karlyn Hamby, City Secretary

This public notice was removed from the official posting place at the Village of Surfside Beach City Hall on the following date and time: 5-9-07 at 9:00 am


Karlyn Hamby, City Secretary

If you plan to attend this public meeting and you have a disability that requires special arrangements at the meeting, please contact Karlyn "Kelly" Hamby, City Secretary at (979) 233-1531 extension 4 within 48 business hours of the scheduled meeting date. Reasonable accommodations will be made to assist your needs.

ORDINANCE NO. 2007-9

AN ORDINANCE OF THE VILLAGE OF SURFSIDE BEACH, TEXAS, AMENDING ORDINANCE NUMBER 2004-15A, WHICH ADOPTED THE INTERNATIONAL RESIDENTIAL CODE, TO AMEND SECTION R112 OF SAID CODE TO PROVIDE THAT THE BOARD OF APPEALS IS THE CITY COUNCIL OF THE VILLAGE AND OTHER RELATED AMENDMENTS; CONTAINING SAVINGS CLAUSES; CONTAINING A SEVERANCE CLAUSE; PROVIDING THAT SAID ORDINANCE AS HEREBY AMENDED IS PUNISHABLE BY A FINE NOT TO EXCEED \$500.00 AND THAT EACH DAY THAT A VIOLATION OCCURS IS A SEPARATE OFFENSE; AND PROVIDING THAT THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY UPON THE COMPLETION OF ITS PUBLICATION AS HEREIN PROVIDED.

BE IT ORDAINED BY THE CITY COUNCIL OF THE VILLAGE OF SURFSIDE BEACH, TEXAS:

First, Ordinance No. 2004-15A of said Village, is hereby amended to amend portions of Section R112 "Board of Appeals" of the International Residential Code as follows:

First, Subsection R112.1 is amended to read as follows:

"R112.1 **General.** In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this Code, the City Council of the Village shall act as the Board of Appeals under this Code. Any references in this Code to the Board or Board of Appeals shall mean the City Council sitting as such. The City Council, when sitting as the Board of Appeals, shall render all decisions and findings in writing to the appellant with a duplicate copy to the building official".

Second, Subsection 112.3, "Qualifications", is hereby deleted from said Code.

Third, Subsection 112.4 is renumbered to be Subsection R112.3.

Fourth, in the event any section or provision of this ordinance is found to be unconstitutional, void or inoperative by the final judgment of a court of competent jurisdiction, such defective provision, if any, is hereby declared to be severable from the remaining sections and provisions of this ordinance and such remaining sections and provisions shall remain in full force and effect.


Fifth, this ordinance is cumulative of and in addition to all other ordinances of the Village of Surfside Beach, Texas, on the same subject and all such ordinances are hereby expressly saved from repeal. Provided, however, where this ordinance and another ordinance shall conflict or overlap, whichever imposes the more stringent regulations or penalties, as the case may be, shall prevail.

Sixth, no offense committed and no fine, forfeiture or penalty incurred prior to the effective date of this ordinance is to be affected by the adoption of this ordinance but the punishment for any offense committed and the recovery of any fines or forfeitures incurred prior to such date shall take place as if this ordinance had not been adopted.

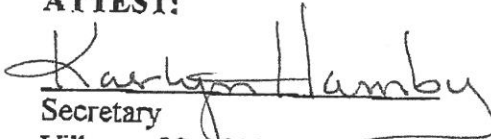
Seventh, any person violating any provisions of Ordinance No. 2004-15A as hereby amended shall be punished by a fine not exceeding \$500.00. Each day or portion thereof that any such violation occurs or continues shall constitute a separate offense.

Eighth, this ordinance shall take effect and be in force from and after its descriptive caption has been published for two consecutive days in the Brazosport Facts.

PASSED AND APPROVED this 8th day of May, A.D. 2007.


Mayor,
Village of Surfside Beach

ATTEST:


Secretary
Village of Surfside Beach

ORDINANCE NO. 2007-9

AN ORDINANCE OF THE VILLAGE OF SURFSIDE BEACH, TEXAS, AMENDING ORDINANCE NUMBER 2004-15A, WHICH ADOPTED THE INTERNATIONAL RESIDENTIAL CODE, TO AMEND SECTION R112 OF SAID CODE TO PROVIDE THAT THE BOARD OF APPEALS IS THE CITY COUNCIL OF THE VILLAGE AND OTHER RELATED AMENDMENTS; CONTAINING SAVINGS CLAUSES; CONTAINING A SEVERANCE CLAUSE; PROVIDING THAT SAID ORDINANCE AS HEREBY AMENDED IS PUNISHABLE BY A FINE NOT TO EXCEED \$500.00 AND THAT EACH DAY THAT A VIOLATION OCCURS IS A SEPARATE OFFENSE; AND PROVIDING THAT THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY UPON THE COMPLETION OF ITS PUBLICATION AS HEREIN PROVIDED.

To: Facts - legal

publish 2x consecutive

Karlyn Hamby
City Secretary

233-1531x4

Appearance before City Council

Please fill out and give to City Secretary prior to start of meeting.

Name: Wanda McInfee

Address: 319 Shash Lane

Phone: _____

Email: _____

Issue: Ditcher / ~~St~~

Date: _____

Appearance before City Council

Please fill out and give to City Secretary prior to start of meeting.

Name: Georgia Pavey

Address: 321 Treaty

Phone: 979-292-9433

Email: gpavey321@gmail.com

Issue: Community garden

Date: _____

Appearance before City Council

Please fill out and give to City Secretary prior to start of meeting.

Name: Mark A Muse

Address: 1791 Lilley Yaeger Loop

Phone: 832-579-7860

Email: mrkmuse06@aol.com

Issue: Old Guys Surf Reunion
April 25th & 26th

Date: 3-11-14

Appearance before City Council

Please fill out and give to City Secretary prior to start of meeting.

Name: David Milliean

Address: _____

Phone: _____

Email: _____

Issue: _____

What is the status of the
sewer system for Surfside Shore,

Date: _____

FEBRUARY 2014 - TASKS PERFORMED - PUBLIC WORKS SUPERVISOR

WATER REPORTS

SEPTIC REPORTS

SYSTEMS WATER REPORT 13% (-05) WATER LOSS

VELASCO DRAINAGE (DONE & DOING)

PARK DITCH

CULVERT CLEANING

SHARK LANE SURFSIDE SHORES

THUNDER CULVERT (LOSING ROAD 24")

LIMITED ON SEASHELL& SURF (GOVERNMENT CONTRACT – GARNER PAVING)

2 DAYS AFTER EVERY JOB CHANGE

PCT 1 CULVERT WORK & HELP CLEANING EASEMENT AT SANDPEBBLE (MRS. WILHELM)

BURIED ¾ % LINE AT DETENBECK

FIXED 4 WATER LEAKS (LEAKING BEFORE)

VALVE @ YUCCA SCHEDULED (RAIN) MADE CLEAR THERE WAS NO CHANGE ORDER DONE --L.L.E

SEWER STATION REPAIRS TO CUT OVERTIME

REVIEWED 6 SEPTIC APPLICATIONS. QUESTIONED 3 AND MET WITH OWNER OR ENGINEERS

MRS. HILL , SANDRA ERB (SURFSIDE SHORES), BILL WADE (MAR VISTA)

BEACH GATES/BOOTH SIGNS, BARRELS & PORTOLETS – (THANK SOBA FOR SIGNS)

