

Village of Jones Creek

7207 Stephen F. Austin
Jones Creek, TX 77541
(979)233-2700

CITY COUNCIL REGULAR MEETING AGENDA MINUTES

The Board of Alderman of the Village of Jones Creek, Texas held a Regular Council Meeting on October 18, 2022 at the Village Hall located at 7207 Stephen F. Austin Road, beginning at 6:00p.m. Members of the public were able to attend the meeting in person or via teleconference.

Join the meeting on Zoom: <https://zoom.us/j/9792331826>

Or dial the following toll free numbers and enter the Meeting ID: 979 233 1826; and #:

+1 346 248 7799 US (Houston); +1 253 215 8782 US; or +1 301 715 8592 US

This written notice, the meeting agenda, is posted online at <http://www.villageofjonescreektexas.com>. The public were permitted to offer public comments telephonically as provided by the agenda and as permitted by the presiding officer during the meeting. A recording of the telephonic meeting were made, and will be available to the public in accordance with the Open Meetings Act upon written request. The matters discussed and acted on at the meeting were:

- 1. CALL TO ORDER** *6:01 PM*
- 2. INVOCATION AND PLEDGE OF ALLEGIANCE** *Led by Alderman, AJ Jenkins, pledge said by all.*
- 3. ROLL CALL OF MEMBERS** *All members present, Glenn Jordan via Zoom.*
- 4. BUSINESS OF VISITORS** *(limited to five minutes per person)*
Mayor, Terry Jeffers read the resignation letter from Ms. Haley Herrington, Front Desk, and Permits Clerk. Rocky Thomas later joined the meeting and made everyone aware of the Creek along 2004 has been getting cleaned out. They are trying to go all the way to Hwy 36.
- 5. OLD BUSINESS**

- a. Discuss and approve the minutes of the Regular Council Meeting held on September 20, 2022. *Motion made to accept the minutes as they are by Alderman, David Galloway, 2nd Alderman Corey Thomas, all in favor, motion carried.*
- b. Discuss and consider action on financial and monthly reports from all departments. *Motion made by Alderwoman, Nicole Hardesty to accept the all monthly reports, minus the financials until we receive the Budget vs Actual, 2nd Alderman, AJ Jenkins, all in favor, motion carried.*
- c. Discuss and consider action on drainage improvement projects and updates from Drainage Liaison Corey Thomas. *Alderman, Corey Thomas made everyone aware that County has completed Mrs. Lisa Stockton's Driveway and they will begin the road crossing on E. Stephen F. Austin on Wednesday and Thursday of this week. They will look into which driveways need to be addressed next. They met with county for Robinhood Lane, and they will most likely have to split the project due to cost. They will start in the back and make their way up. They are still waiting on prices, so a date has not been set.*
- d. Discuss and consider action on updates for ARPA Funds. *City Secretary, Brittney Fairchild let everyone know that the second installment has been received. Alderwoman, Nicole Hardesty asked if our total had changed. Brittney Fairchild, let them know originally she had it at a set amount of \$500,000 but we actually received more. The total amount funded was \$515,159.98, minus Grant works fees leaves us with a starting amount of 478,159.98 and with what we have approved an estimated \$240,000 remaining to use in ARPA Funds. Fundview is also on hold. No action taken.*
- e. Discuss and consider upcoming Events.
 - Beautification Committee Halloween Trunk or Treat- October 29, 2022 – Gulf Coast Presbyterian Church 4-7 PM
 - Veteran's Breakfast- Jones Creek Community Hall – 8-10 AM
Thursday, November 10, 2022, flyer in packet.
 - Pancakes with Santa – December 3, 2022
 - Christmas in the Creek – December 13, 2022
Mrs. Anna Galloway mentioned that a \$100 is on the line, tell your friends to come out and decorate your car, truck, tractor, pop up, or anything you can!
- f. Discuss and consider updates on the implementation of a Professional Improvement Plan for the City Secretary. *Alderman, David Galloway made everyone aware that the appointed Council Members sat down with the City Secretary on October the 10th, final day of 2 days. They discussed obstacles that have been in the way and ways to achieve goals. This implementation has been in place for 8 days out of 60 days, a 30 day review and a 60 day final review. He let everyone know that at this time, in agreement with Mrs. Hardesty, that they have nothing negative to say at this time. Alderwoman, Nicole Hardesty mentioned that she is happy the obstacles and goals were addressed and it brought to attention a few items as one being further down on the agenda. She has a positive outlook on what is going on here.*

6. NEW BUSINESS

- a. Discuss and consider recommendations for the Zoning Commission Board; 1 member and 1 Alternate. *Motion made by Alderwoman, Nicole Hardesty to appoint Gary Brandon to the Zoning Commission Board, Alderman, Corey Thomas 2nd with an addition of Mrs. Anna Galloway to be added as an alternate, motion amended. Alderman, Glenn Jordan asked to add Mrs. Veronica Thomas. FINAL MOTION: Alderwoman, Nicole Hardesty motion to appoint Gary Brandon to the Zoning Commission Board, amends this motion by adding Anna Galloway as an alternate, as well as further amending to add Mrs. Veronica Thomas to the list of Alternates. 2nd by Alderman, Corey Thomas, all in favor, motion carried.*
- b. Discuss and consider designations for the H-GAC 2023 General Assembly Representative and Alternate. *Previous member was Alderman, AJ Jinkins, and discussed minimal responsibilities for this role by the H-GAC. Motion made by Alderwoman, Nicole Hardesty to Nominate Alderman, AJ Jinkins to continue his service, and add Alderman, Corey Thomas as alternate, all in favor, motion carried.*
- c. Discuss and consider village email account subscription options and recommendations. *Bringing our City emails current and not using personal emails for city business was discussed. We currently have .gov emails that our Marshal's office has introduced and not yet in place by all members. Alderman, David Galloway mentioned he could help members download the current email. Municode offers email subscriptions via our Website for an additional \$600 a year. Alderman, David Galloway mentioned that we look into the integration of the .gov email. He can get all of the information for the email by phone and help set it up for use to see if it is something that we can use as he is using it at this time. Google suite was another option to look into. Currently the City Secretary's email is through B-Tel and is having issues with sending and receiving emails. We do need secured government emails. Table this until we can gather more information.*
- d. Pre-development plan information for property located within the Village of Jones Creek ETJ. *This was for informational purposes to let everyone know that the area would be sold and the future plans to put a convenience store/gas station at the corner of 2004/Hwy 36. This is a county property but we wanted to make everyone aware. Alderwoman, Nicole Hardesty mentioned reaching out to ask about annexing the property for tax revenue with possibly offering tax abatement for a few years and then we receive taxes revenue after that period of time. Alderman, Corey Thomas mentioned that County does this quite often.*

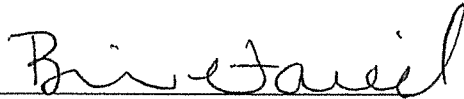
7. ADJOURNMENT

Future Agenda Items: Alderman, Corey Thomas asked to add Food Truck Ordinances. Alderman, David Galloway asked to add Ordinances relating to Exteriors of Commercial Properties.

Motion made to Adjourn by Alderman, Corey Thomas, 2nd Alderwoman, Nicole Hardesty, all in favor, motion carried.

CERTIFICATION

I hereby certify that the minutes of this Regular Called Meeting have been reviewed and are known to be true.


Brittney Fairchild, City Secretary

NOTE: ITEMS WILL NOT NECESSARILY BE DISCUSSED AND ACTED ON IN THE ORDER THEY APPEAR ON THE AGENDA. THE BOARD OF ALDERMAN, AT ITS DISCRETION, MAY DISCUSS AND TAKE ACTION ON ANY OR ALL OF THE ITEMS LISTED IN A DIFFERENT ORDER IF A MAJORITY OF THE BOARD SO DETERMINES.

This notice is being posted pursuant to the Texas Open Meeting Act. (Chapter 551, Government Code). In compliance with the American with Disabilities Act, on request the Village of Jones Creek will provide for reasonable accommodations for persons attending meetings of its Board of Aldermen. Request for such accommodations or for interpreter services should be received 48 hours prior to any meeting. Please contact the Village Secretary's office at 979-233-2700 to request such accommodations.

OFFICE OF COURT ADMINISTRATION
TEXAS JUDICIAL COUNCIL

Official Municipal Court Monthly Report

Month October Year 2022

Municipal Court for the City of JONES CREEK

Presiding Judge BEVERLY WIDNER

If new, date assumed office _____

Court Mailing Address 7207 STEPHEN F AUSTIN RD

City JONES CREEK, TX Zip 77541

Phone Number 979-233-1926

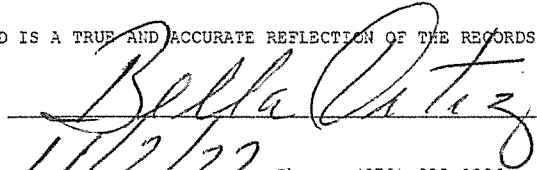
Fax Number 979-233-3712

Court's Public Email syssetsyssetsysset

Court's Website http://

THE ATTACHED IS A TRUE AND ACCURATE REFLECTION OF THE RECORDS OF THIS COURT.

Prepared by



Date

11/2/22

Phone: (979) 233-1926

PLEASE RETURN THIS FORM NO LATER THAN 20 DAYS FOLLOWING THE END OF THE MONTH REPORTED TO:

OFFICE OF COURT ADMINISTRATION
P.O. BOX 12066
AUSTIN, TX
78711-2066

PHONE: (512) 463-1625
Fax: (512) 936-2423

6. Dispositions Prior to Court Appearance or Trial:

a. Uncontested Dispositions	5	0	0	0	0	0
b. Dismissed by Prosecution	0	0	0	0	0	0

7. Dispositions at Trial:

a. Convictions:						
1) Guilty Plea or Nolo Contendere	0	0	0	0	0	0
2) By the Court	0	0	0	0	0	0
3) By the Jury	0	0	0	0	0	0
b. Acquittals:						
1) By the Court	0	0	0	0	0	0
2) By the Jury	0	0	0	0	0	0
c. Dismissed by Prosecution	4	0	0	0	0	0

CRIMINAL SECTION

COURT	VILLAGE OF JONES CREEK	MONTH	October	YEAR	2022	TRAFFIC			NON-TRAFFIC		
						NON-PARKING	PARKING	CITY ORD	PENAL CODE	STATE LAW	CITY ORD
1.	Total Cases Pending First of Month:					7,629	5	0	2,626	36	311
a.	Active Cases					5,199	1	0	1,238	20	287
b.	Inactive Cases					2,431	4	0	1,388	16	24
2.	New Cases Filed					92	0	0	19	0	0
3.	Cases Reactivated					18	0	0	13	0	0
4.	All Other Cases Added					0	0	0	0	0	0
5.	Total Cases on Docket					5,268	1	0	1,270	20	287

CRIMINAL SECTION

COURT	VILLAGE OF JONES CREEK	TRAFFIC			NON-TRAFFIC		
MONTH	October	NON-PARKING	PARKING	CITY ORD	PENAL CODE	STATE LAW	CITY ORD
8. Compliance Dismissals:							
a. After Driver Safety Course		2					
b. After Deferred Disposition		24	0	0	2	0	1
c. After Teen Court		0	0	0	0	0	0
d. After Tobacco Awareness Course						0	
e. After Treatment for Chemical Dependency					0	0	
f. After Proof of Financial Responsibility		0					
g. All Other Transportation Code Dismissals		1	0	0	0	0	0
9. All Other Dispositions							
		0	0	0	0	0	0
10. Total Cases Disposed							
		37	0	0	2	0	1
11. Cases Placed on Inactive Status							
		29	0	0	19	0	5
12. Total Cases Pending End of Month:							
a. Active Cases		5,243	1	0	1,249	20	281
b. Inactive Cases		2,441	4	0	1,394	16	29
13. Show Cause Hearings Held							
		0	0	0	0	0	0
14. Cases Appealed:							
a. After Trial		0	0	0	0	0	0
b. Without Trial		0	0	0	0	0	0

CIVIL SECTION

COURT	VILLAGE OF JONES CREEK		
MONTH	October	YEAR	2022
		TOTAL CASES	
1.	Total Cases Pending First of Month:		0
a.	Active Cases		0
b.	Inactive Cases		0
2.	New Cases Filed		0
3.	Cases Reactivated		0
4.	All Other Cases Added		0
5.	Total Cases on Docket		0
6.	Uncontested Civil Fines or Penalties		0
7.	Default Judgments		0
8.	Agreed Judgments		0
9.	Trial/Hearing by Judge/Hearing Officer		0
10.	Trial by Jury		0
11.	Dismissed for Want of Prosecution		0
12.	All Other Dispositions		0
13.	Total Cases Disposed		0
14.	Cases Placed on Inactive Status		0
15.	Total Cases Pending End of Month:		0
a.	Active Cases		0
b.	Inactive Cases		0
16.	Cases Appealed:	XXXXXXXXXXXXXXXXXXXX	
a.	After Trial		0
b.	Without Trial		0

JUVENILE/MINOR ACTIVITY

COURT	VILLAGE OF JONES CREEK			
MONTH	October	YEAR	2022	TOTAL
1.	Transportation Code Cases Filed			0
2.	Non-driving Alcoholic Beverage Code Cases Filed			0
3.	Driving Under the Influence of Alcohol Cases Filed			0
4.	Drug Paraphernalia Cases Filed			0
5.	Tobacco Cases Filed			0
6.	Truancy Cases Filed			0
7.	Education Code (Except Failure to Attend) Cases Filed			0
8.	Violation of Local Daytime Curfew Ordinance Cases Filed			0
9.	All Other Non-traffic Fine-only Cases Filed			0
10.	Transfer to Juvenile Court:			
	a. Mandatory Transfer			0
	b. Discretionary Transfer			0
11.	Accused of Contempt and Referred to Juvenile Court (Delinquent Conduct)			0
12.	Held in Contempt by Criminal Court (Fined and/or Denied Driving Privileges)			0
13.	Juvenile Statement Magistrate Warning:			
	a. Warnings Administered			0
	b. Statements Certified			0
14.	Detention Hearings Held			0
15.	Orders for Non-secure Custody Issued			0
16.	Parent Contributing to Nonattendance Cases Filed			0

ADDITIONAL ACTIVITY

COURT	VILLAGE OF JONES CREEK		
MONTH	October	YEAR	2022
		NUMBER GIVEN	NUMBER REQUESTS FOR COUNSEL
1. Magistrate Warnings:			
a.	Class C Misdemeanors	0	
b.	Class A and B Misdemeanors	0	0
c.	Felonies	0	0
			TOTAL
2. Arrest Warrants Issued:			
a.	Class C Misdemeanors		51
b.	Class A and B Misdemeanors		0
c.	Felonies		0
3. Capiases Pro Fine Issued			
			2
4. Search Warrants Issued			
			0
5. Warrants for Fire, Health and Code Inspections Filed			
			0
6. Examining Trials Conducted			
			0
7. Emergency Mental Health Hearings Held			
			0
8. Magistrate's Order for Emergency Protection Issued			
			0
9. Magistrate's Orders for Ignition Interlock Device Issued			
			0
10. All Other Magistrates's Orders Issued Requiring Conditions for Release on Bond			
			0
11. Drivers's License Denial, Revocation or Suspension Hearings Held			
			0
12. Disposition of Stolen Property Hearings Held			
			0
13. Peace Bond Hearings Held			
			0

ADDITIONAL ACTIVITY

	TOTAL
14. Cases in Which Fine and Court Costs Satisfied by Community Service:	
a. Partial Satisfaction	0
b. Full Satisfaction	0
15. Cases in Which Fine and Court Costs Satisfied by Jail Credit	0
16. Cases in Which Fine and Court Costs Waived for Indigency	0
17. Amount of Fines and Court Costs Waived for Indigency	\$0.00
18. Fines, Court Costs and Other Amounts Collected:	
a. Kept by City	\$11,877.83
b. Remitted to State	\$6,984.17
c. Total	\$18,862.00

Total Income 20,590.00
 Minus Collection Fee -1,728.00

 \$18,862.00

Run By: bella
Report Type: Summary
Date Range: 10/01/2022 - 10/31/2022
Finalize Report: No
Correction: No

*** END OF REPORT ***

PERIODIC FEE REPORT

Report for fees collected: Posted 10/01/2022 - 10/31/2022

64	298.92	LMCBSF	Local Building Security Fund
TOTAL:	298.92		

P E R I O D I C F E E R E P O R T

Report for fees collected: Posted 10/01/2022 - 10/31/2022

11	33.00	MCBS MUNICIPAL COURT BUILDING SEC.
TOTAL:	33.00	

P E R I O D I C F E E R E P O R T

Report for fees collected: Posted 10/01/2022 - 10/31/2022

64	244.01	LMCTF Local Court Technology Fund
TOTAL:	244.01	

P E R I O D I C F E E R E P O R T

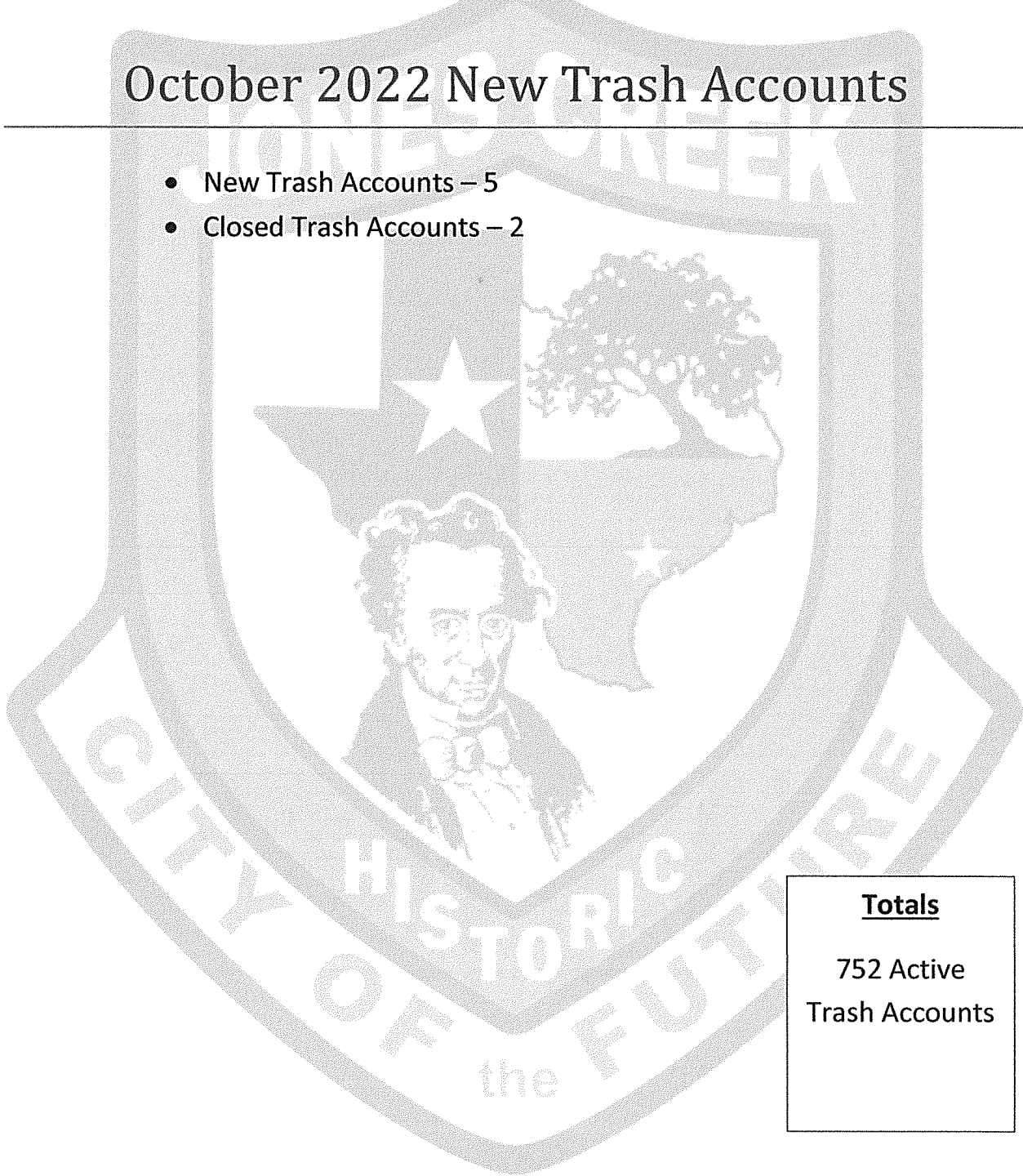
Report for fees collected: Posted 10/01/2022 - 10/31/2022

11	44.00	CTF COURT TECHNOLOGY FUND
TOTAL:	44.00	

Village of Jones Creek
7207 Stephen F. Austin
Jones Creek, Texas 77541
www.villageofjonescreektexas.com

October 2022 New Trash Accounts

- New Trash Accounts – 5
- Closed Trash Accounts – 2



Totals

752 Active
Trash Accounts

*If you have further questions, feel free to reach out to our Code Violation Department by phone 979-233-2700
or by email – jcutilities7207@gmail.com*

Village of Jones Creek
7207 Stephen F. Austin
Jones Creek, Texas 77541
www.villageofjonescreektexas.com

October 2022 Permit Report

- Accessory Building / Structure-1
- Commercial New Build-0
- Commercial Remodel-0
- Culvert-2
- Electrical-4
- Fence-0
- Heavy Load-0
- Plumbing-0
- Re-Plat Application-0
- Residential New Build-1
- Residential Remodel-0
- Rezone Application-1
- Special Use-0
- Swimming Pool-0
- Variance application-0

Totals

9 Processed

If you have further questions, feel free to reach out to our permit Department by phone 979-233-2700 or by email – permits.jonescreek@gmail.com

Village of Jones Creek
7207 Stephen F. Austin
Jones Creek, Texas 77541
www.villageofjonescreektexas.com

October 2022 Code Violation Report

- Ordinance #331 – Tall Grass/ Weeds Over Twelve (12) Inches - 4
- Ordinance #331 – Accumulation of Rubbish - 3
- Ordinance #394 – Junk Vehicle - 1
- Ordinance # 451 – Building Code -1



<u>Totals</u>
9 Processed

9 Processed

*If you have further questions, feel free to reach out to our Code Violation Department by phone 979-233-2700
or by email – code.jonescreek@gmail.com*

American Rescue Plan Funds Register

Payroll Item	Date	Source Name	Payment Type	Amount	Approved Amount	Comments
ARPA Funds	1/3/2022	Gulf Coast Ford	Check #1151	\$38,140.00	\$60,000.00	New Patrol Vehicle
ARPA Funds	1/5/2022	Gulf Coast Ford	Check #1182	\$49,735.00	\$60,000.00	New Patrol Vehicle
*ARPA Funds	1/16/2022	P.M.M.I Services LLC	Check #1241	\$450.00		Patrol vehicle Outfitting
ARPA Funds	1/16/2022	Equipment Depot	Check # 1327	\$40,000.00	\$40,000.00	Tractor, warranty, attachments Emergency Mgmt
ARPA Funds	1/16/2022	P.M.M.I Services LLC	Check #1243	\$250.00		Patrol vehicle Outfitting
ARPA Funds	1/19/2022	P.M.M.I Services LLC	Check #1183	\$1,920.00		Patrol vehicle Outfitting
ARPA Funds	1/19/2022	P.M.M.I Services LLC	Check #1150	\$6,521.77		Patrol vehicle Outfitting
ARPA Funds	1/26/2022	Brazoria Water Well	Check #1190	\$1,030.28	\$3,500.00	Water System Repair-City Hall
ARPA Funds	3/18/2022	Coburn's Supply Company	Check # 1224	\$6,997.20	\$7,000.00	Storm /Drainage
ARPA Funds	4/10/2022	P.M.M.I Services LLC	Check #1242	\$9,752.49		Patrol vehicle Outfitting
ARPA Funds	4/10/2022	P.M.M.I Services LLC	Check #1244	\$3,602.98		Patrol vehicle Outfitting
*ARPA Funds	4/22/2022	R & M Telephone systems	ACH-Quickbooks payment	\$2,585.76	\$2,585.76	Technology Upgrades-Updated Quote 8/10/22
ARPA Funds	4/26/2022	Dell Computer Software	No Payment issued	\$1,116.76	\$1,116.76	Technology Upgrades- No charge til shipped
ARPA Funds	5/31/2022	Fundview Software	995020 ACH	\$6,000.00	\$24,000.00	Technology Upgrades
ARPA Funds	ongoing	Premium Pay	Reference Payroll	\$69,978.00	\$69,940.00	Premium Pay (Will go into 2 FY)
ARPA Funds	8/31/2022	Coburn's Supply Company	Check # 1326	\$8,976.00	\$9,000.00	Storm /Drainage Culverts & Materials
ARPA Funds	9/30/2022	Coburn's Supply Company	Check # 1333	\$1,194.00		Storm /Drainage E.SFA Culverts & Materials
ARPA Funds	11/1/2022	Vemor Materials	Check # 1355	\$1,309.66	\$5,000.00	Live Oak & SFA materials
ARPA Funds	11/1/2022	Vemor Materials	Check # 1355	\$1,237.50		E. SFA materials
ARPA Funds	11/1/2022	P.M.M.I Services LLC	Check # 1356	\$450.00		Strip 17-02 to outfit Patrol Vehicle for future use?

TOTAL COST TO DATE 248,250.24 312,042.52

GRANT FUNDS 515,159.98
MINUS GRANT WORKS COSTS 37,000.00

	Actual Funds	Approved Amounts
STARTING FUNDS	478,159.98	478,159.98
REMAINING ACTUAL FUNDS	229,909.74	166,117.46
INTEREST EARNED	287.31	
TOTAL BALANCE	230,197.05	



Village of Jones Creek Beautification Committee is feeling grateful.

Published by Anna Marie Bush Galloway · November 1 at 10:23 AM



There is no way to show my gratitude to all of the participants and those who put their time into making the Trunk Or Treat so fun! I also want to name our Donors.

El Toro Clute

Taco Jalisco Mexican Grill

Ronnie's Ice House

Each of them donated the snacks that helped us raise funds for the new sign we would like to purchase for City Hall.

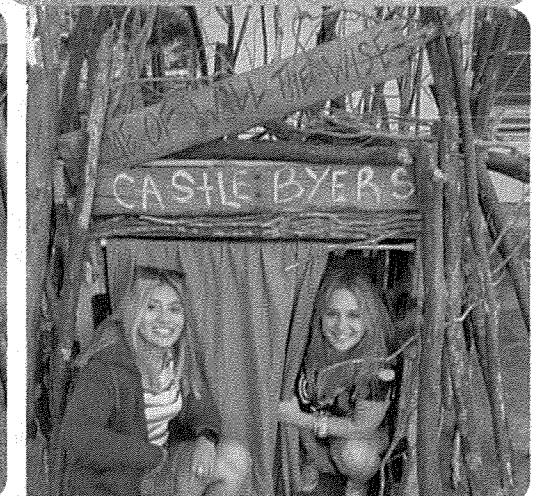
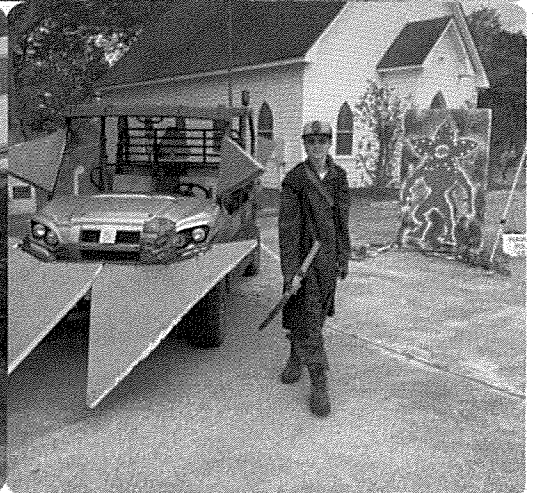
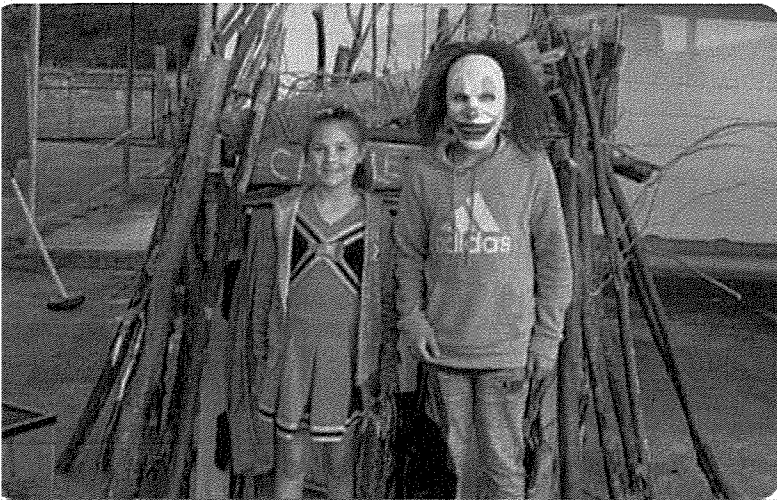
Also, I want to give another Thank You to our Judges from Gulf Prairie Presbyterian Church