HIRED PAT BELL – BWA/BRA/CLUTE; B LICENSE; WATER/WASTEWATER 2015 EXPIRATION

DO WELLS/ BEACH @ 6:30 AM

ARSENIC

- A. LETTER FROM EPA – 0.013 EP-5 SURFSIDE SHORES ONLY. 4 QUARTERS WAS ARGUING SINCE 2013 ALL OTHERS UNDER MCL 0.010 AVERAGE
- B. 2 TEST WELL @ SURFSIDE SHORES – 540 NO PROBLEM - AT HALF OF MCL 0.005
- C. FUNDED BY FEMA

HUMBLED AND GLAD TO BE BACK --- THANKS, PETE GUTIERREZ



OFFICIAL MUNICIPAL COURT MONTHLY REPORT

MUNICIPAL COURT OF <u>Village of Surfside Beach</u>	TRAFFIC		NON-TRAFFIC MISDEMEANORS	
	NON-PARKING	PARKING	STATE LAW	CITY ORDINANCE
FOR MONTH <u>02</u> YEAR <u>2014</u>				
1. New Cases Filed During the Month	85	4	23	5
2. Dispositions Prior to Trial:				
A. Bond Forfeitures	0	0	0	0
B. Fined <i>(Before trial only. If the defendant goes to trial, enter in Item 3.)</i>	39	5	10	7
C. Cases Dismissed <i>(Do not include dismissals that are to be reported in Items 3C and 4 below.)</i>	3	1	1	0
3. Dispositions at Trial:				
A. Trial by Judge				
(1) Finding of Guilty	0	0	0	0
(2) Finding of Not Guilty	0	0	0	0
B. Trial by Jury				
(1) Finding of Guilty	0	0	0	0
(2) Finding of Not Guilty	0	0	0	0
C. Dismissed at Trial	0	0	0	0
4. Cases Dismissed:				
A. After Driver Safety Course <i>(C.C.P., Art. 45.0511)</i>	1			
B. After Deferred Disposition <i>(C.C.P., Art. 45.051)</i>	30	1	3	0
C. After Proof of Financial Responsibility <i>(Transportation Code, Sec. 601.193)</i>	6			
D. Compliance Dismissal <i>(Proof of Inspection, License, or Registration)</i>	2			
5. Community Service Ordered <i>(For satisfaction of fine or costs only.)</i>				
6. Cases Appealed	0	0	0	0
7. Juvenile / Minor Activity:				
A. Transportation Code Cases Filed	2			
B. Non-Driving Alcoholic Beverage Code Cases Filed	2			
C. Driving Under the Influence of Alcohol Cases Filed	0			
D. Health & Safety Code (Tobacco) Cases Filed	0			
E. Failure to Attend School Cases Filed <i>(Education Code, Sec. 25.094)</i>	0			
F. Education Code (Except Failure to Attend) Cases Filed	0			
G. Violation of Local Daytime Curfew Ordinance Cases Filed <i>(Loc. Govt. Code, Sec. 341.905)</i>	0			
H. All Other Non-Traffic Fine-Only Cases Filed	1			
I. Waiver of Jurisdiction of Non-Traffic Cases <i>(Family Code, Sec. 51.08(b))</i>				
J. Referred to Juvenile Court for Delinquent Conduct <i>(C.C.P., Art. 45.050 (c)(1))</i>				
K. Held in Contempt, Fined, or Denied Driving Privileges <i>(C.C.P., Art. 45.050 (c)(2))</i>				
Magistrate Warnings Given (Juvenile):				
L. Warnings Administered				
M. Statements Certified				
8. Parent Contributing to Nonattendance Cases Filed <i>(Education Code, Sec. 25.093)</i>				0
9. Safety Responsibility and Driver's License Suspension Hearings Held				
10. Search Warrants Issued <i>(Do not include warrants for arrest.)</i>				
11. Arrest Warrants Issued:				
A. Class C Misdemeanors Only				30
B. Felonies and Class A and B Misdemeanors				
12. Magistrate Warnings Given: <i>(Given to defendants charged with county or district court offense.)</i>				
A. Class A and B Misdemeanors Only				
B. Felonies				
13. Emergency Mental Health Hearings Held				
14. Magistrate's Orders for Emergency Protection				
15. Total Revenue			\$	\$ 17,181.60
<i>(Include all revenue collected during month to be remitted to city or state.)</i>				

MONTHLY OFFICER ACTIVITY REPORT

From 02/01/2014 To 02/28/2014

NOTE: Only "A" active officers will appear.

OFFICER ID	BADGE	OFFICER NAME	Count	Percent of Total
CD	1820	Cory Dunlap	2	1.8182
F	0	Deberah Blombergh	1	0.9091
FM	0	Francis McCollister	12	10.9091
JLK	0	John Kelly	44	40.0000
MM	0	Michael Monnat	1	0.9091
PV	0	Paul V Varesic	47	42.7273
ZM	0	Z W Monnat	3	2.7273
Total All Officers			110	

#1 Golf Carts

Surfside Beach, Texas, Code of Ordinances >> - CODE OF ORDINANCES >> Chapter 46 - TRAFFIC AND VEHICLES >> ARTICLE IV. USE OF GOLF CARTS >>

ARTICLE IV. USE OF GOLF CARTS

Sec. 46-171. Designated areas and times for use.

Sec. 46-172. Requirements.

Sec. 46-173. Operation within incorporated limits.

Secs. 46-174—46-199. Reserved.

Sec. 46-171. Designated areas and times for use.

The designated areas and times for use of golf carts shall be as follows. Golf carts are:

- (1) Allowed on all streets except Bluewater Highway (CR257) and Fort Velasco Blvd., which can only be crossed.
- (2) Not allowed on the pedestrian beach area.
- (3) May only be driven during daylight hours.

(Ord. No. 2005-12, § 3, 11-8-2005)

Sec. 46-172. Requirements.

The following are requirements for the use of golf carts in the village:

- (1) Must have a "Slow Vehicle" reflective sign on the back of the cart.
- (2) Must have insurance.
- (3) State registration.
- (4) Licensed drivers only.

(Ord. No. 2005-12, § 4, 11-8-2005)

Sec. 46-173. Operation within incorporated limits.

The operation of golf carts within the incorporated limits of the village will not be allowed unless they are in compliance with this article.

(Ord. No. 2005-12, § 5, 11-8-2005)

Secs. 46-174—46-199. Reserved.

There is no question as to which body is the BOA, it is the Council. This ordinance was adopted and published and placed on municode back in 2007 by Kelly through the direction of Jim. The fact that the zoning ordinance needs to be updated does not detract from the validity of the attached approval.

If Council would like to separate this duty from the elected body, a new separate committee would need to be formed. Based on legal advice of the city attorney, it is not appropriate to have the PC act as the BOA. It is appropriate for an elected body to hold both positions of Council and BOA, but not an appointed body.

Attached is the historical back up to the situation.

Surfside Beach, Texas, Code of Ordinances >> - CODE OF ORDINANCES >> Chapter 12 - BUILDINGS AND BUILDING REGULATIONS >> ARTICLE II. RESIDENTIAL CODE >>

ARTICLE II. RESIDENTIAL CODE

Sec. 12-23. International Residential Code adopted.

Sec. 12-24. Amendments.

Sec. 12-25. Adoption of Texas Windstorm Insurance Association Building Code for Windstorm Resistant Construction.

Sec. 12-26. Adoption of International Energy Conservation Code.

Sec. 12-27. More stringent provision shall prevail.

Sec. 12-28. Substandard buildings prohibited; notice for abatement; hearing; hearing notice; abatement.

Sec. 12-29. Official application of building permits.

Sec. 12-30. Most stringent regulations prevail.

Secs. 12-31—12-48. Reserved.

Sec. 12-23. International Residential Code adopted.

A certain document, two [copies] of which are on file in the office of the city secretary and the Village of Surfside Beach, being marked and designated as the International Residential Code, 2006 edition, as published by the International Code Council is hereby adopted as the residential code of the Village of Surfside Beach, in the State of Texas, for regulating and governing the construction, alteration, movement, enlargement, replacement, repair, equipment, location, removal and demolition of detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories in height with separate means of egress as herein provided; providing for the issuance of permits and collection of fees thereof; and each and all of the regulations, provisions, penalties, conditions and terms of said residential code on file in the office of the city secretary are hereby referred to, adopted, and made part hereof, as if fully set out in this Code.

(Ord. No. 2004-15A, § 1, 12-14-2004; Ord. No. 2008-4, § 1, 5-13-2008)

Sec. 12-24. Amendments.

The International Residential Code is hereby amended as follows:

Section R101.1. Insert: Village of Surfside Beach

Subsection R112.1 is amended to read as follows:

Subsection R112.1 General. In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code, the city council of the village shall act as the board of appeals under this code. Any references in this code to the board or board of appeals shall mean the city council sitting as such. The city council, when sitting as the board of appeals, shall render all decisions and findings in writing to the appellant with a duplicate copy to the building official.

Subsection 112.3, Qualifications, is hereby deleted from the code.

Subsection 112.4 is renumbered to be Subsection R112.3.

(Ord. No. 2007-9a, 5-8-2007; Ord. No. 2008-4, § 2, 5-13-2008)

Sec. 12-25. Adoption of Texas Windstorm Insurance Association Building Code for Windstorm Resistant Construction.

The village does hereby expressly adopt the provisions of the Texas Windstorm Insurance Association Building Code for Windstorm Resistant Construction, which became effective December 31, 1998, together with all future editions revisions and supplements of same, and it is hereby adopted as a part of the building code for the village.

(Ord. No. 2004-15A, § 2, 12-14-2004)

Sec. 12-26. Adoption of International Energy Conservation Code.

Certain documents, one copy of which is on file in the office of the city secretary and the village, being marked and designated as International Energy Conservation Code, as published by the International Code Council, is hereby adopted as the code of the village for regulating the design, construction, quality of materials, erection, installation, alteration, repair, location, replacement, addition to, use or maintenance of the building envelope, mechanical, lighting and power systems in the village, and providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, conditions and terms of such International Energy Conservation Code, 2000 edition, published by the International Code Council, on file in the office the city secretary, are hereby referred to, adopted and made a part hereof as if fully set out in this article.

(Ord. No. 2004-15A, § 3, 12-14-2004)

Sec. 12-27. More stringent provision shall prevail.

The same rules and regulations as printed in any copy of the code shall be admitted into evidence with the same force and effect as the rules and regulations included in sections 12-23, 12-25 and 12-26 and the more stringent provision shall prevail.

(Ord. No. 2004-15A, § 4, 12-14-2004)

Sec. 12-28. Substandard buildings prohibited; notice for abatement; hearing; hearing notice; abatement.

- (a) *Prohibited.* No person shall own or occupy any building, which is:
- (1) *Unfit for habitation and hazard to public.* Dilapidated, substandard, or unfit for human habitation and a hazard to the public health, safety, and welfare;
 - (2) *Unoccupied structures.* Regardless if it's structural condition, unoccupied by it's owners, lessees, or other invites and it's unsecured from unauthorized entry to the extent that it could be entered or used by vagrants or other uninvited person as a place of harborage or could be entered or used by children; or
 - (3) *Secured structures.* Boarded up, fenced, or otherwise secured in any manner if:
 - a.

The minimum standards for continued use and occupancy are as set forth in the standard building code;

- b. The building has its windows covered with plywood from November 1 through May 31. Plywood over windows during the hurricane season, from June 1 to October 31, will be allowable;
- c. The building constitutes a danger to the public even though secured from entry; or
- d. The means used to secure the building are inadequate to prevent unauthorized entry or use of the building in the manner described by subsection (2) of this section.

(b) *Notices for abatement of substandard buildings.*

- (1) *Initial notice.* At least 30 days prior to any hearing by the city council, notice must be sent to the owner of the property, as shown on the tax rolls of the village, and each mortgagee and lienholder by (special) delivery personally, or by certified mail, return receipt requested, such notice to contain the following:
 - a. An identification, which is not required to be a legal description, of the building and the property on which it is located;
 - b. A description of the violation of the village standards that is present at the building; and
 - c. Notice that the owner, occupant, lienholder, or mortgagee shall get the building in compliance with this article within 30 days.
- (2) *Public hearing notice.* If the building official believes that a building, or any other portion thereof, continues to be in violation of this article after the initial notice period in subsection (b)(1) of this section, then notice shall be sent to each owner (as shown on the tax rolls of the village), occupant, lienholder, and mortgagee of the real property where the building is located, at least ten days prior to the public hearing required subsection (c) of this section, which notice shall contain the following:
 - a. An identification, which is not required to be a legal description, of the building and the property on which it is located;
 - b. A description of the violation of the village standards that is present at the building;
 - c. Notice of the time, date, and place of a public hearing to determine whether the building is in violation of this chapter, and whether the building should be vacated, relocated, secured, repaired, removed, or demolished;
 - d. Notice that the owner, lienholder, or mortgagee shall be required to submit, at the hearing, proof of the scope of any work that may be required to comply with this article and the time it will take to reasonably perform the work; and
 - e. A statement that the village will vacate, secure, remove, or demolish the building or relocate the occupants of the building if any action ordered at the public hearing is not taken within a reasonable time.

(c) *Hearing.*

- (1) *Public hearing to determine compliance.* The city council of the village, sitting as a board of adjustment and appeals, shall conduct a public hearing to determine whether the building complies with the standards set out in this article. At the hearing, each owner, occupant, lienholder, and mortgagee shall be given an opportunity to be heard. If the city council believes that the building, or and portion thereof, violates this article, then the city council shall also determine whether to order the owner of the building to

vacate, relocate, secure, repair, remove, and/or demolish the building. The village may also order that the occupants be relocated within a reasonable time. The owner, occupant, lienholder, or mortgagee has the burden of proof to demonstrate the scope of any work that may be required to comply with this article and the time it will take to reasonably perform the work.