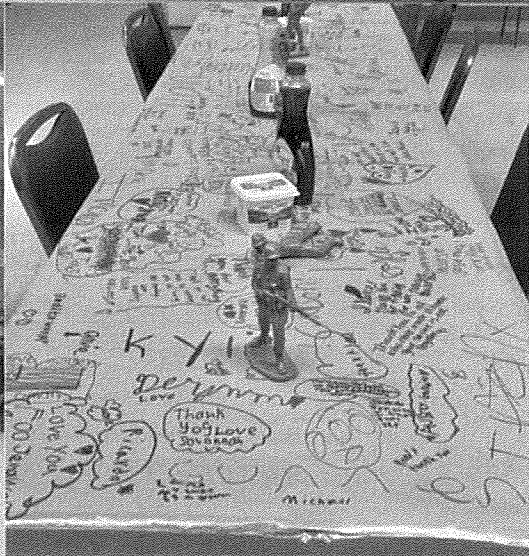
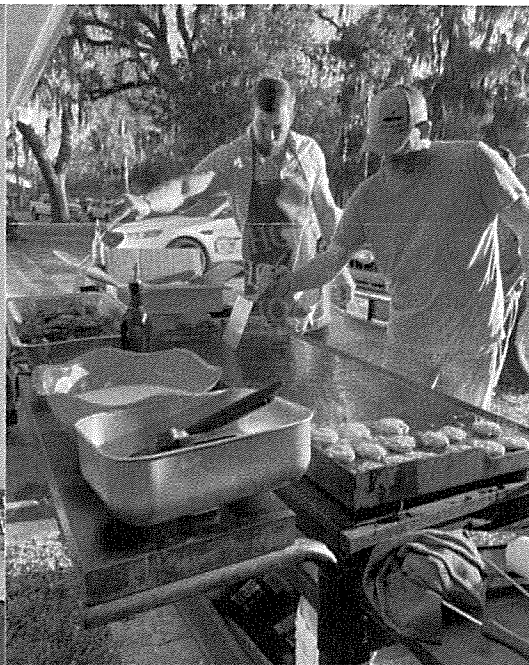
And, I CANNOT forget Traci Stowers and Alice Taylor for coordinating all of the donations. Y'all are amazing!



Thank You

From the Bottom of our hearts -
Thank you for making the 1st Annual
Trunk Or Treat a Huge Success





CHAPTER 113: PEDDLERS AND SOLICITORS

Section

General Provisions

- 113.01 Short title
- 113.02 Conflict with statutes
- 113.03 Mental state
- 113.04 Prior offenses
- 113.05 Rights unaffected
- 113.06 Definitions

Permits/Specific Regulations

- 113.20 Permit required
- 113.21 Exemptions
- 113.22 Application
- 113.23 Attachments to application
- 113.24 Bonds
- 113.25 Special events
- 113.26 Prohibited activities
- 113.27 Suspension or revocation of permit
- 113.28 Appeals
- 113.29 Renewals

- 113.99 Penalty

GENERAL PROVISIONS

§ 113.01 SHORT TITLE.

This chapter shall be known and may be cited as the "Peddlers, Solicitors, and Itinerant Vendors Chapter of the Village of Jones Creek, Texas".
(Ord. 450, passed 1-17-2012)

§ 113.02 CONFLICT WITH STATUTES.

This chapter is cumulative of, and in addition to, all other ordinances of the village on the same subject and all such other ordinances are hereby expressly saved from repeal; but where this chapter conflicts or overlaps with any other ordinance of the village, whichever imposes the more stringent regulations or penalties, as the case may be, shall prevail.
(Ord. 450, passed 1-17-2012)

§ 113.03 MENTAL STATE.

A culpable mental state is not required for the commission of an offense under this chapter.
(Ord. 450, passed 1-17-2012)

§ 113.04 PRIOR OFFENSES.

No offense committed and no fine, forfeiture, or penalty incurred prior to the effective date of this chapter is to be affected by the adoption of this or forfeitures incurred prior to such date shall take place as if this chapter had not been adopted.
(Ord. 450, passed 1-17-2012)

§ 113.05 RIGHTS UNAFFECTED.

Nothing contained in this chapter shall cause any rights heretofore vested to be altered, affected, or impaired in any way and all such rights may be hereafter enforced as if this chapter had not been adopted.
(Ord. 450, passed 1-17-2012)

§ 113.06 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

PUBLIC WAY. All areas that are legally open to public use including public streets, rights-of-way, sidewalks, roadways, highways, parkways, alleys, parks, and the interior and areas surrounding buildings open to the public.

SOLICITATION ACTIVITIES. The practice of solicitors described in the definition of solicitor.

SOLICITOR. Any person who goes door to door, or along any streets within the village for the purpose of either: selling, renting, or leasing any goods or services; or requesting contribution or pledges of any type for political, charitable, religious, or other similar purposes.

SPECIAL EVENT. Any occasion including, but not limited to, exhibitions, village-wide celebrations, festivals, or similar events to be held in the defined area for a period not to exceed three consecutive days.

STAND. Any table, bench, booth, rack, cart, or any other than a vehicle which is used to sell, rent, or lease goods or service.

VEHICLES. Anything mobile used for the displaying, storing, or transporting of goods or services. This term includes, but is not limited to, trailers, trucks, and automobiles.

VENDING ACTIVITIES. The practices of a vendor as described in the definition of **VENDOR**.

VENDOR. Any individual, separately including each agent, servant, or employee, or any corporation or other legal entity, who sells or offers to sell goods or services on any public way from a vehicle or a stand.

VILLAGE. The Village of Jones Creek, Texas.
(Ord. 450, passed 1-17-2012)

PERMITS/SPECIFIC REGULATIONS

§ 113.20 PERMIT REQUIRED.

It shall be unlawful for any person to engage in either solicitation activities or vending activities within the village without first obtaining a permit from the village for the activity in question.
(Ord. 450, passed 1-17-2012) Penalty, see § 113.99

§ 113.21 EXEMPTIONS.

The following persons shall be excluded from the requirements of this subchapter:

(A) Any person under the age of 18, unless such person is acting as an agent or representative of an adult who is or would be required to obtain a vendor's or a solicitor's permit if engaged in the same activities as the minor in question;

(B) Newspaper carriers engaged in home delivery by subscription;

(C) Persons selling agricultural products grown by them or members of their immediate family; and

(D) Local charitable and non-profit organizations, religious organizations, and schools; provided, however, that at least 72-hours' advance written notice of the time, date, place, and type of proposed vending or solicitation activity has been provided to the Village Secretary/Administrator.
(Ord. 450, passed 1-17-2012)

§ 113.22 APPLICATION.

The application for a permit shall contain all of the following information on each applicant (which includes each employee or other agent who will conduct or assist in any vending and solicitation activities):

(A) Names, current and former residence, and business addresses within the last five years, current residence, business telephone number, and occupation;

(B) Social Security number and date and place of birth;

(C) A complete physical description of the applicant, i.e., sex, race, ethnic origin, height, weight, color of hair and eyes, and any identifying characteristics (tattoos, scars);

(D) Two recent full-face passport photographs two-inches by two-inches (one photo shall be kept with the application and the other attached to the permit);

(E) A valid state driver's license including number and date of expiration (only non-drivers may submit other positive identification such as a passport or birth certificate);

(F) A complete description of the goods or services to be sold or a complete disclosure of the object of the solicitation, its purposes, and sponsors;

(G) Name and address of the owner of the property at the location from which the goods or services will be displayed or offered to the public or a statement that the applicant will travel from door to door for the purpose of offering goods or service or otherwise engaging in solicitation activities;

(H) If the goods or services to be sold are to be transported in or displayed from a vehicle, the vehicle owner's name, address, telephone number, liability insurer, and insurance policy number and the year make, model, color, VIN identification number, and vehicle license plate number;

(I) Statement under oath, sworn, or affirmed and subject to the penalty of perjury that the applicant has not been convicted within the last five years of any of the following crimes: sale or possession of narcotics or other dangerous drugs, rape, robbery, murder, burglary, fraud, theft, forgery, child molestation, or any other crime involving moral turpitude; and

(J) A signed waiver and agreement to provide such other information as may be required in order for the Village Marshal's Department to conduct a background investigation as to the fitness of the

applicant to engage in honest, safe, healthy, and clean vending and solicitation activities within the village.

(Ord. 450, passed 1-17-2012)

§ 113.23 ATTACHMENTS TO APPLICATION.

The following documents shall be attached to each application:

(A) Rental agreement, contract, lease, or power of attorney from the owner of the property the applicant intends to use, granting the applicant the rights to use the property to sell specified goods or services; and

(B) If food products are to be sold, a copy of all food handling licenses and permits which may be required by the state's Department of Health, the county's Health Department, and federal Food and Drug Administration showing strict compliance with all rules, regulations, and laws requiring proper and sanitary handling of food products.

(Ord. 450, passed 1-17-2012)

§ 113.24 BONDS.

(A) As a prerequisite to obtaining a permit, each solicitor and vender (and each of their agents, servants, and employees who shall engage in solicitation and vending activities within the village) shall furnish good and sufficient surety bond executed by the solicitor or vendor, as principal, and a corporate surety (authorized to transact such business in the state and who has appointed a registered agent for service of process with a permanent address in the county) in the amount of \$5,000.

(B) Upon any breach of the principal's obligation on the surety bond, the principal and/or surety shall be liable to the village and/or any person aggrieved for damages, cost of court, and attorneys fees caused by any act or omission of the solicitor or vendor (or their agents, servants, or employees) for breach of contract, fraud, deceptive trade practices, negligence, product liability, or any other cause of action. Each surety bond shall be approved in writing by the Village Attorney and it shall be in a form approved by the Village Attorney.

(C) The obligation of the corporate surety shall continue for a period of at least two years from the date of the vending or solicitation activities and for such longer period of time as may be necessary to conclude any litigation still pending at the end of the two-year period.

(Ord. 450, passed 1-17-2012)

§ 113.25 SPECIAL EVENTS.

Vendors or solicitors wishing to engage in vending and solicitation activities at any special event shall apply to the Village Secretary/Administrator for a temporary permit. An application for such permit

shall be made at least 72 hours prior to the beginning of the event. A temporary permit shall be valid only for the duration of the special event. Fees for such temporary permit shall be \$15 per applicant. Persons issued a temporary permit shall comply with all of the restrictions and regulations set forth in the chapter.

(Ord. 450, passed 1-17-2012)

§ 113.26 PROHIBITED ACTIVITIES.

The following restrictions shall apply to all persons engaged in solicitation activities or vending activities within the village:

(A) Solicitors shall conduct solicitation activities only between the hours of 9:00 a.m. and 8:00 p.m.;

(B) No person shall engage in solicitation activities at any residence or business which has posted a notice that solicitors are not welcome, are not invited, are prohibited, or are restricted by similar prohibitory notice;

(C) No stand, vehicle, or other facility used by a vendor or a solicitor shall impede access to the entrance or driveway of any residence, building, or public facility, nor shall it occupy any part of a public right-of-way or sidewalk. All stands or other facilities used by either a vendor or a solicitor must be removed from public property during non-operating hours;

(D) No vendor or solicitor shall conduct business within 15 feet of any handicapped parking space or access ramp or within 100 feet of a fire hydrant, fire escape, bus stop, loading zone, or driveway of a fire station, the Village Marshal's office, or a medical facility;

(E) All vendors selling food products or beverages shall provide two trash receptacles adjacent to the stand or vehicle. All trash or debris accumulating within 20 feet of a stand or vehicle shall be promptly collected by the vendor or solicitor and deposited in such trash receptacles;

(F) A vending or solicitation permit shall be valid only for the location specified in the permit. No other locations shall be used for such activities;

(G) Vending and solicitation activities shall not be conducted within 300 feet of any school between the hours of 8:00 a.m. and 4:00 p.m. on school days;

(H) No vendor or solicitor operating from a vehicle or otherwise using a vehicle in his or her activities shall stop, stand, or park the vehicle within 100 feet of any intersection, nor shall he or she conduct activities in such a way as would increase traffic congestion or delay, constitute a hazard to life or property, interfere with an abutting property owner's use of such owner's property, or obstruct access to emergency vehicles; and

(I) No vendor shall engage in the sale of food or beverages until all proper licenses and permits have been secured from Health Department authorities. Equipment used by the vendor shall be subject to state and federal inspections at all times, including at the time of the application and at periodic intervals thereafter.

(Ord. 450, passed 1-17-2012) Penalty, see § 113.99

§ 113.27 SUSPENSION OR REVOCATION OF PERMIT.

(A) After written notice to and an opportunity for the holder of such permit to be heard, any permit issued under this chapter may be suspended or revoked by the Village Secretary/Administrator for any of the following reasons:

- (1) Fraud or misrepresentation in the application for the permit;
- (2) Fraud or misrepresentation in the course of conducting the solicitation or vending activities allowed by the permit;
- (3) Conducting the business of vending or soliciting in a manner which is prohibited under this chapter;
- (4) Conducting the business of vending or soliciting in such a manner as to create a public nuisance or constitute a danger to the public health, safety, or welfare;
- (5) Arrest or indictment for any felony or misdemeanor crime involving moral turpitude while holding a solicitation or vending permit from the village; or
- (6) Cancellation of Health Department authorization for food or beverage vending due to an uncorrected health or sanitation violation.

(B) Upon suspension or revocation, the Village Secretary/Administrator shall deliver, or cause to be delivered, written notice to the permit holder stating the action taken and the reason supporting such action.

(C) Any written notice required by this section shall be delivered to the permit holder's place of business or mailed to the permit holder's last known address contained in the records of the Village Secretary/Administrator.