- (2) *Securing noncompliant buildings in reasonable manner within a time schedule.* If the village finds at the public hearing that the building does not comply with this article, the village shall require the owner, lienholder, or mortgagee of the building to, within 30 days, secure the building from unauthorized entry, or repair, remove, or demolish the building, unless the owner or lienholder establishes at the hearing that the work cannot reasonably be performed within 30 days. If the village allows the owner, lienholder, or mortgagee more than 30 days to repair, remove or demolish the building, the village shall establish a specific time scheduled for the commencement and performance of the work and shall require the owner, lienholder, or mortgagee to secure the property in a reasonable manner from unauthorized entry while the work is being performed, as determined by the city council.
 - (3) *Extension of time schedule; plan for compliance.* The village may not allow the owner, lienholder, or mortgagee more than 90 days to repair, remove, or demolish the building or fully perform all work required to comply with the order unless the owner, lienholder, or mortgagee submits a detailed plan and time schedule for the work at the hearing, and establishes at the hearing that the work cannot reasonably be completed within 90 days because of the scope and complexity of the work. If the village allows the owner, lienholder, or mortgagee more than 90 days to complete any part of the work required to repair, remove, or demolish the building, the village shall require the owner, lienholder or mortgagee to regularly submit progress reports to the village to demonstrate that the owner, lienholder, or mortgagee has complied with the time schedules established for commencement and performance of the work. The order may require that the owner, lienholder, or mortgagee appear before the city council, or their designee to demonstrate compliance with the time schedules.
- (d) *Hearing notices.*
- (1) *Certified mail for notice to owner, occupant or mortgagee.* After the public hearing, if the village believes that the building, or any portion thereof, is in violation of this section, then the village shall promptly mail, by certified mail, return receipt requested, a copy of the order to the owner of the building and to any lienholder or mortgagee of the building. The village shall use the records in the office of the county clerk to determine, if possible, the identity and address of any owner, occupant, lienholder, or mortgagee of the building, and any other sources available to the village.
 - (2) *After public hearing notice given to owner, occupant or mortgagee.* After the public hearing, the village shall also send to each lienholder and mortgagee of the real property where the building is located a notice, which shall contain the following:
 - a. An identification, which is not required to be a legal description, of the building and the property on which it is located;
 - b. A description of the violation of the village standards that is present at the building; and
 - c. A statement that the village will vacate, secure, remove, or demolish the building or relocate the occupants of the building if the ordered action is not taken within the time specified.
 - (3)

Findings published in village newspaper. In addition, within ten days after the date that the order is issued, the village shall file a copy of the order in the office of the city secretary and publish, in the Brazosport Facts, a notice containing the street address or legal description of the property, the date of the hearing, a brief statement indicating the results of the order, and the instructions stating where a complete copy of the order may be obtained.

- (e) *Abatement of substandard building by village; assessment of expenses.*
- (1) *Owners expense for village to comply to code.* If the building is not vacated, secured, repaired, removed, or demolished, or the occupants are not relocated within the allotted time, the village may vacate, secure, remove, or demolish the building or relocate the occupants at its own expense.
 - (2) *Expenses accessed to property.* The village may assess the expenses on, and the village has a lien against the property on which the building was located, unless it is a homestead as protected by the state constitution.
 - (3) *Lien extinguished when owner reimburses village expenses.* The lien is extinguished if the property owner or another person having an interest in the legal title to the property reimburses the village for the expenses.
 - (4) *Lien notice recorded.* The lien arises and attaches to the property at the time the notice of the lien was recorded and indexed in the office to the county clerk.
 - a. The notice must contain the name and address of the owner if that information can be determined with a reasonable effort, a legal description of the real property on which the building was located, the amount of expenses incurred by the village, and the balance due.
 - b. If the notice is given and the opportunities to repair, remove, or demolish the buildings is afforded to each mortgagee and lienholder, the lien is a privileged lien subordinate only to tax liens.

(Ord. No. 2004-15A, § 5, 12-14-2004; Ord. No. 2006-3, 2-14-2006)

Sec. 12-29. Official application of building permits.

Exhibit A, on file in the office of the city secretary, will be the official application for building permits, with the addition of the requirement of a port-a-let to be on all construction sites.

(Ord. No. 2004-15A, § 6, 12-14-2004; Ord. No. 2006-10, 7-11-2006)

Sec. 12-30. Most stringent regulations prevail.

This article, is cumulative of and in addition to all other ordinances of the village, on the same subject, including, but not limited to, the master flood hazard prevention chapter, and all such ordinances, from which the flood hazard prevention chapter is derived, are hereby expressly saved from repeal; provided, however, where this article and other ordinance shall conflict or overlap, whichever imposes the more stringent regulations or penalties, as the case may be, shall prevail.

(Ord. No. 2004-15A, § 7, 12-14-2004)

Secs. 12-31—12-48. Reserved.

Village of Surfside Beach

1304 Monument Drive

Surfside Beach, Texas 77541

Office: 979 233-1531 Fax: 979 373-0699

APPLICATION FOR CITY BOARDS/COMMISSIONS/COMMITTEES DATE: March 5, 2014

NAME: Sue Gray and Charles Scott Gray PHONE: 915-227-2504

ADDRESS: 414 Fort Velasco Drive ALTERNATE PHONE:

CITY/ZIP: Surfside Beach, Tx. 77541 EMAIL: babasuesue@aol.com

APPLICATION FOR THE FOLLOWING COUNCIL APPOINTED BOARDS/COMMISSIONS/COMMITTEES
(CHECK)

BEAUTIFICATION COMMITTEE

CITY ADVISORY PLANNING COMMISSION

OLD VELASCO/SURFISDE BEACH HISTORICAL COMMISSION

BEACH ADVISORY COMMITTEE

TOURISM COMITTEE

PERSONAL INFORMATION

OCCUPATION: Both of us are retired educators, great grandparents, and full time 'locals'

ADDITIONAL EXPERIENCE: Love gardening, crafts, and both are artistic

EDUCATION: Too much to put on one line ! Bachelors + Masters in Education + many more certifications and tons of experiences!

PROFESSIONAL AND/OR OTHER COMMUNITY ACTIVITIES:

Scott is fluent in written and spoken Spanish; Sue once was fluent in American sign language; both write extensively, etc.

mailing
Address:
PO Box 3093
Lake Jackson,
TX 77566

Village of Surfside Beach
1304 Monument Drive
Surfside Beach, Texas 77541
Office: 979 233-1531 Fax: 979 373-0699

APPLICATION FOR CITY COMMITTEE

DATE: March 5, 2014

NAME: Freda J. Guzman PHONE: 281-309-2533
ADDRESS: 431 Swordfish Ln ALTERNATE PHONE: 713-232-6053
CITY/ZIP: Surfside Beach EMAIL: freda.guzman@amegybank.com
77541

APPLICATION FOR THE FOLLOWING COUNCIL APPOINTED BOARDS/COMMISSIONS/COMMITTEES (CHECK ONE)

- BEAUTIFICATION COMMITTEE
- CITY ADVISORY PLANNING COMMISSION
- OLD VELASCO/SURFISDE BEACH HISTORICAL COMMISSION
- FIRE DEPARTMENT COMMISSION
- BEACH ADVISORY COMMITTEE
- TOURISM COMMITTEE

PERSONAL INFORMATION

OCCUPATION: VP, Regional Operations Manager

ADDITIONAL EXPERIENCE:

EDUCATION: MBA - Finance & BS - Business Management

PROFESSIONAL AND/OR OTHER COMMUNITY ACTIVITIES:

Houston Livestock Show & Rodeo - Chairman
Other Position - Division Chairman, Vice Chairman

PLEASE RETURN FORM via email to: Sandra@surfsidetx.org or mail to address above.

This back section has items on it that are for information purposed only.

#1

GOLF CARTS

Surfside Beach, Texas, Code of Ordinances >> - CODE OF ORDINANCES >> Chapter 46 - TRAFFIC AND VEHICLES >> ARTICLE IV. USE OF GOLF CARTS >>

ARTICLE IV. USE OF GOLF CARTS

Sec. 46-171. Designated areas and times for use.

Sec. 46-172. Requirements.

Sec. 46-173. Operation within incorporated limits.

Secs. 46-174—46-199. Reserved.

Sec. 46-171. Designated areas and times for use.

The designated areas and times for use of golf carts shall be as follows. Golf carts are:

- (1) Allowed on all streets except Bluewater Highway (CR257) and Fort Velasco Blvd., which can only be crossed.
- (2) Not allowed on the pedestrian beach area.
- (3) May only be driven during daylight hours.

(Ord. No. 2005-12, § 3, 11-8-2005)

Sec. 46-172. Requirements.

The following are requirements for the use of golf carts in the village:

- (1) Must have a "Slow Vehicle" reflective sign on the back of the cart.
- (2) Must have insurance.
- (3) State registration.
- (4) Licensed drivers only.

(Ord. No. 2005-12, § 4, 11-8-2005)

Sec. 46-173. Operation within incorporated limits.

The operation of golf carts within the incorporated limits of the village will not be allowed unless they are in compliance with this article.

(Ord. No. 2005-12, § 5, 11-8-2005)

Secs. 46-174—46-199. Reserved.

There is no question as to which body is the BOA, it is the Council. This ordinance was adopted and published and placed on municode back in 2007 by Kelly through the direction of Jim. The fact that the zoning ordinance needs to be updated does not detract from the validity of the attached approval.

If Council would like to separate this duty from the elected body, a new separate committee would need to be formed. Based on legal advice of the city attorney, it is not appropriate to have the PC act as the BOA. It is appropriate for an elected body to hold both positions of Council and BOA, but not an appointed body.

Attached is the historical back up to the situation.

~~Board
of Adjustments~~
903 Seashell

BOA Question

#3

Notice of Regular Meeting of the City Council

Tuesday: 5/08/2007 – 7:00 pm

Village of Surfside Beach
1304 Monument Drive
Surfside Beach, Texas 77541

TO ALL INTERESTED CITIZENS OF THE VILLAGE OF SURFSIDE BEACH

AGENDA

An Agenda information packet is available for public inspection at
City Hall, Utility Department

- 1) CALL REGULAR CITY COUNCIL MEETING TO ORDER
- 2) MOMENT OF SILENCE
- 3) PLEDGE OF ALLEGIANCE
- 4) CITIZENS/VISITORS COMMENTS TO COUNCIL

Please fill out an "Appearance Before City Council" form in order to address the Council, and turn the form in prior to Citizens and Visitors Comments, or by 7:00 p.m. to City Secretary, Karlyn "Kelly" Hamby.

Speakers are normally limited to five minutes. Time limits can be adjusted by the Mayor as to accommodate more or fewer speakers.

The purpose of this item is to allow citizens an opportunity to address the City Council on issues that are not the subject of a public hearing. Any item requiring a Public Hearing will allow citizens or visitors to speak at the time that item appears on this agenda as indicated as a "Public Hearing". Items that are the subject matter jurisdiction of the City Council include City policy and legislative issues. ***Issues regarding daily operational or administrative matters should first be dealt with at the administrative level by calling City Hall at 979-233-1531 during business hours.***

5) MAYORAL/ALDERMEN/COMMITTEE/POLICE ANNOUNCEMENTS

6) CONSENT ITEMS:

All of the following items on the Consent Agenda are considered to be self-explanatory by the Council and will be enacted with one motion. There will be no separate discussion of these items unless a Council Member or citizen so request. For a citizen to request removal of an item, a speaker card must be filled out and submitted to the City Secretary

- 1. Consider approval of the minutes from City Council Regular Meeting, April 10, 2007.
- 2. Consider approval of the minutes from City Council Special Meeting, April 26, 2007.
- 3. Consider approval of the un-paid bills for April, 2007.
- 4. Consider resignation of police officer Sgt. Hector Gonzalez.

7) REGULAR ITEMS

1. Discuss and consider amending Traffic Ordinance No. 47 and repealing Ordinance No 2007-4 regarding setting a speed limit on the "S" curve on Bluewater Highway (CR257).
2. Discuss and consider giving a variance to the Temporary Vendor Ordinance for SOBA to sell food, drinks (non-alcoholic), t-shirts, koozies, and hats in the northwest area of the corner of SH332 and Fort Velasco; on Saturday May 26, 2007.
3. Discuss requiring that contractors be bonded within the Village.
4. Discuss and consider amending Ordinance No. 2004-15A the Building Code, Section R. 112 of the International Residential Code to clarify Board of Appeals.
5. Discuss and consider amending Ordinance No. 92-9 Pedestrian Beach by decreasing the length of it by 200 feet to the East.

8) CLOSED SESSION

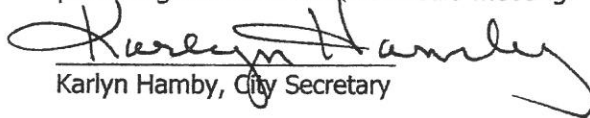
1. The City Council to convene in closed session pursuant to the Texas Government Code: Section 551.074, deliberation on the appointment, employment, evaluation, and/or duties regarding personnel as follows:
 - a. Discuss police officers and EMS employee's pay and positions, including Beach Patrol.
 - b. Discuss termination of full time public works employee Steven Sproat.

9) RECONVENE INTO OPEN SESSION

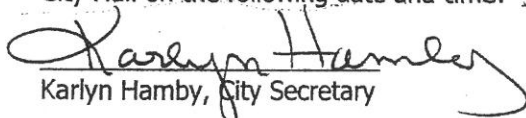
1. The City Council to reconvene into open session pursuant to the Texas Government Code: Section 551.074, deliberation on the appointment, employment, evaluation, and/or duties regarding personnel as follows:
 - a. Consider police officers and EMS employee's pay and positions, including Beach Patrol.
 - b. Consider termination of full public works employee Steven Sproat.

ADJOURNMENT – CITY COUNCIL MEETING

I, the undersigned authority do hereby certify that the Notice of Meeting was posted on the front door of the City Hall of the Village of Surfside Beach, Texas, a place convenient and readily accessible to the general public at all times and said Notice was posted on the following date and time: May 4, 2007 at 4:00 p.m. and remained so posted continuously for at least 72 hours preceding the schedule time of said meeting.


Karlyn Hamby, City Secretary

This public notice was removed from the official posting place at the Village of Surfside Beach City Hall on the following date and time: 5-9-07 at 9:00 am


Karlyn Hamby, City Secretary

If you plan to attend this public meeting and you have a disability that requires special arrangements at the meeting, please contact Karlyn "Kelly" Hamby, City Secretary at (979) 233-1531 extension 4 within 48 business hours of the scheduled meeting date. Reasonable accommodations will be made to assist your needs.

MINUTES
Surfside Beach City Council
MAY 08, 2007

PRESENT: Mayor James Bedward
Kitty Smith, Mayor Pro-temp
Glenda McGonigle, Alderwoman
Georgia Keeney, Alderwoman
Peggy Llewellyn, Alderwoman
Mark Corey, Alderman

The Surfside Beach City Council convened in a regular meeting on May 08, 2007 at 7:00 PM.

Citizens/Visitors Comments to Council:

Bob Cook expressed his concerns with the Anchor Motel and events that had recently transpired there and in the vicinity. He asked if there was anything Council could do to make his home safer. The Mayor said that patrols have been stepped up in the area; and Chief Smith offered to pull data from other towns and look at the possibility of adopting a "habitual ordinance".

Russell Clinton asked if repairs on Beach Drive are still prohibited. The Mayor said electric service was not a city issue; but that no repairs to porch railings, windows, etc. would be allowed.