(Ord. 450, passed 1-17-2012)

§ 113.28 APPEALS.

Applicants who are denied permits and permit holders whose permits have been suspended or revoked may appeal by filing a written notice of appeal with the Village Secretary/Administrator. The appeal must be filed within ten days after receipt of the notice of denial, suspension, or revocation,

which receipt shall be deemed to have occurred no later than 15 days after mailing of the notice properly addressed to the person in question as provided in § 113.27(B) above. The Village Council shall hear and determine the appeal at its next regular meeting or, at the discretion of the Mayor, at a special meeting called for such purpose, and the decision of a majority of the Aldermen present and voting at such meeting to affirm or reverse such denial, suspension, or revocation shall be final. Written notice of the result of such appeal shall be delivered, or cause to be delivered, by the Village Secretary/Administrator to the applicant or permit holder as provided above in § 113.27(C).
(Ord. 450, passed 1-17-2012)

§ 113.29 RENEWALS.

Permits may be renewed, provided an application for renewal and permit fees are paid to the Village Secretary/Administrator before the first day of each month. Applications received after that date shall be processed as new applications. The Village Secretary/Administrator shall review each application for renewal to determine that the applicant is in full compliance with the provisions of this chapter. If the Village Secretary/Administrator finds that the application meets such requirements, the village shall issue a new permit.

(Ord. 450, passed 1-17-2012)

§ 113.99 PENALTY.

Any violation of this chapter shall be a misdemeanor punishable by a fine not to exceed \$500; and each day any such violation continues or occurs shall constitute a separate offense.

(Ord. 450, passed 1-17-2012)

ORDINANCE NO. 450

AN ORDINANCE OF THE VILLAGE OF JONES CREEK, TEXAS, CONTAINING A PREAMBLE; CONTAINING A SHORT TITLE; CONTAINING DEFINITIONS; PROVIDING A UNIFORM PERMIT PROCEDURE FOR PEDDLERS, SOLICITORS AND ITINERANT VENDORS; CONTAINING SAVINGS CLAUSES; CONTAINING A SEVERANCE CLAUSE; PROVIDING THAT ANY VIOLATION OF ANY PROVISION OF THIS ORDINANCE SHALL BE A MISDEMEANOR PUNISHABLE BY A FINE NOT TO EXCEED FIVE HUNDRED (\$500.00) DOLLARS, AND THAT EACH DAY ANY SUCH VIOLATION CONTINUES OR OCCURS SHALL BE A SEPARATE OFFENSE; AND PROVIDING THAT THE PENAL PROVISIONS OF THIS ORDINANCE SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER THIS DESCRIPTIVE CAPTION HAS BEEN PUBLISHED TWICE IN THE BRAZOSPORT FACTS BUT ALL OTHER PROVISIONS SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER ITS PASSAGE AND ADOPTION.

WHEREAS, the Village of Jones Creek, Texas, ("the Village") is now a Type A General-Law Municipality by virtue of the action taken by its Board of Aldermen pursuant the provisions of Sections 6.012 of the Local Government Code of Texas; and,

WHEREAS, Section 51.012 of said Code authorizes the governing body of a Type A General-Law Municipality to adopt any ordinance, not inconsistent with state law, that is necessary for the government, interest, welfare, or good order of the municipality as a body politic; and,

WHEREAS, Section 54.001(a) of said Code authorizes the governing body of a Type A General-Law Municipality to enforce each ordinance of the municipality and to punish a violation thereof; and,

WHEREAS, the Board of Aldermen of the Village has determined and does here now declare that the adoption of this ordinance is necessary to the health, safety and general welfare of the inhabitants of the Village.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE VILLAGE OF JONES CREEK, TEXAS:

First, this ordinance shall be known and may be cited as the "Peddlers, Solicitors and Itinerant Vendors Ordinance of the Village of Jones Creek, Texas."

Second, the following provisions shall govern peddlers, solicitors and itinerant vendors within the Village:

Section One (1) - Definitions

(a) "Public way" means all areas that are legally open to public use, including public streets, right-of-way, sidewalks, roadway, highways, parkway, alleys, parks and the interior and areas surrounding buildings open to the public.

(b) "Solicitor" means any person who goes door to door, or along any streets within the Village for the purpose of either: (1) selling, renting or leasing any goods or services: or (2) requesting contribution or pledges of any type for political, charitable, religious or other similar purposes.

(c) "Solicitation activities" means the practice of solicitors described in the definition of Solicitor.

(d) "Special event" means any occasion including but not limited to exhibitions, Village wide celebrations, festivals, or similar events to be held in the defined area for a period not to exceed three (3) consecutive days.

(e) "Stand" means any table, bench, booth, rack, cart, or any other than a vehicle which is used to sell, rent or lease goods or service.

(f) "Vehicles" means anything mobile used for the displaying, storing or transporting of goods or services. This term includes but is not limited to trailers, trucks, and automobiles.

(g) "Vendor" means any individual, separately including each agent, servant or employee, or any corporation or other legal entity, who sells or offers to sell goods or services on any public way from a vehicle or a stand.

(h) "Vending activities" shall mean the practices of a vendor as described in the definition of Vendor.

(i) "Village" means the Village of Jones Creek, Texas.

Section Two (2) - Permit required for solicitors and vendors

It shall be unlawful for any person to engage in either solicitation activities or vending activities within the Village without first obtaining a permit from the Village for the activity in question.

Section Three (3)-Exemptions

The following persons shall be excluded from the requirements of this article:

(a) Any person under the age of eighteen (18), unless such person is acting as an agent or representative of an adult who is or would be required to obtain a vendor's or a solicitor's permit if engaged in the same activities as the minor in question.

(b) Newspaper carriers engaged in home delivery by subscription.

(c) Persons selling agricultural products grown by them or members of their immediate family.

(d) Local charitable and non-profit organizations, religious organization and schools; provided, however, that at least seventy two (72) hours advance written notice of the time, date, place and type of proposed vending or solicitation activity has been provided to the Village Secretary.

Section Four (4)-Applications

The application for a permit shall contain all of the following information on each Applicant (which includes each employee or other agent who will conduct or assist in any vending and solicitation activities): (a) Names, current and former residence and business addresses within the last five (5) years, current residence, business telephone number and occupation; (b) Social Security number and date and place of birth; a complete physical description of the Applicant, i.e sex, race, ethnic origin height, weight, color of hair and eyes and any identifying characteristics (tattoos, scars); (c) Two (2) recent full-face passport photographs 2"X 2" (one photo shall be kept with the application and the other attached to the permit); (e) a valid state driver's license including number and date of expiration (only non-drivers may submit other positive identification such as a passport or birth certificate); (f) a complete description of the goods or services to be sold or a complete disclosure of the object of the solicitation, its purposes and sponsors; (g) Name and address of the owner of the property at the location from which the goods or services will be displayed or offered to the public or a statement that the Applicant will travel from door to door for the purpose of offering goods or service or otherwise engaging in solicitation activities; (h) If the good or services to be sold are to be transported in or displayed from a vehicle, the vehicle owner's name, address, telephone number, liability insurer and insurance policy number and the year make, model, color, VIN identification number and vehicle license plate number: (I) Statement under oath, sworn or affirmed and subject to the penalty of perjury, that the Applicant has not been convicted within the last five (5) years of any of the following crimes: sale or possession of narcotics or other dangerous drugs, rape, robbery, murder, burglary, fraud, theft, forgery, child molestation or any other crime involving moral turpitude; and (j) A signed waiver and agreement to provide such other information as may be required in order for the Village Marshal's Department to conduct a background investigation as to the fitness of the Applicant to engage in honest, safe, healthy and clean vending and solicitation activities within the Village.

Section five (5)-Documents to be attached to application

The following documents shall be attached to each application: (a) Rental agreement, contract, lease or power of attorney from the owner of the property the applicant intends to use, granting the applicant the rights to use the property to sell specified goods or services; (b) If food products are to be sold, a copy of all food handling licenses and permits which may be required by the Texas Department of Health, Brazoria County Health Department and federal Food & Drug Administration showing strict compliance with all rules, regulation and laws requiring proper and sanitary handling of food products.

Section Six (6)-Bonds

As a prerequisite to obtaining a permit, each solicitor and vender (and each of their agents, servant and employees who shall engage in solicitation and vending activities within the Village) shall furnish good and sufficient Surety Bond executed by the solicitor or vendor, as principal, and a corporate surety (authorized to transact such business in Texas and who has appointed a registered agent for service of process with a permanent address in Brazoria County, Texas) in the amount of five thousand dollars (\$5,000.00). Upon any breach of the Principal's obligation on the surety bond, the principal and/or surety shall be liable to the Village and/or any person aggrieved, for damages, cost of court and attorneys fees caused by any act or omission of the solicitor or vendor (or their agents, servant or employees) for breach of contract, fraud, deceptive trade practices, negligence, product liability or any other cause of action. Each Surety bond shall be approved in writing by the Village Attorney and it shall be in a form approved by the Village Attorney. The obligation of the corporate surety shall continue for a period of at least two (2) years from the date of the vending or solicitation activities and for such longer period of time as may be necessary to conclude any litigation still pending at the end of the two (2) year period.

Section Seven (7)-Special events

Vendors or solicitors wishing to engage in vending and solicitation activities at any special event shall apply to the Village Secretary for a temporary permit. An application for such permit shall be made at least seventy-two (72) hours prior to the beginning of the event. A temporary permit shall be valid only for the duration of the special event. Fees for such temporary permit shall be fifteen dollars (\$15.00) per applicant. Persons issued a temporary permit shall comply with all of the restrictions and regulation set forth in the ordinance.

Section Eight (8)-Prohibited activities

The following restrictions shall apply to all persons engaged in solicitation activities or vending activities within the Village:

(a) Solicitors shall conduct solicitation activities only between the hours of 9:00 a.m. and 8:00 p.m.

(b) No person shall engage in solicitation activities at any residence or business which has posted a notice that solicitors are not welcome, are not invited, are prohibited or are restricted by similar prohibitory notice.

(c) No stand, vehicle or other facility used by a vendor or a solicitor shall impede access to the entrance or driveway of any residence, building or public facility, nor shall it occupy any part of a public right-of-way or sidewalk. All stands or other facilities used by either a vendor or a solicitor must be removed from public property during non-operating hours.

(d) No vendor or solicitor shall conduct business within fifteen (15) feet of any handicapped parking space or access ramp or within one hundred (100) feet of a fire hydrant, fire escape, bus stop, loading zone or driveway of a fire station, the Village Marshal's office or a medical facility.

(e) All vendors selling food products or beverages shall provide two (2) trash receptacles adjacent to the stand or vehicle. All trash or debris accumulating within twenty (20) feet of a stand or vehicle shall be promptly collected by the vendor or solicitor and deposited in such trash receptacles.

(f) A vending or solicitation permit shall be valid only for the location specified in the permit: no other locations shall be used for such activities.

(g) Vending and solicitation activities shall not be conducted within three hundred (300) feet of any school between the hours of 8:00 a.m. and 4:00 p.m. on school days.

(h) No vendor or solicitor operating from a vehicle or otherwise using vehicle in their activities shall stop, stand or park the vehicle within one hundred (100) feet of any intersection, nor shall they conduct activities in such a way as would increase traffic congestion or delay, constitute a hazard to life or property, interfere with an abutting property owner's use of such owner's property or obstruct access to emergency vehicles.

(i) No vendor shall engage in the sale of food or beverages until all proper licenses and permits have been secured from health department authorities. Equipment used by the vendor shall be subject to State and Federal inspections at all times, including at the time of the application and at periodic intervals thereafter.

Section Nine (9) - Suspension or revocation of permit

(a) After written notice to and an opportunity for the holder of such permit to be heard, any permit issued under this ordinance may be suspended or revoked by the Village Secretary for any of the following reasons: (1) Fraud or misrepresentation in the application for the permit; (2) Fraud or misrepresentation in the course of conducting the solicitation or vending activities allowed by the permit; (3) conducting the business of vending or soliciting in a manner which is prohibited under this ordinance; (4) conducting the business of vending or soliciting in such a manner as to create a public nuisance or constitute a danger to the public health, safety or welfare; (5) arrest or indictment for any felony or misdemeanor crime involving moral turpitude while holding a solicitation or vending permit from the Village; or (6) cancellation of health department authorization for food or beverage vending due to an uncorrected health or sanitation violation.

(b) Upon suspension or revocation, the Village Secretary shall deliver or cause to be delivered written notice to the permit holder stating the action taken and the reason supporting such action.

(c) Any written notice required by this section shall be delivered to the permit holder's place of business or mailed to the permit holder's last known address contained in the records of the Village Secretary.

Section Ten (10) - Appeals

Applicants who are denied permits and permit holders whose permits have been suspended or revoked, may appeal by filing a written notice of appeal with the Village Secretary. The appeal must be filed within then (10) days after receipt of the notice of denial, suspension or revocation, which receipt shall be deemed to have occurred no later than fifteen (15) days after mailing of the notice properly addressed to the person in question as proved in Section 9(b) above. The Board of Aldermen of the Village shall hear and determine the appeal at its next regular meeting or, at the discretion of the Village Mayor, at a special meeting called for such purpose, and the decision of a majority of the aldermen present and voting at such meeting to affirm or reverse such denial, suspension or revocation shall be final. Written notice of the result of such appeal shall be delivered or cause to be delivered by the Village Secretary to the Applicant or Permit Holder as provided above in Section 9(c).

Section Eleven (11) - Renewals.

Permits may be renewed, provided an application for renewal and permit fees are paid to the Village Secretary before the first day of each month. Applications received after that date shall be process as new applications. The Village Secretary shall review each application for renewal to determine that the applicant is in full compliance with the provisions of this ordinance. If the Village Secretary finds that the application meets such requirements, the city shall issue a new permit.

Section Twelve (12) - No Culpable Mental State Required

A culpable mental state is not required for the commission of an offense under this ordinance.

Section Thirteen (13) - Penalty

Any violation of this ordinance shall be a misdemeanor punishable by a fine not to exceed Five Hundred (\$500.00) Dollars; and each day any such violation continues or occurs shall constitute a separate offense.

Third, 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.


Fourth, nothing contained in this ordinance shall cause any rights heretofore vested to be altered, affected or impaired in any way and all such rights may be hereafter enforced as if this ordinance had not been adopted.

Fifth, this ordinance is cumulative of and in addition to all other ordinances of the Village on the same subject and all such other ordinances are hereby expressly saved from repeal; but where this ordinance conflicts or overlaps with any other ordinance of the Village, whichever imposes the more stringent regulations or penalties, as the case may be, shall prevail.

Sixth, 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.

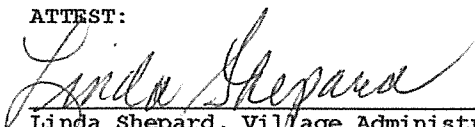
Seventh, the penal provisions of this ordinance shall take effect and be in force from and after its descriptive caption has been published twice in the Brazosport Facts, a daily newspaper published in the City of Clute, Texas, having general circulation within the corporate limits of the Village; but all other provisions shall take effect and be in force from and after its passage and adoption.

READ, PASSED AND ADOPTED this 17th day of January, 2012.



Michael Hobbs, Mayor,
Village of Jones Creek, Texas

ATTEST:



Linda Shepard, Village Administrator/
Secretary, Village of Jones Creek, Texas

The Board of Aldermen met in a regular meeting of the board on March 20, 2012.

Motion to charge a \$5.00 a day per person and \$15.00 per person for background check was heard from Mr. Jack Taylor. A second came from Mr. Terry Jeffers. All were in agreement.

When a potential vendor comes into the office to fill out an application to go door to door, the Village will collect a \$5.00 fee per person per day and a \$15.00 fee for background check per person.

Village Secretary

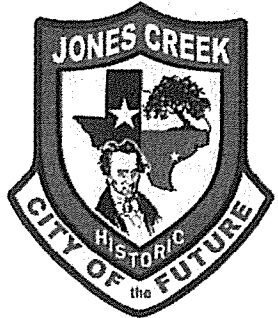
LICENSE #: _____
ISSUE DATE: _____

VENDOR'S PERMIT CHECKLIST

- APPLICATION
- COPY OF DRIVER'S LICENSE
- 2- 2" X 2" PASSPORT PHOTOS
- COPY OF BIRTH CERTIFICATE (IF NON-DRIVER)
- COPY OF GOVERNMENTAL IDENTIFICATION (IF NON-DRIVER)
- COPY OF HEALTH PERMIT (IF SELLING FOOD)
- COPY OF PERMIT FROM LANDOWNER
- COPY OF STATE SALES TAX PERMIT
- BACKGROUND CERTIFICATION
- CERTIFICATION OF MARSHAL
- CERTIFICATION OF SECRETARY
- SURETY BOND

LICENSE #: _____
ISSUE DATE: _____

VILLAGE OF JONES CREEK, TEXAS
APPLICATION FOR VENDOR PERMIT



ATTACH PHOTO
OF APPLICANT

1. NAME OF APPLICANT: _____
CURRENT RESIDENCE: _____
LIST FORMER RESIDENCES FOR LAST 5 YEARS:

CURRENT BUSINESS: _____
PHONE NUMBER: _____ ALT. NUMBER: _____
IMMEDIATE SUPERVISOR: _____
PHONE NUMBER: _____ ALT. NUMBER: _____
LIST OF FORMER BUSINESSES/EMPLOYERS FOR LAST 5 YEARS:

2. APPLICANT INFORMATION:
SSN: _____ - _____ - _____ DATE OF BIRTH: _____
DL #: _____ ISSUING STATE: _____ EXP. DATE: _____
OCCUPATION: _____

3. APPLICANT'S PHYSICAL DESCRIPTION:
HEIGHT: _____ WEIGHT: _____ HAIR: _____
EYES: _____ RACE: _____ ETHNICITY: _____

LICENSE #: _____
ISSUE DATE: _____

SEX: _____ IDENTIFIABLE CHARACTERISTICS (I.E. SCARS,
MARKS, TATTOOS): _____

4. APPLICANT WHO IS NON-DRIVER MAY SUBMIT THE FOLLOWING FOR IDENTIFICATION: (MUST BE ATTACHED TO APPLICATION)

(A) GOVERNMENTAL IDENTIFICATION: _____ (FEDERAL/STATE)
(B) CERTIFIED COPY OF BIRTH CERTIFICATE

5. DESCRIPTION OF GOODS TO BE SOLD, INCLUDING BRAND NAMES, IF ANY:

6. IF GOODS ARE TO BE SHIPPED, LIST NAME, ADDRESS, AND TELEPHONE NUMBER OF MANUFACTURING LOCATION AND/OR SHIPPING LOCATION:

7. ADDRESS OF LOCATION WHERE GOODS SHALL BE DISPLAYED TO PUBLIC OR OFFERED FOR SALE: _____

8. NAME, ADDRESS AND TELEPHONE NUMBER OF OWNER OF PROPERTY WHERE GOODS WILL BE DISPLAYED TO PUBLIC OR OFFERED FOR SALE:

9. APPLICANT WILL TRAVEL DOOR TO DOOR TO EXHIBIT OR SELL GOODS:

YES OR NO (CHECK ONE)

10. IF GOODS TO BE SOLD OR TRANSPORTED IN OR DISPLAYED FROM A VEHICLE, THE FOLLOWING INFORMATION IS REQUIRED:

OWNER OF VEHICLE: _____

OWNER'S ADDRESS: _____

HOME PHONE: _____ ALT. PHONE: _____

VEHICLE MAKE: _____ MODEL: _____

LICENSE #: _____
ISSUE DATE: _____

YEAR: _____ COLOR: _____
LIC. #: _____ STATE: _____
VIN #: _____

11. DOCUMENTS TO BE ATTACHED TO APPLICATION:

(A) PERMIT FROM LANDOWNER- A WRITTEN PERMIT SIGNED BY OWNER OR HIS AUTHORIZED AGENT OF THE PROPERTY AT THE LOCATION WHERE GOODS WILL BE DISPLAYED OR OFFERED FOR SALE, AND STATING OWNER CONSENTS TO APPLICANT'S USE OF SUCH PROPERTY.

YES NO

(B) STATE SALES TAX PERMIT- A VALID SALES TAX PERMIT ISSUED BY THE OFFICE OF THE COMPTROLLER OF PUBLIC ACCOUNTS OF THE STATE OF TEXAS. YES NO

BY SIGNING THIS APPLICATION, APPLICANT AGREES TO READ, UNDERSTAND AND TO ABIDE BY THE VILLAGE OF JONES CREEK CODE OF ORDINANCES GOVERNING ANY PERSON ENGAGING IN THE VENDOR OCCUPATION BEFORE SIGNING THIS APPLICATION.

APPLICANT'S SIGNATURE

DATE

LICENSE #: _____
ISSUE DATE: _____

SURETY BOND

THE STATE OF TEXAS
COUNTY OF BRAZORIA

NAME OF APPLICANT/VENDOR

VENDOR ADDRESS _____

VENDOR HOME PHONE _____

VENDOR CELL PHONE _____

KNOWN ALL MEN BAY THESE PRESENTS that _____ hereinafter called "Principal", as Principal, and _____ hereinafter called "Surety", as Surety are held firmly bound unto the Obligees, who are Village of Jones Creek, Texas, and any person who may be damaged or injured by Principal's failure to comply with the Ordinances of the Village of Jones Creek or with Texas Deceptive Trade Practices and Consumer Protection Act. TEX. BUS. & COM. 17.41 et.seq. V.A.C.S. as now in effect or hereafter amended, the "Act", for damages suffered by and court cost and attorney's fees incurred by any such Obligee as a consequence of any violation of a municipal ordinance or of said Act in connection with the sale or delivery of such goods by the Principal in the amount of FIVE THOUSAND DOLLARS (\$5,000) for the payment whereof the said Principal and Surety do bind themselves, their heirs, administrators, executors, successors, and assigns, jointly and severally by these presents.

It is a condition of this obligation that if the principal complies with said Act and with all ordinances of the Village of Jones Creek and if said Principal shall remedy all damages caused by or arising from any violation of said Act or ordinances by said Principal during the course of said transaction including the payment of any court costs or attorney's fee incurred by an Obligee hereon in connection with such transaction, then this obligation shall be void.

In the event of the breach of the obligation of Principal hereon, said Surety shall pay to any Obligee hereon a sum not to exceed the face amount of this bond to compensate said Obligee for the damages suffered as a consequence of such breach and all court costs and attorney's fees incurred by said Obligee in connection therewith.

The obligation of the Principal and Surety shall continue for a period of TWO (2) YEARS from the date of sale or delivery of any such goods to any Obligee whichever date is the later in time, and as long thereafter as required to bring to a final conclusion any litigation pending against the Principal or Surety or both at the expiration of said two year period that had been instituted by an Obligee hereon or by the District Attorney of Brazoria County or the Attorney General of the State of Texas for violation of said sale or delivery of goods.

Written notice of any noncompliance with or violation of said ordinances or statute and the probable amount of damages resulting from such noncompliance or violation shall be given to the Surety hereon with two years after the later of either the date of sale or the date of delivery of such goods to an Obligee hereon.

Liability for future acts or omissions of Principal in violation of the Code of Ordinances of the Village of Jones Creek or of any state statute may be terminated by the Surety hereon by giving thirty (30) days written notice to the City Secretary of the Village of Jones Creek, and the

LICENSE #: _____
ISSUE DATE: _____

liability of Surety shall cease at the expiration if said thirty (30) days: provided, however, that said Surety shall be liable for all acts or omissions by said Principal covered by this bond and occurring prior to the date of the expiration of said thirty (30) day period. Surety shall give written notice to the Village of Jones Creek within thirty (30) days after the date on which any claim is filed against the bond.

This bond expires at midnight on this _____ day of _____, 20_____.

In witness whereof, the said Principal and Surety have signed and sealed this instrument this _____ day of _____, 20_____.

By: _____ By: _____
Title Title

The undersigned surety company represents that it is duly qualified to do business in the State of Texas and hereby designates _____ as its agent resident in Brazoria County to whom any requisite notices may be delivered and on whom services of process may be had in matters arising out of such surety ship.

By: _____
Title

The undersigned agent accepts the designation of agency by _____ for the purpose above stated.

Agent: _____

BY: _____

TITLE: _____ ADDRESS: _____

PHONE: _____

BOND NO.: _____

If the above is signed by an officer of the Surety Company there must be attached to this bond a certified extract from the by-laws of said Company establishing that this person has authority to sign such obligation. If signed by an attorney-in-fact, a certified copy of the Power of Attorney must be attached for this bond and such certification must bear even date of the execution of this bond by said attorney-in-fact.

APPROVED this _____ day of _____, 20_____.

City Attorney
Village of Jones Creek

LICENSE #: _____
ISSUE DATE: _____

BACKGROUND CERTIFICATION

HAS APPLICANT BEEN CONVICTED WITHIN THE LAST FIVE (5) YEARS OF ANY CITY, STATE, OR FEDERAL OFFENSES INCLUDING:

- (A) MISREPRESENTED OR MADE ANY FLASE STATEMENTS IN REGARD TO HIS AUTHORITY TO SELL SUCH GOODS? YES NO
- (B) ANY OFFENSE INVOLVING NARCOTICS, DANGEROUS DRUGS OR CRIMES WITH DANGEROUS WEAPONS? YES NO
- (C) ANY OFFENSE INVOLVING THE USE OF FORCE AND VIOLENCE UPON THE PERSON OF ANOTHER THAT IS DESIGNATED AS A FELONY IN THE STATE OF TEXAS? YES NO
- (D) ANY OFFENSE OF FRAUD, MISREPRESENTATION, EMBEZZLEMENT, FORGERY OR THEFT THAT IS DESIGNATED AS A FELONY IN THE STATE OF TEXAS? YES NO
- (E) BEEN CONVICTED IN A COURT OF PROPER JURISDICTION OF ANY OF THE PREVIOUSLY NAMED VIOLATIONS AT ANY TIME?
 YES NO

BY SIGNING, APPLICANT AGREES TO ALLOW THE JONES CREEK MARSHAL'S OFFICE TO CONDUCT A FULL BACKGROUND INVESTIGATION ON THEM. BY SIGNING, APPLICANT, ALSO, SWEARS UNDER OATH AND UNDER PREJURY OF LAW TO THE ABOVE ANSWERED QUESTIONS.

SIGNATURE OF APPLICANT

DATE

SUBSCRIBED AND SWORN TO before me this _____ day of _____, A.D., _____.

NOTARY PUBLIC
STATE OF TEXAS
MY COMMISSION EXPIRES _____

LICENSE #: _____
ISSUE DATE: _____

CERTIFICATION OF CITY SECRETARY

I, _____, CITY SECRETARY FOR THE VILLAGE OF JONES CREEK, TEXAS, DO HEREBY CERTIFY THAT THIS APPLICATION FOR A VENDOR'S PERMIT MEETS ALL REQUIREMENTS CITY ORDINANCE #450 , AND THAT THE FACTS SET FORTH IN THE APPLICATION ARE _____ AND THAT _____ LAWFUL REASON EXISTS TO WARRANT THE DENIAL OF THIS PERMIT.

GIVEN UNDER MY HAND SEAL OF OFFICE THIS IS THE _____ DAY OF _____, 20_____.

CITY SECRETARY, VILLAGE OF JONES CREEK

DATE APPROVED: _____

DATE DENIED: _____

CHAPTER 153: INTERNATIONAL CODES

Section

General Provisions

153.01 Unsafe Building Abatement Code

International Codes Adopted

- 153.15 Short title
- 153.16 International Building Code
- 153.17 International Residential Code
- 153.18 International Existing Building Code
- 153.19 International Property Maintenance Code
- 153.20 International Energy Conservation Code
- 153.21 International Plumbing Code
- 153.22 International Mechanical Code
- 153.23 International Fuel Gas Code
- 153.24 National Fire Code

- 153.99 Penalty

GENERAL PROVISIONS

§ 153.01 UNSAFE BUILDING ABATEMENT CODE.

(A) This section shall be known and may be cited as the "Standard Unsafe Building Abatement Code Section of the Village of Jones Creek, Texas".