Lily Baker asked if the police were giving tickets for the burning of the Christmas trees placed along the dune line. The Mayor said tickets were being issued and that it really comes down to a public education issue. The Chief said he is seeing more people bring wood to the beach now for fires, and Alderwoman Llewellyn said she thought the seaweed on top of the trees was also a deterrent.

Mayoral/Council/Committee/Police Announcements:

Chief Smith gave his monthly police report.

Chairperson Linda Manning of the Planning Commission Board of Adjustments gave a report on their March meeting and said they had no quorum and therefore, no meeting.

Alderwoman Smith gave a report on the VFD Commission Meeting and announced a BBQ fundraiser was set for Election Day, May 12, 2007 and encouraged everyone to participate.

Chief Smith brought up the issue of Council considering doing something extra for the volunteers as water exempt bills, equipment, or an appreciation dinner. Just something extra to show we care.

Alderwoman McGonigle asked for an update on the codification of ordinances. She was advised that our City Attorney is reviewing them and that a meeting is being set up. She also asked about the street signs. The Mayor said he would take public works off other projects to get this done. House numbers were also discussed and the need for them due to emergency calls. The Mayor said we could fine them.

Mayor Bedward said he gave kudos to all the employees as lots of things were happening within the Village.

Consent Agenda:

Alderwoman Smith, seconded by Alderwoman McGonigle, duly moved to approve the consent agenda. The motion carried with a vote of five (5) ayes.

Regular Items:

A discussion was opened regarding the amendment of Traffic Ordinance No. 47 in setting a speed limit on the S curve of CR257. Chief Smith showed some examples of products and materials he would like to see being used; and said he thought 35 mph was a good speed. He said the nighttime driving is the main issue with this curve and therefore more reflective markers are needed. Alderwoman Smith, seconded by Alderwoman Keeney, duly moved to amend Traffic Ordinance No. 47 and repealing Ordinance No 2007-4 regarding setting a speed limit of 35 mph on the "S" curve on Bluewater Highway (CR257). The motion carried with a vote of five (5) ayes.

Alderwoman Keeney, seconded by Alderwoman Smith, duly moved to give a variance to the Temporary Vendor Ordinance for SOBA to sell food, drinks (non-alcoholic), t-shirts, koozies, and hats in the northwest area of the corner of SH332 and Fort Velasco; on Saturday May 26, 2007. The motion carried with a vote of five (5) ayes.

A discussion was opened regarding that contractors be bonded within the Village. The main issues were:

- √ Vendors are the ones causing the problems not the contractors who are bonded
- √ Civil issue with property owner if property is damaged
- √ Accountability
- √ Add to permit the requirement of a bond
- √ Chief will check at Chief's Meeting regarding homeowner's insurance
- √ Call the Mayor if something happens and he will get a hold of responsible party

The Mayor opened the floor for discussion regarding who Council wanted to sit as the Board of Appeals as required by the International Residential Code. Issues were;

- √ Alderwoman McGonigle said Planning Commission should as they were more informed
- √ Cities have done it both ways with either the Planning Commission or the Council
- √ Alderman Corey said Council would end up being the one accountable and should sit as the Board of Appeals
- √ Alderwoman McGonigle not comfortable with Council in position due to lots of problems with building permits and that this should be tabled; as a more objective group is needed
- √ Alderman Corey said the "buck stops with Council".

Alderman Corey, seconded by Alderwoman Llewellyn, duly moved to amend Ordinance No. 2004-15A the Building Code, Section R. 112 of the International Residential Code to clarify Board of Appeals as being the City Council. The motion carried with a vote of four (5) ayes. Alderwoman McGonigle voted nay.

Discussion was opened on decreasing the length of pedestrian beach by 200'. Topics brought up by Council and citizens were as follows:

- √ Hate to give up any of pedestrian beach
- √ Why open the beach
- √ Provide access to two houses that are crossing private property
- √ Would replace road to landlocked lots
- √ Other people want to keep their property
- √ Prescriptive easement
- √ Renters not governed by prescriptive easement
- √ Can't ask people to lose property
- √ Took a long time to even get a pedestrian beach
- √ Cost factor of building a road

Alderman Corey, seconded by Alderwoman Llewellyn, duly moved to table amending Ordinance No. 92-9 Pedestrian Beach by decreasing the length of it by 200 feet to the East. The motion carried with a vote of five (5) ayes.

The City Council convened in closed session pursuant to the Texas Government Code: Section 551.074, deliberation on the appointment, employment, evaluation, and/or duties regarding personnel as follows: to discuss police officers and EMS employee's pay and positions, including Beach Patrol; and termination of full time public works employee Steven Sproat.

The City Council reconvened into open session pursuant to the Texas Government Code: Section 551.074, deliberation on the appointment, employment, evaluation, and/or duties regarding personnel as follows.

Alderwoman McGonigle, seconded by Alderwoman Smith, duly moved to agreed police officers and EMS employee's pay raises and positions; plus the position of a paid part time beach patrol officer and acquisition of an ATV 4-wheel beach patrol vehicle. The motion carried with a vote of five (5) ayes.

Alderwoman Smith, seconded by Alderwoman McGonigle, duly moved to the termination of full time public works employee Steven Sproat. The motion carried with a vote of five (5) ayes.

No further action to bring before council, the meeting adjourned.

Karlyn Hamby
City Secretary

Approved: _____

ORDINANCE NO. 2007-9

AN ORDINANCE OF THE VILLAGE OF SURFSIDE BEACH, TEXAS, AMENDING ORDINANCE NUMBER 2004-15A, WHICH ADOPTED THE INTERNATIONAL RESIDENTIAL CODE, TO AMEND SECTION R112 OF SAID CODE TO PROVIDE THAT THE BOARD OF APPEALS IS THE CITY COUNCIL OF THE VILLAGE AND OTHER RELATED AMENDMENTS; CONTAINING SAVINGS CLAUSES; CONTAINING A SEVERANCE CLAUSE; PROVIDING THAT SAID ORDINANCE AS HEREBY AMENDED IS PUNISHABLE BY A FINE NOT TO EXCEED \$500.00 AND THAT EACH DAY THAT A VIOLATION OCCURS IS A SEPARATE OFFENSE; AND PROVIDING THAT THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY UPON THE COMPLETION OF ITS PUBLICATION AS HEREIN PROVIDED.

BE IT ORDAINED BY THE CITY COUNCIL OF THE VILLAGE OF SURFSIDE BEACH, TEXAS:

First, Ordinance No. 2004-15A of said Village, is hereby amended to amend portions of Section R112 "Board of Appeals" of the International Residential Code as follows:

First, Subsection R112.1 is amended to read as follows:

"R112.1 **General.** In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this Code, the City Council of the Village shall act as the Board of Appeals under this Code. Any references in this Code to the Board or Board of Appeals shall mean the City Council sitting as such. The City Council, when sitting as the Board of Appeals, shall render all decisions and findings in writing to the appellant with a duplicate copy to the building official".

Second, Subsection 112.3, "Qualifications", is hereby deleted from said Code.

Third, Subsection 112.4 is renumbered to be Subsection R112.3.

Fourth, in the event any section or provision of this ordinance is found to be unconstitutional, void or inoperative by the final judgment of a court of competent jurisdiction, such defective provision, if any, is hereby declared to be severable from the remaining sections and provisions of this ordinance and such remaining sections and provisions shall remain in full force and effect.


Fifth, this ordinance is cumulative of and in addition to all other ordinances of the Village of Surfside Beach, Texas, on the same subject and all such ordinances are hereby expressly saved from repeal. Provided, however, where this ordinance and another ordinance shall conflict or overlap, whichever imposes the more stringent regulations or penalties, as the case may be, shall prevail.

Sixth, no offense committed and no fine, forfeiture or penalty incurred prior to the effective date of this ordinance is to be affected by the adoption of this ordinance but the punishment for any offense committed and the recovery of any fines or forfeitures incurred prior to such date shall take place as if this ordinance had not been adopted.

Seventh, any person violating any provisions of Ordinance No. 2004-15A as hereby amended shall be punished by a fine not exceeding \$500.00. Each day or portion thereof that any such violation occurs or continues shall constitute a separate offense.

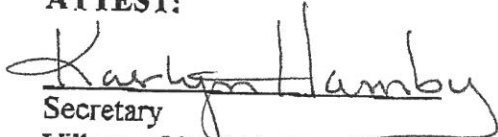
Eighth, this ordinance shall take effect and be in force from and after its descriptive caption has been published for two consecutive days in the Brazosport Facts.

PASSED AND APPROVED this 8th day of May, A.D. 2007.



Mayor,
Village of Surfside Beach

ATTEST:



Secretary
Village of Surfside Beach

ORDINANCE NO. 2007-9

AN ORDINANCE OF THE VILLAGE OF SURFSIDE BEACH, TEXAS, AMENDING ORDINANCE NUMBER 2004-15A, WHICH ADOPTED THE INTERNATIONAL RESIDENTIAL CODE, TO AMEND SECTION R112 OF SAID CODE TO PROVIDE THAT THE BOARD OF APPEALS IS THE CITY COUNCIL OF THE VILLAGE AND OTHER RELATED AMENDMENTS; CONTAINING SAVINGS CLAUSES; CONTAINING A SEVERANCE CLAUSE; PROVIDING THAT SAID ORDINANCE AS HEREBY AMENDED IS PUNISHABLE BY A FINE NOT TO EXCEED \$500.00 AND THAT EACH DAY THAT A VIOLATION OCCURS IS A SEPARATE OFFENSE; AND PROVIDING THAT THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY UPON THE COMPLETION OF ITS PUBLICATION AS HEREIN PROVIDED.

To: Facts - legal

publish 2x consecutive

Karlyn Hamby
City Secretary

233-1531x4

Surfside Beach, Texas, Code of Ordinances >> - CODE OF ORDINANCES >> Chapter 12 - BUILDINGS AND BUILDING REGULATIONS >> ARTICLE II. RESIDENTIAL CODE >>

ARTICLE II. RESIDENTIAL CODE

Sec. 12-23. International Residential Code adopted.

Sec. 12-24. Amendments.

Sec. 12-25. Adoption of Texas Windstorm Insurance Association Building Code for Windstorm Resistant Construction.

Sec. 12-26. Adoption of International Energy Conservation Code.

Sec. 12-27. More stringent provision shall prevail.

Sec. 12-28. Substandard buildings prohibited; notice for abatement; hearing; hearing notice; abatement.

Sec. 12-29. Official application of building permits.

Sec. 12-30. Most stringent regulations prevail.

Secs. 12-31—12-48. Reserved.

Sec. 12-23. International Residential Code adopted.

A certain document, two [copies] of which are on file in the office of the city secretary and the Village of Surfside Beach, being marked and designated as the International Residential Code, 2006 edition, as published by the International Code Council is hereby adopted as the residential code of the Village of Surfside Beach, in the State of Texas, for regulating and governing the construction, alteration, movement, enlargement, replacement, repair, equipment, location, removal and demolition of detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories in height with separate means of egress as herein provided; providing for the issuance of permits and collection of fees thereof; and each and all of the regulations, provisions, penalties, conditions and terms of said residential code on file in the office of the city secretary are hereby referred to, adopted, and made part hereof, as if fully set out in this Code.

(Ord. No. 2004-15A, § 1, 12-14-2004; Ord. No. 2008-4, § 1, 5-13-2008)

Sec. 12-24. Amendments.

The International Residential Code is hereby amended as follows:

Section R101.1. Insert: Village of Surfside Beach

Subsection R112.1 is amended to read as follows:

Subsection R112.1 General. In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code, the city council of the village shall act as the board of appeals under this code. Any references in this code to the board or board of appeals shall mean the city council sitting as such. The city council, when sitting as the board of appeals, shall render all decisions and findings in writing to the appellant with a duplicate copy to the building official.

Duties for City Secretary for Surfside Beach

- 1. Conduct / prepare for all meetings and elections in accordance with the law.**
- 2. Custodian of records.**
- 3. Treasurer – ensure that all city funds are managed and handled per GASB.**
- 4. Manage and/or oversee all city finance audits.**
- 5. Oversight of city hall departments, employees and their administration.**
- 6. Manage and administrate legal matters, documents and procedures**
- 7. Manage any and all issues within city hall not defined above as they surface.**

BOOKKEEPER DUTIES

Task	Frequency					
	D	W	Bi	M	Q	Y
EFT Deposits or Debits						
Checks - post to Deposit						
Process Mail						
Municipal Court Receipts						
Water System Receipts						
Bank Deposit						
Enter Stahlman Customers from Clerk Book						
Enter Permit Customers from Code Enforcement						
Enter Beach Permit Sales						
Accounts payable						
Employment Verification (PRN)						
Payroll & Payroll Liabilities						
Tax Payments						
TMRS Report						
TML Payment/ Distribution						
Ft Dearborn Payment/Distribution						
Monthly payment to VFD (system report, 2of5)						
Financial Reports for City Council						
Bank Reconciliation						
Transfers						
(Due to/from -- all four funds)						
(Sewer Cap Transfer)						
(EMS)						
(Garbage)						
(3002, 3003 I&S Transfers)						
Stahlman Park Deposit Refunds						
Quarterly 941						
Quarterly TWC Report ✓						
Quarterly Supplement to VFD						
Hotel/Motel Tax Receipts - Letters as necessary						
BOND PAYMENT TWDB 06 (FEB, AUG)						
BOND PAYMENT 97 (FEB, AUG)						
BOND PAYMENT CRG (FEB, AUG)						
W/2 1099 PREPARATION						



Building Official

Administration of building permits.

Ensure all documents are in file

Perform follow up as needed until end of project

Invoice and receipt in payment for permit

Log and process complaints

Log and process weed lots

Log and process code violations

Maintain records on property files

Complete county and state forms as needed



Police and EMS Report

From 2/1/14 To 2/28/14

EMS Calls	<u>9</u>
EMS Transports	<u>6</u>
Deaths	<u>1</u>
Police Reports	<u>14</u>
Burglary Habitation	<u>0</u>
Burglary Vehicle	<u>0</u>
Thefts	<u>1</u>
Assaults	<u>1</u>
Criminal Mischief	<u>0</u>
Disturbances	<u>7</u>
Alcohol Related Offenses	<u>4</u>
Motor Vehicle Accidents	<u>0</u>
Agency Assists	<u>4</u>
Motorist Assist	<u>12</u>