(B) The Standard Unsafe Building Abatement Code, 1985 Edition, published by the Southern Building Code Congress International, hereinafter "the code", save and except such portions as are in conflict with Chapter 156 and such portions as are modified in division (C) below, is hereby adopted and incorporated and made a part of this section as fully as if set forth at length herein; and from and after the date on which this section shall take effect, the provisions therein, with the exceptions noted above, shall control the elimination, alteration, construction, removal, demolition, use, and occupancy of any building, structure, or premises which is unsafe or unsanitary or not provided with adequate egress, or

which constitutes a fire hazard, or is otherwise dangerous to human life or which, in relation to existing use, constitutes a hazard to safety or health by reason of inadequate maintenance, dilapidation, obsolescence, or abandonment. A true and correct copy of the code has been filed in the office of the Village Secretary/Administrator, and shall be made available to any interested person for inspection and reading upon reasonable request therefor made to the Secretary/Administrator.

(C) The following amendments, deletions, or additions to such code are hereby made and in the event of a conflict with such standard code the following shall apply.

(1) *Section 103.4 - Liability.* Is hereby deleted and is of no force and effect.

(2) *Section 104 - Violations and Penalties.*

(a) Any person, firm, or corporation, or the agent of any of them, who shall violate any provision of this code, as amended by the Standard Unsafe Building Code Ordinance of the village, or fail to comply with this code, as so amended, or any requirement herein, as so amended, or any order of the Building Official made pursuant to this code, as so amended, shall be guilty of a misdemeanor and shall be punished by a fine not to exceed \$500; and each day any such violation continues or occurs shall constitute a separate offense.

(b) In any prosecution under this code, as so amended, in the Municipal Court of the village, or any other court of competent jurisdiction, proof that any person committed an act prohibited by this code, as so amended, or omitted an act required by this code, as so amended, shall be prima facie proof that such act or omission, as the case may be, was done knowingly and intentionally.

(3) *Section 105.1 - Composition.* The Village Council shall sit as the Board of Adjustments and Appeals for the purpose of providing for the final interpretation and enforcement of the provisions of the Standard Code adopted by Ord. 451. When sitting as the members of such Board, the members of the Village Council shall be governed by the procedure contained in the Standard Code.

(4) *Section 105.2 - Officers and Meeting.* As members of the Board of Adjustments and Appeals, the Village Council shall serve without compensation. The Mayor shall serve as the Chairperson and, in the absence of the Mayor, the Mayor Pro Tempore shall serve as alternate Chairperson. The Village Secretary/Administrator shall serve as ex officio Secretary of the Board. The Board of Adjustments and Appeals shall meet at the call of its Chairperson or any three members thereof. Notice of the date, time, and place of any such meeting shall be given by the Secretary in accordance with the state's Open Meetings Act, codified as Tex. Government Code §§ 551.001 et seq.

(5) *Section 105.4 - Records.* The Secretary shall make a detailed record of all proceedings of the Board of Adjustment and Appeals. The record shall set forth the reasons for the Board's decision, the vote of each member participating therein, the absence of a member and any failure of a member to vote.

(6) *Section 105.5 - Procedure.* The Board may establish rules and regulations for its own procedure in addition to, and not inconsistent with, the provisions of this code. The Board shall meet

within ten days after an appeal is filed or at the request of the Building Official when the Building Official desires to have the Board determine whether or not any building or structure complies with the standards set out in this code.

(7) *Section 301.2 - Compliance with Standards: Public Hearing.* If the Building Official has determined that any building, structure, or portion thereof is unsafe, he or she shall call a meeting of the Board of Adjustments and Appeals for the purpose of conducting a public hearing for such Board to make a determination of whether or not such building, structure, or portion thereof fails to comply with the standards set out in this code and is, thereof, unsafe. Notice in writing of the date, time, and place of such hearing shall be given to the record owner, either personally or by certified mail, postage prepaid, and return receipt requested. Attached to such notice shall be a detailed report documenting conditions which, in opinion of the Building Official, renders the building or structure unsafe under the provisions of this code. The provisions of §§ 302.1.2, 302.1.3, 301.1.4, 402, 403, 502, 503, and 504 of this code shall be applicable to such public hearing and notice with the word "owner" being substituted for the word "appellant".

(8) *Item 2 of Section 302.1.1 - Content of Notice.* A statement indicating that the building or structure has been declared unsafe by the Board of Adjustments and Appeals after a public hearing, attaching thereto a copy of the written decision of such Board.

(9) *Section 302.1.4 - Proof of Service.* Proof of service of the notice shall be by written declaration indicating the date, time, and manner in which service was made signed by the person served or by the return receipt.

(10) *Item 1 of Section 303 - Standards for Compliance.* The building or structure shall be repaired in accordance with the applicable building code of the village or demolished at the option of the owner, unless the building or structure is unrepairable, in which event it shall be demolished.

(11) *Definitions.* The following definitions contained in § 202 of the code are hereby amended to read as follows.

APPLICABLE GOVERNING BODY. The Village Council.

BUILDING OFFICIAL. The Building Official appointed pursuant to the International Building Code.

CHIEF APPOINTING AUTHORITY. The Village Council.

OFFICIAL PUBLIC RECORDS. The most current tax roll of the village at the time any notice required by this code is given.

RECORDER. The County Clerk.

UNREPAIRABLE BUILDING OR STRUCTURE. Any building or structure that cannot be repaired because it is a nonconforming use under Chapter 156 and the repair of such building or structure is prohibited by such Chapter.

(12) *Section 601.2.2.* Subsequent to posting the building or structure, the Building Official may cause the building or structure in question to be repaired to the extent required to render it safe, or if the notice required demolition, the Building Official may cause the building or structure to be demolished and all debris to be removed from the premises. This may be done by using employees of the village or by contract with an independent contractor and, if the latter, may consist of an agreement whereby such contractor will demolish the building or structure without further compensation than to keep for the use and benefit of such contractor all salvageable material removed from the premises. Any cost incurred by the village including, but limited to, the wages of employees of the village who perform such work, during or in connection with the repair or demolition of any building or structure, shall be collected in the manner provided in Section 601.2.4 below. In lieu of demolishing such building or structure on the premises, the Building Official may permit such contractor, at such contractors expense, to remove or cause such building or structure to be removed from the premises to a location within or without the corporate limits of the village under such conditions as the Building Official may prescribe, if agreed to by such contractor in writing. Provided, however, before removing such building or structure, such contractor shall agree in writing to indemnify and hold harmless the village and its officers and employee from any and all claims that might be made against them or any of them arising out of such removal; and if removed to a location within the village, such building or structure must either be demolished or repaired to comply with Chapter 156 and all applicable technical codes of the village, within such time as the Building Official may specify.

(13) *Costs.* Any costs incurred by the village in the repair demolition of any building or structure shall be assessed against the premises on which such building or structure is or was located by filing with the Recorder for recording in the official records of the county a written statement by the Building Official, subscribed and sworn to and duly acknowledge by the Building Official before a notary public or other officer of the state authorized to administer oaths and take acknowledgments, containing the legal description of the premises, the name or names of the owner or owners, a description of the work performed, the date on which such work was completed, and a statement of the total cost incurred by the village in connection therewith. Upon the filing of such statement, the village shall have a privileged lien on such premises, second only to tax liens and liens for street improvements, to secure the cost of such repair or demolition, together with interest at 10% annum on the total cost incurred from the date such work was completed until paid. For the collection of such cost and interest, suit may be instituted and recovery and foreclosure had in the name of the village. Such recorded statement of the Building Official shall be prima facie proof of the fact and cost of such repair or demolition and the reasonableness thereof.

(D) The Village Council shall from time to time by resolution set any fees for the issuances of any permits required by the provisions of the Standard Code adopted by division (B) above.

(E) If the office of Building Official is vacant, the Mayor or his or her designee shall have the powers and shall perform the duties of the Building Official under the provisions of the Standard Code adopted by division (B) above.

(Ord. 262, passed 2-21-1991; Ord. 332, passed 4-15-1999; Ord. 451, passed 2-21-2012) Penalty, see § 153.99

INTERNATIONAL CODES ADOPTED

§ 153.15 SHORT TITLE.

This subchapter shall be known and may be cited as the Village of Jones Creek International Code Subchapter of 2009”.

(Ord. 451, passed 2-21-2012)

§ 153.16 INTERNATIONAL BUILDING CODE.

(A) The International Building Code, 2009, published by the International Code Council, Inc., together with all amendments thereto, save and except such portions as are inconsistent with the provisions of the other sections of this chapter, is hereby adopted as the Building Code for the village.

(B) For purposes of the International Code adopted by this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

APPLICABLE GOVERNING BODY. The Village Council.

BOARD OF ADJUSTMENTS. The Village Council.

BOARD OF APPEALS. The Village Council.

CHIEF ADMINISTRATOR. The Building Official of the village.

CHIEF APPOINTING AUTHORITY. The Village Council.

(C) The Village Council shall from time to time by resolution set any fees for the issuances of any permits required by the provisions of the International Code adopted by division (A) above.

(D) If the office of Building Official is vacant, the Mayor or his or her designee shall have the powers and shall perform the duties of Chief Administrator under the provisions of the International Code adopted by division (A) above.

(E) The following sections of the International Code adopted by division (A) above are hereby revised as follows:

(1) *Section R101.1*. Insert: Village of Jones Creek, Texas;

(2) *Table R301.2(1)*. Insert: Southern Building Code Congress International Standard for Hurricane Resistant Residential Construction (SSTD 10);

(3) *Section P2603.6.1*. Insert: Eighteen inches; and

(4) *Section P3103.1*: Insert: four inches.

(Ord. 451, passed 2-21-2012) Penalty, see § 153.99

§ 153.17 INTERNATIONAL RESIDENTIAL CODE.

(A) The International Residential Code, 2009, published by the International Code Council, Inc., together with all amendments thereto, save and except such portions as are inconsistent with the provisions of the other sections of this chapter, is hereby adopted as the Residential Code for the village.

(B) For purposes of the International Code adopted by this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

APPLICABLE GOVERNING BODY. The Village Council.

BOARD OF ADJUSTMENTS. The Village Council.

BOARD OF APPEALS. The Village Council.

CHIEF ADMINISTRATOR. The Building Official of the village.

CHIEF APPOINTING AUTHORITY. The Village Council.

(C) The Village Council shall from time to time by resolution set any fees for the issuances of any permits required by the provisions of the International Code adopted by division (A) above.

(D) If the office of Building Official is vacant, the Mayor or his or her designee shall have the powers and shall perform the duties of Chief Administrator under the provisions of the International Code adopted by division (A) above.

(Ord. 451, passed 2-21-2012) Penalty, see § 153.99

§ 153.18 INTERNATIONAL EXISTING BUILDING CODE.

(A) The International Existing Building Code, 2009, published by the International Code Council, Inc., together with all amendments thereto, save and except such portions as are inconsistent with the provisions of the other sections of this chapter, is hereby adopted as the Existing Building Code for the village.

(B) For purposes of the International Code adopted by division (A) above, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

APPLICABLE GOVERNING BODY. The Village Council.

BOARD OF ADJUSTMENTS. The Village Council.

BOARD OF APPEALS. The Village Council.

CHIEF ADMINISTRATOR. The Building Official of the village.

CHIEF APPOINTING AUTHORITY. The Village Council.

(C) The Village Council shall from time to time by resolution set any fees for the issuances of any permits required by the provisions of the International Code adopted by division (A) above.

(D) If the office of Building Official is vacant, the Mayor or his or her designee shall have the powers and shall perform the duties of Chief Administrator under the provisions of the International Code adopted by division (A) above.

(Ord. 451, passed 2-21-2012) Penalty, see § 153.99

§ 153.19 INTERNATIONAL PROPERTY MAINTENANCE CODE.

(A) The International Property Maintenance Code, 2009, published by the International Code Council, Inc., together with all amendments thereto, save and except such portions as are inconsistent with the provisions of the other sections of this chapter, is hereby adopted as the Property Maintenance Code for the village.

(B) For purposes of the International Code adopted by division (A) above, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

APPLICABLE GOVERNING BODY. The Village Council.

BOARD OF ADJUSTMENTS. The Village Council.

BOARD OF APPEALS. The Village Council.

CHIEF ADMINISTRATOR. The Building Official of the village.

CHIEF APPOINTING AUTHORITY. The Village Council.

HOUSING OFFICIAL. The Building Official of the village.

(C) The Village Council shall from time to time by resolution set any fees for the issuances of any permits required by the provisions of the International Code adopted by division (A) above.

(D) If the office of Building Official is vacant, the Mayor or his or her designee shall have the powers and shall perform the duties of Chief Administrator and Housing Official under the provisions of the International Code adopted by division (A) above.
(Ord. 451, passed 2-21-2012) Penalty, see § 153.99

§ 153.20 INTERNATIONAL ENERGY CONSERVATION CODE.

(A) The International Energy Conservation Code, 2009, published by the International Code Council, Inc., together with all amendments thereto, save and except such portions as are inconsistent with the provisions of the other sections of this chapter, is hereby adopted as the Energy Conservation Code for the village.

(B) For purposes of the International Code adopted by division (A) above, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

APPLICABLE GOVERNING BODY. The Village Council.

BOARD OF ADJUSTMENTS. The Village Council.

BOARD OF APPEALS. The Village Council.

CHIEF ADMINISTRATOR. The Building Official of the village.

CHIEF APPOINTING AUTHORITY. The Village Council.

HISTORIC BUILDING. Any building within the village designated as such by Chapter 156.

(C) The Village Council shall from time to time by resolution set any fees for the issuances of any permits required by the provisions of the International Code adopted by division (A) above.

(D) If the office of Building Official is vacant, the Mayor or his or her designee shall have the powers and shall perform the duties of Chief Administrator under the provisions of the International Code adopted by division (A) above.
(Ord. 451, passed 2-21-2012) Penalty, see § 153.99

§ 153.21 INTERNATIONAL PLUMBING CODE.

(A) The International Plumbing Code, 2009, published by the International Code Council, Inc., together with all amendments thereto, save and except such portions as are inconsistent with the provisions of any other sections of this chapter, is hereby adopted as the Plumbing Code for the village.

(B) For purposes of the International Code adopted by division (A) above, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

APPLICABLE GOVERNING BODY. The Village Council.

BOARD OF ADJUSTMENTS. The Village Council.

BOARD OF APPEALS. The Village Council.

CHIEF ADMINISTRATOR. The Building Official of the village.

CHIEF APPOINTING AUTHORITY. The Village Council.

(C) The Village Council shall from time to time by resolution set any fees for the issuances of any permits required by the provisions of the International Code adopted by division (A) above.

(D) If the office of Building Official is vacant, the Mayor or his or her designee shall have the powers and shall perform the duties of Chief Administrator under the provisions of the International Code adopted by division (A) above.

(Ord. 451, passed 2-21-2012) Penalty, see § 153.99

§ 153.22 INTERNATIONAL MECHANICAL CODE.

(A) The International Mechanical Code, 2009, published by the International Code Council, Inc., together with all amendments thereto, save and except such portions as are inconsistent with the provisions of any other sections of this chapter, is hereby adopted as the Mechanical Code for the village.

(B) For purposes of the International Code adopted by division (A) above, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

APPLICABLE GOVERNING BODY. The Village Council.

BOARD OF ADJUSTMENTS. The Village Council.

BOARD OF APPEALS. The Village Council.

CHIEF ADMINISTRATOR. The Building Official of the village.

CHIEF APPOINTING AUTHORITY. The Village Council.

(C) The Village Council shall from time to time by resolution set any fees for the issuances of any permits required by the provisions of the International Code adopted by division (A) above.

(D) If the office of Building Official is vacant, the Mayor or his or her designee shall have the powers and shall perform the duties of Chief Administrator under the provisions of the International Code adopted by division (A) above.
(Ord. 451, passed 2-21-2012) Penalty, see § 153.99

§ 153.23 INTERNATIONAL FUEL GAS CODE.

(A) The International Mechanical Code, 2009, published by the International Code Council, Inc., together with all amendments thereto, save and except such portions as are inconsistent with the provisions of any other sections of this chapter, is hereby adopted as the Fuel Gas Code for the village.

(B) For purposes of the International Code adopted by division (A) above, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

APPLICABLE GOVERNING BODY. The Village Council.

BOARD OF ADJUSTMENTS. The Village Council.

BOARD OF APPEALS. The Village Council.

CHIEF ADMINISTRATOR. The Building Official of the village.

CHIEF APPOINTING AUTHORITY. The Village Council.

(C) The Village Council shall from time to time by resolution set any fees for the issuances of any permits required by the provisions of the International Code adopted by division (A) above.

(D) If the office of Building Official is vacant, the Mayor or his or her designee shall have the powers and shall perform the duties of Chief Administrator under the provisions of the International Code adopted by division (A) above.
(Ord. 451, passed 2-21-2012) Penalty, see § 153.99

§ 153.24 NATIONAL FIRE CODE.

(A) The National Fire Code, 2009, published by the International Code Council, Inc., together with all amendments thereto, save and except such portions as are inconsistent with the provisions of any other sections of this chapter, is hereby adopted as the Fire Code for the village.

(B) For purposes of the National Code adopted by division (A) above, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

APPLICABLE GOVERNING BODY. The Village Council.

BOARD OF ADJUSTMENTS. The Village Council.

BOARD OF APPEALS. The Village Council.

CHIEF APPOINTING AUTHORITY. The Village Council.

CONTAINER. A vessel designed for the storage of flammable or combustible liquids in small quantities.

FIRE OFFICIAL. The Fire Marshal of the village.

MUNICIPALITY. The Village of Jones Creek, Texas.

(C) The Village Council shall from time to time by resolution set any fees for the issuances of any permits required by the provisions of the National Code adopted by division (A) above.

(D) If the office of Building Official or Fire Marshal is vacant, the Mayor or his or her designee shall have the powers and shall perform the duties of Chief Administrator or Fire Official, as the case may be, under the provisions of the International Code adopted by division (A) above. (Ord. 451, passed 2-21-2012) Penalty, see § 153.99

§ 153.99 PENALTY.

(A) Any person violating any provision of this chapter for which no specific penalty is prescribed shall be subject to § 10.99 of this code of ordinances.

(B) Any person, firm, or corporation, or the agent of any of them, who shall violate any provision of the International Code adopted by § 153.01, or fail to comply with such code or any requirement therein or any order of the Building Official made pursuant thereto, shall be guilty of a misdemeanor, and shall be punished by a fine of not to exceed \$500; and each day any such violation continues or occurs shall constitute a separate offense.

(C) Any person, firm, or corporation, or the agent of any of them, who shall violate any provision of the International Code adopted by §§ 153.16 through 153.23, or fail to comply with such code or any requirement therein or any order of the Building Official made pursuant thereto, shall be guilty of a misdemeanor, and shall be punished by a fine of not to exceed \$500 or, in the event such violation is a

Jones Creek - Land Usage

violation of a provision governing fire safety or public health and sanitation, including dumping of refuse, by a fine not to exceed \$2,000; and each day any such violation continues or occurs shall constitute a separate offense.

(Ord. 451, passed 2-21-2012)

LICENSE #: _____
ISSUE DATE: _____

CERTIFICATE OF JONES CREEK MARSHAL

I, _____, MARSHAL OF THE VILLAGE OF JONES CREEK, TEXAS, AND DO HEREBY CERTIFY THAT I HAVE CONDUCTED A "SECURITY CHECK" ON THE FOLLOWING NAMED APPLICANT FOR A VENDOR PERMIT, _____. I FURTHER CERTIFY THAT THE APPLICANT:

1. HAS HAS NOT MISREPRESENTED NOR HAS HE MADE ANY FALSE STATEMENTS IN REGARD TO HIS AUTHORITY TO SELL SUCH GOODS.
2. HAS HAS NOT BEEN CONVICTED OF ANY OFFENSE INVOLVING NARCOTICS, DANGEROUS DRUGS, OR CRIME WITH DANGEROUS WEAPONS WITHIN THE LST FIVE (5) YEARS.
3. HAS HAS NOT BEEN CONVICTED OF AN OFFENSE INVOLVING THE USE OF FORCE AND VIOLENCE UPON A PERSON OR ANOTHER THAT IS DESIGNATED AS A FELONY IN THE STATE OF TEXAS.
4. HAS HAS NOT BEEN CONVICTED OF AN OFFENSE OF FRAUD DESIGNATED AS A FELONY IN THE STATE OF TEXAS.
5. HAS HAS NOT BEEN CONVICTED IN A COURT OF PROPER JURISIDICITON OF AND OF THE PREVIOUSLY NAMED VIOLATIONS AT ANY TIME.

THIS APPLICATION FOR A "SECURITY CHECK" WAS RECEIVED ON THE _____ DAY OF _____, 20____, AND COMPLETED ON THE _____ DAY OF _____, 20_____.

APPLICATION FOR PERMIT IS APPROVED DENIED ON THIS THE _____ DAY OF _____, 20_____ AT _____M.

MARSHAL, VILLAGE OF JONES CREEK

ORDINANCE NO. 451

AN ORDINANCE OF THE VILLAGE OF JONES CREEK, TEXAS; CONTAINING A PREAMBLE; CONTAINING A SHORT TITLE; EXPRESSLY REPEALING ALL OF THE INTERNATIONAL CODES PUBLISHED BY THE INTERNATIONAL CODE COUNCIL, INC., AND ANY AMENDMENTS TO ANY OF THEM, HERETOFORE ADOPTED BY THE BOARD OF ALDERMEN OF SAID VILLAGE; ADOPTING THE 2009 EDITIONS OF THE INTERNATIONAL BUILDING CODE, INTERNATIONAL RESIDENTIAL CODE, INTERNATIONAL MECHANICAL CODE, INTERNATIONAL EXISTING BUILDING CODE, INTERNATIONAL PROPERTY MAINTENANCE CODE, INTERNATIONAL PLUMBING CODE, INTERNATIONAL FUEL GAS CODE, INTERNATIONAL FIRE CODE, INTERNATIONAL ENERGY CONSERVATION CODE AND THE 2008 EDITION OF THE INTERNATIONAL ELECTRICAL CODE, ALSO KNOWN AS THE NATIONAL ELECTRICAL CODE; ADOPTING LOCAL AMENDMENTS TO SUCH CODES; RE-ADOPTING THE STANDARD UNSAFE BUILDING ABATEMENT CODE, PUBLISHED BY THE SOUTHERN BUILDING CODE CONGRESS INTERNATIONAL, INC., 1985 EDITION, WITH LOCAL AMENDMENTS TO SUCH CODE; PROVIDING THAT ANY PERSON VIOLATING THE PROVISIONS OF ANY OF SAID CODES, AS SO AMENDED, SHALL BE PUNISHED BY A FINE NOT TO EXCEED FIVE HUNDRED (\$500.00) DOLLARS OR, IN THE EVENT SUCH VIOLATION IS A VIOLATION OF A PROVISION GOVERNING FIRE SAFETY OR PUBLIC HEALTH AND SANITATION, INCLUDING DUMPING OF REFUSE, BY A FINE NOT TO EXCEED TWO THOUSAND (\$2,000.00) DOLLARS; PROVIDING THAT EACH DAY ANY SUCH VIOLATION CONTINUES OR OCCURS SHALL BE A SEPARATE OFFENSE; CONTAINING SAVINGS CLAUSES; CONTAINING A SEVERANCE CLAUSE; AND PROVIDING THAT THE PENAL PROVISIONS OF THIS ORDINANCE SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER THIS DESCRIPTIVE CAPTION HAS BEEN PUBLISHED TWICE IN THE BRAZOSPORT FACTS BUT ALL OTHER PROVISIONS SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER ITS PASSAGE AND ADOPTION

WHEREAS, the Village of Jones Creek, Texas, ("the Village") is now a Type A General-Law Municipality by virtue of the action taken by its Board of Aldermen pursuant the provisions of Sections 6.012 of the Local Government Code of Texas; and,

WHEREAS, Section 51.012 of said Code authorizes the governing body of a Type A General-Law Municipality to adopt any ordinance, not inconsistent with state law, that is necessary for the govern- ment, interest, welfare, or good order of the municipality as a body politic; and,

WHEREAS, Section 54.001(a) of said Code authorizes the governing body of a Type A General-Law Municipality to enforce each ordinance of the municipality and to punish a violation thereof; and,

WHEREAS, the provisions of Chapter 214 of said Code authorizes the governing body of a Type A General-Law Municipality to adopt the provisions of this ordinance; and,

WHEREAS, the Board of Aldermen of the Village has determined and does here now declare that the adoption of this ordinance is necessary to the health, safety and general welfare of the inhabitants of the Village.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE VILLAGE OF JONES CREEK, TEXAS:

ARTICLE I - SHORT TITLE AND EXPRESS REPEAL

1.01. This ordinance shall be known and may be cited as the AVillage of Jones Creek International Code Ordinance of 2009".

1.02. All International Codes published by the International Code Congress, Inc., which were heretofore adopted by the Board of Alderman of the Village, and any amendments to any of such codes, which were heretofore adopted by said board, are hereby expressly repealed.

ARTICLE II - INTERNATIONAL BUILDING CODE

2.01. The International Building Code, 2009, published by the International Code Council, Inc., together with all amendments thereto, save and except such portions as are inconsistent with the provisions of the other section of this article, is hereby adopted as the Building Code for the Village.

2.02. For purposes of the International Code adopted by Section 2.01 of this article, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

APPLICABLE GOVERNING BODY. The Board of Aldermen of the Village.

BOARD OF ADJUSTMENTS. The Board of Aldermen of the Village.

BOARD OF APPEALS. The Board of Aldermen of the Village.

CHIEF ADMINISTRATOR. The Building Official of the Village.

CHIEF APPOINTING AUTHORITY. The Board of Aldermen of the Village.

2.03. The Board of Aldermen of the Village shall from time to time by resolution set any fees for the issuances of any permits required by the provisions of the International Code adopted by Section 2.01 of this article.

2.04. Any person, firm or corporation, or the agent of any of them, who shall violate any provision of the International Code adopted by Section 2.01 of this article, or fail to comply with such Code or any requirement therein or any order of the Building Official made pursuant thereto, shall be guilty of a misdemeanor, and shall be punished by a fine of not to exceed Five Hundred (\$500.00) Dollars or, in the event such violation is a violation of a provision governing fire safety or public health and sanitation, including dumping of refuse, by a fine not to exceed Two Thousand (\$2,000.00) Dollars; and each day any such violation continues or occurs shall constitute a separate offense.

2.05. If the office of Building Official is vacant, the Mayor of the Village, or his designee, shall have the powers and shall perform the duties of Chief Administrator under the provisions of the International Code adopted by Section 2.01 of this article.

ARTICLE III - INTERNATIONAL RESIDENTIAL CODE

3.01. The International Residential Code, 2009, published by the International Code Council, Inc., together with all amendments thereto, save and except such portions as are inconsistent with the provisions of the other section of this article, is hereby adopted as the Residential Code for the Village.

3.02. For purposes of the International Code adopted by Section 3.01 of this article, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

APPLICABLE GOVERNING BODY. The Board of Aldermen of the Village.

BOARD OF ADJUSTMENTS. The Board of Aldermen of the Village.

BOARD OF APPEALS. The Board of Aldermen of the Village.

CHIEF ADMINISTRATOR. The Building Official of the Village.

CHIEF APPOINTING AUTHORITY. The Board of Aldermen of the Village.

3.03. The Board of Aldermen of the Village shall from time to time by resolution set any fees for the issuances of any permits required by the provisions of the International Code adopted by Section 3.01 of this article.

3.04. Any person, firm or corporation, or the agent of any of them, who shall violate any provision of the International Code adopted by Section 3.01 of this article, or fail to comply with such Code or any requirement therein or any order of the Building Official made pursuant thereto, shall be guilty of a misdemeanor, and shall be punished by a fine of not to exceed Five Hundred (\$500.00) Dollars, or, in the event such violation is a violation of a provision governing fire safety or public health and sanitation, including dumping of refuse, by a fine not to exceed Two Thousand (\$2,000.00) Dollars; and each day any such violation continues or occurs shall constitute a separate offense.

3.05. If the office of Building Official is vacant, the Mayor of the Village, or his designee, shall have the powers and shall perform the duties of Chief Administrator under the provisions of the International Code adopted by Section 3.01 of this article.

ARTICLE IV - INTERNATIONAL EXISTING BUILDING CODE

4.01. The International Existing Building Code, 2009, published by the International Code Council, Inc., together with all amendments thereto, save and except such portions as are inconsistent with the provisions of the other section of this article, is hereby adopted as the Existing Building Code for the Village.

4.02. For purposes of the International Code adopted by Section 4.01 of this article, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

APPLICABLE GOVERNING BODY. The Board of Aldermen of the Village.

BOARD OF ADJUSTMENTS. The Board of Aldermen of the Village.

BOARD OF APPEALS. The Board of Aldermen of the Village.