Arrests

6

Citations

~~108~~ 110

OFFICIAL MUNICIPAL COURT MONTHLY REPORT

MUNICIPAL COURT OF <u>Village of Surfside Beach</u>	TRAFFIC		NON-TRAFFIC MISDEMEANORS	
	NON-PARKING	PARKING	STATE LAW	CITY ORDINANCE
FOR MONTH <u>02</u> YEAR <u>2014</u>				
1. New Cases Filed During the Month	85	4	23	5
2. Dispositions Prior to Trial:				
A. Bond Forfeitures	0	0	0	0
B. Fined <i>(Before trial only. If the defendant goes to trial, enter in Item 3.)</i>	39	5	10	7
C. Cases Dismissed <i>(Do not include dismissals that are to be reported in Items 3C and 4 below.)</i>	3	1	1	0
3. Dispositions at Trial:				
A. Trial by Judge				
(1) Finding of Guilty	0	0	0	0
(2) Finding of Not Guilty	0	0	0	0
B. Trial by Jury				
(1) Finding of Guilty	0	0	0	0
(2) Finding of Not Guilty	0	0	0	0
C. Dismissed at Trial	0	0	0	0
4. Cases Dismissed:				
A. After Driver Safety Course <i>(C.C.P., Art. 45.0511)</i>	1			
B. After Deferred Disposition <i>(C.C.P., Art. 45.051)</i>	30	1	3	0
C. After Proof of Financial Responsibility <i>(Transportation Code, Sec. 601.193)</i>	6			
D. Compliance Dismissal <i>(Proof of Inspection, License, or Registration)</i>	2			
5. Community Service Ordered <i>(For satisfaction of fine or costs only.)</i>				
6. Cases Appealed	0	0	0	0
7. Juvenile / Minor Activity:				
A. Transportation Code Cases Filed	2			
B. Non-Driving Alcoholic Beverage Code Cases Filed	2			
C. Driving Under the Influence of Alcohol Cases Filed	0			
D. Health & Safety Code (Tobacco) Cases Filed	0			
E. Failure to Attend School Cases Filed <i>(Education Code, Sec. 25.094)</i>	0			
F. Education Code (Except Failure to Attend) Cases Filed	0			
G. Violation of Local Daytime Curfew Ordinance Cases Filed <i>(Loc. Govt. Code, Sec. 341.905)</i>	0			
H. All Other Non-Traffic Fine-Only Cases Filed	1			
I. Waiver of Jurisdiction of Non-Traffic Cases <i>(Family Code, Sec. 51.08(b))</i>				
J. Referred to Juvenile Court for Delinquent Conduct <i>(C.C.P., Art. 45.050 (c)(1))</i>				
K. Held in Contempt, Fined, or Denied Driving Privileges <i>(C.C.P., Art. 45.050 (c)(2))</i>				
Magistrate Warnings Given (Juvenile):				
L. Warnings Administered				
M. Statements Certified				
8. Parent Contributing to Nonattendance Cases Filed <i>(Education Code, Sec. 25.093)</i>				0
9. Safety Responsibility and Driver's License Suspension Hearings Held				
10. Search Warrants Issued <i>(Do not include warrants for arrest.)</i>				
11. Arrest Warrants Issued:				
A. Class C Misdemeanors Only				30
B. Felonies and Class A and B Misdemeanors				
12. Magistrate Warnings Given: <i>(Given to defendants charged with county or district court offense.)</i>				
A. Class A and B Misdemeanors Only				
B. Felonies				
13. Emergency Mental Health Hearings Held				
14. Magistrate's Orders for Emergency Protection				
15. Total Revenue			\$	\$ 17,181.60
<i>(Include all revenue collected during month to be remitted to city or state.)</i>				

MONTHLY OFFICER ACTIVITY REPORT

From 02/01/2014 To 02/28/2014

NOTE: Only "A" active officers will appear.

OFFICER ID	BADGE	OFFICER NAME	Count	Percent of Total
CD	1820	Cory Dunlap	2	1.8182
L	0	Deberah Blombergh	1	0.9091
FM	0	Francis McCollister	12	10.9091
JLK	0	John Kelly	44	40.0000
MM	0	Michael Monnat	1	0.9091
PV	0	Paul V Varesic	47	42.7273
ZM	0	Z W Monnat	3	2.7273

Total All Officers

110

*This is the correct one
for Feb.*



A Proclamation

March is American Red Cross Month - a special time to recognize and thank our Everyday Heroes – those who reach out to help their neighbors when they are in need.

American Red Cross heroes are on the front lines every day. They volunteer their time, give blood, take life-saving courses or provide financial donations to help those in need.

We would like to remember our heroes here in Village of Surfside Beach who give to help people in need. They work tirelessly to help in time of disaster, when someone needs life-saving blood, or the comfort of a helping hand. They provide round-the-clock support to members of the military, veterans and their families, and teach lifesaving classes in CPR, aquatics safety and first aid.

Across the country and around the world, the American Red Cross responded to hurricanes, tornadoes, floods and wildfires, the tragedy at the Boston Marathon, and typhoon Haiyan in the Philippines.

When an injured service member ended up in a hospital far from home, the American Red Cross offered comfort. When a hospital patient needed blood, American Red Cross blood donors helped them. When a lifeguard jumped in to save a drowning child or someone stepped up to help a heart attack victim, the American Red Cross was there.

We dedicate the month of March to all those who support the American Red Cross mission to prevent and alleviate human suffering in the face of emergencies. Our community depends on the American Red Cross, which relies on donations of time, money and blood to fulfill its humanitarian mission.

NOW, THEREFORE, I, Larry Davison, Mayor of Village of Surfside Beach, by virtue of the authority vested in me by the Constitution and laws of Surfside Beach and Texas do hereby proclaim March 2014 as American Red Cross Month. I encourage all Americans to support this organization and its noble humanitarian mission.

IN WITNESS WHEREOF, I have hereunto set my hand this 11th day of March, in the year of our Lord two thousand fourteen, and of the Village of Surfside Beach, Texas


Larry Davison, Mayor of Village of Surfside Beach

3-11-2014
Date

CERTIFIED AGENDA – EXECUTIVE SESSION

CITY COUNCIL

Date of Meeting: March 11, 2014

A. ANNOUNCEMENT BY PRESIDING OFFICER:

“The City Council will begin its Executive Session at 9:15 o'clock 1 pm.”

1. The City Council to convene in closed session pursuant to the Texas Government Code: Section 551.074, deliberation on the appointment, employment, evaluation, and/or duties regarding personnel as follows:

a.) Discuss the employment positions: public works director and the building official.

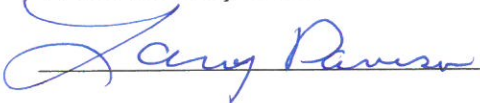
NO ACTION CAN BE TAKEN

“The City Council has completed its Executive Session at 9:15 o'clock pm.”

B. CERTIFICATION

I hereby certify that this Agenda of an Executive Session of the City Council of the Village of Surfside Beach is a true and correct record of the proceedings pursuant to Art. 6252-17 V.T.C.S.

WITNESS my hand:



Mayor Larry Davison

Sign in Sheet for the 03/11/2014 - Council Meeting

Norman & Peggy Lowelly: 503 Beach
Patrice Lowelly,
Nelly Jeff
Lou Galish
~~Jan + Rommie Grant~~
Suzan Zacharak 222 Treaty
Georgia Pavey
Linda Joch 509 Swordfish
~~Dot Jarak~~ 403 Ft. U.
Elizabeth Brown
Richard Sherman
Teri Capretti 428 Angel Wing
Jaene Blansat
Maribel Hill 111 Nesmith Pl.
Robert Beckler 1010 TREATY DR.
Mike Jannasch 1643 Sandpebble
David Milliean
Beverly Bisso 306 Beach
Nantha Pekar
Clare Dunn 306 Duffway Ct.
Gordon Aust
Ginger Deen-Prats
Henry P. Uen