CHIEF ADMINISTRATOR. The Building Official of the Village.

CHIEF APPOINTING AUTHORITY. The Board of Aldermen of the Village.

4.03. The Board of Aldermen of the Village shall from time to time by resolution set any fees for the issuances of any permits required by the provisions of the International Code adopted by Section 4.01 of this article.

4.04. Any person, firm or corporation, or the agent of any of them, who shall violate any provision of the International Code adopted by Section 4.01 of this article, or fail to comply with such Code or any requirement therein or any order of the Building Official made pursuant thereto, shall be guilty of a misdemeanor, and shall be punished by a fine of not to exceed Five Hundred (\$500.00) Dollars or, in the event such violation is a violation of a provision governing fire safety or public health and sanitation, including dumping of refuse, by a fine not to exceed Two Thousand (\$2,000.00) Dollars; and each day any such violation continues or occurs shall constitute a separate offense.

4.05. If the office of Building Official is vacant, the Mayor of the Village, or his designee, shall have the powers and shall perform the duties of Chief Administrator under the provisions of the International Code adopted by Section 4.01 of this article.

ARTICLE V - INTERNATIONAL PROPERTY MAINTENANCE CODE

5.01. The International Property Maintenance Code, 2009, published by the International Code Council, Inc., together with all amendments thereto, save and except such portions as are inconsistent with the provisions of the other section of this article, is hereby adopted as the Property Maintenance Code for the Village.

5.02. For purposes of the International Code adopted by Section 5.01 of this article, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

APPLICABLE GOVERNING BODY. The Board of Aldermen of the Village.

BOARD OF ADJUSTMENTS. The Board of Aldermen of the Village.

BOARD OF APPEALS. The Board of Aldermen of the Village.

CHIEF ADMINISTRATOR. The Building Official of the Village.

CHIEF APPOINTING AUTHORITY. The Board of Aldermen of the Village.

HOUSING OFFICIAL. The Building Official of the Village.

5.03. The Board of Aldermen of the Village shall from time to time by resolution set any fees for the issuances of any permits required by the provisions of the International Code adopted by Section 5.01 of this article. Any person, firm or corporation, or the agent of any of them, who shall violate any provision of the International Code adopted by Section 5.01 of this article, or fail to comply with such Code or any requirement therein or any order of the Building Official made pursuant thereto, shall be guilty of a misdemeanor, and shall be punished by a fine of not to exceed Five Hundred (\$500.00) Dollars or, in the event such violation is a violation of a provision governing fire safety or public health and sanitation, including dumping of refuse, by a fine not to exceed Two Thousand (\$2,000.00) Dollars; and each day any such violation continues or occurs shall constitute a separate offense.

5.05. If the office of Building Official is vacant, the Mayor of the Village, or his designee, shall have the powers and shall perform the duties of Chief Administrator and Housing Official under the provisions of the International Code adopted by Section 5.01 of this article.

ARTICLE VI - INTERNATIONAL ENERGY CONSERVATION CODE

6.01. The International Energy Conservation Code, 2009, published by the International Code Council, Inc., together with all amendments thereto, save and except such portions as are inconsistent with the provisions of the other section of this article, is hereby adopted as the Energy Conservation Code for the Village.

6.02. For purposes of the International Code adopted by Section 6.01 of this article, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

APPLICABLE GOVERNING BODY. The Board of Aldermen of the Village.

BOARD OF ADJUSTMENTS. The Board of Aldermen of the Village.

BOARD OF APPEALS. The Board of Aldermen of the Village.

CHIEF ADMINISTRATOR. The Building Official of the Village.

CHIEF APPOINTING AUTHORITY. The Board of Aldermen of the Village.

HISTORIC BUILDING. Any building within the Village designated as such by the Comprehensive Zoning Ordinance of the Village.

6.03. The Board of Aldermen of the Village shall from time to time by resolution set any fees for the issuances of any permits required by the provisions of the International Code adopted by Section 6.01 of this article.

6.04. Any person, firm or corporation, or the agent of any of them, who shall violate any provision of the International Code adopted by Section 6.01 of this article, or fail to comply with such Code or any requirement therein or any order of the Building Official made pursuant thereto, shall be guilty of a misdemeanor, and shall be punished by a fine of not to exceed Five Hundred (\$500.00) Dollars or, in the event such violation is a violation of a provision governing fire safety or public health and sanitation, including dumping of refuse, by a fine not to exceed Two Thousand (\$2,000.00) Dollars; and each day any such violation continues or occurs shall constitute a separate offense.

6.05. If the office of Building Official is vacant, the Mayor of the Village, or his designee, shall have the powers and shall perform the duties of Chief Administrator under the provisions of the International Code adopted by Section 6.01 of this article.

ARTICLE VII- INTERNATIONAL PLUMBING CODE

7.01. The International Plumbing Code, 2009, published by the International Code Council, Inc., together with all amendments thereto, save and except such portions as are inconsistent with the provisions of any other section of this

article, is hereby adopted as the Plumbing Code for the Village.

7.02. For purposes of the International Code adopted by Section 6.01 of this article, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

APPLICABLE GOVERNING BODY. The Board of Aldermen of the Village.

BOARD OF ADJUSTMENTS. The Board of Aldermen of the Village.

BOARD OF APPEALS. The Board of Aldermen of the Village.

CHIEF ADMINISTRATOR. The Building Official of the Village.

CHIEF APPOINTING AUTHORITY. The Board of Aldermen of the Village.

7.03. The Board of Aldermen of the Village shall from time to time by resolution set any fees for the issuances of any permits required by the provisions of the International Code adopted by Section 7.01 of this article.

7.04. Any person, firm or corporation, or the agent of any of them, who shall violate any provision of the International Code adopted by Section 7.01 of this article, or fail to comply with such Code or any requirement therein or any order of the Building Official made pursuant thereto, shall be guilty of a misdemeanor, and shall be punished by a fine of not to exceed Five Hundred (\$500.00) Dollars or, in the event such violation is a violation of a provision governing fire safety or public health and sanitation, including dumping of refuse, by a fine not to exceed Two Thousand (\$2,000.00) Dollars; and each day any such violation continues or occurs shall constitute a separate offense.

7.05. If the office of Building Official is vacant, the Mayor of the Village, or his designee, shall have the powers and shall perform the duties of Chief Administrator under the provisions of the International Code adopted by Section 7.01 of this article.

ARTICLE VIII- INTERNATIONAL MECHANICAL CODE

8.01. The International Mechanical Code, 2009, published by the International Code Council, Inc., together with all amendments thereto, save and

except such portions as are inconsistent with the provisions of any other section of this article, is hereby adopted as the Mechanical Code for the Village.

8.02. For purposes of the International Code adopted by Section 8.01 of this article, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

APPLICABLE GOVERNING BODY. The Board of Aldermen of the Village.

BOARD OF ADJUSTMENTS. The Board of Aldermen of the Village.

BOARD OF APPEALS. The Board of Aldermen of the Village.

CHIEF ADMINISTRATOR. The Building Official of the Village.

CHIEF APPOINTING AUTHORITY. The Board of Aldermen of the Village.

8.03. The Board of Aldermen of the Village shall from time to time by resolution set any fees for the issuances of any permits required by the provisions of the International Code adopted by Section 8.01 of this article.

8.04. Any person, firm or corporation, or the agent of any of them, who shall violate any provision of the International Code adopted by Section 8.01 of this article, or fail to comply with such Code or any requirement therein or any order of the Building Official made pursuant thereto, shall be guilty of a misdemeanor, and shall be punished by a fine of not to exceed Five Hundred (\$500.00) Dollars or, in the event such violation is a violation of a provision governing fire safety or public health and sanitation, including dumping of refuse, by a fine not to exceed Two Thousand (\$2,000.00) Dollars; and each day any such violation continues or occurs shall constitute a separate offense.

8.05. If the office of Building Official is vacant, the Mayor of the Village, or his designee, shall have the powers and shall perform the duties of Chief Administrator under the provisions of the International Code adopted by Section 8.01 of this article.

ARTICLE IX- INTERNATIONAL FUEL GAS CODE

9.01. The International Mechanical Code, 2009, published by the International Code Council, Inc., together with all amendments thereto, save and except such portions as are inconsistent with the provisions of any other section of this article, is hereby adopted as the Fuel Gas Code for the Village.

9.02. For purposes of the International Code adopted by Section 9.01 of this article, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

APPLICABLE GOVERNING BODY. The Board of Aldermen of the Village.

BOARD OF ADJUSTMENTS. The Board of Aldermen of the Village.

BOARD OF APPEALS. The Board of Aldermen of the Village.

CHIEF ADMINISTRATOR. The Building Official of the Village.

CHIEF APPOINTING AUTHORITY. The Board of Aldermen of the Village.

9.03. The Board of Aldermen of the Village shall from time to time by resolution set any fees for the issuances of any permits required by the provisions of the International Code adopted by Section 9.01 of this article.

9.04. Any person, firm or corporation, or the agent of any of them, who shall violate any provision of the International Code adopted by Section 9.01 of this article, or fail to comply with such Code or any requirement therein or any order of the Building Official made pursuant thereto, shall be guilty of a misdemeanor, and shall be punished by a fine of not to exceed Five Hundred (\$500.00) Dollars or, in the event such violation is a violation of a provision governing fire safety or public health and sanitation, including dumping of refuse, by a fine not to exceed Two Thousand (\$2,000.00) Dollars; and each day any such violation continues or occurs shall constitute a separate offense.

9.05. If the office of Building Official is vacant, the Mayor of the Village, or his designee, shall have the powers and shall perform the duties of Chief Administrator under the provisions of the International Code adopted by Section 9.01 of this article.

ARTICLE X- NATIONAL FIRE CODE

10.01. The National Fire Code, 2009, published by the International Code

Council, Inc., together with all amendments thereto, save and except such portions as are inconsistent with the provisions of any other section of this article, is hereby adopted as the Fire Code for the Village.

10.02. For purposes of the National Code adopted by Section 10.01 of this article, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

APPLICABLE GOVERNING BODY. The Board of Aldermen of the Village.

BOARD OF ADJUSTMENTS. The Board of Aldermen of the Village.

BOARD OF APPEALS. The Board of Aldermen of the Village.

CHIEF APPOINTING AUTHORITY. The Board of Aldermen of the Village.

CONTAINER. A vessel designed for the storage of flammable
or combustible liquids in small quantities.

FIRE OFFICIAL. The Fire Marshal of the Village.

MUNICIPALITY. The Village of Jones Creek, Texas.

10.03. The Board of Aldermen of the Village shall from time to time by resolution set any fees for the issuances of any permits required by the provisions of the National Code adopted by Section 10.01 of this article.

10.04. Any person, firm or corporation, or the agent of any of them, who shall violate any provision of the National Code adopted by Section 10.01 of this article, or fail to comply with such Code or any requirement therein or any order of the Fire Official made pursuant thereto, shall be guilty of a misdemeanor, and shall be punished by a fine of not to exceed Five Hundred (\$500.00) Dollars or, in the event such violation is a violation of a provision governing fire safety or public health and sanitation, including dumping of refuse, by a fine not to exceed Two Thousand (\$2,000.00) Dollars; and each day any such violation continues or occurs shall constitute a separate offense.

10.05. If the office of Building Official or Fire Marshal is vacant, the Mayor of the Village, or his designee, shall have the powers and shall perform the duties of Chief Administrator or Fire Official, as the case may be, under the provisions of the International Code adopted by Section 10.01 of this article.

ARTICLE XI - UNSAFE BUILDING ABATEMENT

11.01. Because the International Code Council, Inc., has not yet adopted a replacement for it, the Standard Unsafe Building Abatement Code, published by the Southern Building Code Congress International, Inc., 1985 Edition, together with all amendments thereto, save and except such portions as are inconsistent with the provisions of any other section of this article, is hereby re-adopted as the Unsafe Building Abatement Code for the Village.

APPLICABLE GOVERNING BODY. The Board of Aldermen of the Village.

BOARD OF ADJUSTMENTS. The Board of Aldermen of the Village.

BOARD OF APPEALS. The Board of Aldermen of the Village.

BUILDING OFFICIAL. The Building Official of the Village.

CHIEF APPOINTING AUTHORITY. The Board of Aldermen of the Village.

OFFICIAL PUBLIC RECORDS. The most current tax roll of the Village at the time any notice required by this Code is given.

OWNER. Includes Appellant as used in the Standard Code adopted by Section 11.01 of this Code.

RECORDER-The County Clerk of Brazoria County, Texas.

UNREPARABLE BUILDING OR STRUCTURE. Buildings or structures deemed nonconforming under the provisions of the Comprehensive Zoning Ordinance of the Village.

11.03. For purposes of the Standard Code adopted by Section 11.01 of this article, the following the following amendments, deletions or additions to such code are hereby made and in the event of a conflict with such Standard Code the following shall apply:

(A) Section 105.1 - Appointment, of the Standard Code is hereby amended to read as follows:

Section 105.1 - Composition

The Board of Alderman shall sit as the Board of Adjustments and Appeals for the purpose of providing for the final interpretation and enforcement of the provisions of the Standard Code adopted by 11.01 of this article. When sitting as the members of such Board, the members of the Board of Alderman shall be governed by the procedure contained in the Standard Code.

(B) Section 105.2 - Term of Office, of the Standard Code adopted by Section 11.01 of this article is hereby amended to read as follows:

Section 105.2 - Officers and Meeting

As members of the Board of Adjustments and Appeals, the Board of Alderman shall serve without compensation. The Mayor shall serve as the Chairman and, in the absence of the Mayor, the Mayor Pro Tempore shall serve as alternate Chairman. The Village Secretary shall serve as ex officio secretary of the Board. The

Board of Adjustments and Appeals shall meet at the call of its Chairman or any three members thereof. Notice of the date, time and place of any such meeting shall be given by the Secretary in accordance with Texas Open Meetings Act, codified as TEX. GOVERNMENT CODE ' ' 551.001 et seq.

(C) Section 105.4 - Records, of the Standard Code adopted by

Section 11.01 of this article is hereby amended to read as follows:

Section 105.4 - Records

The Secretary shall make a detailed record of all proceedings of the Board of Adjustment and Appeals. The record shall set forth the reasons for the Board=s decision, the vote of each member participating therein, the absence of a member and any failure of a member to vote.

(D) Section 105.5 - Procedures, of the Standard Code adopted

by Section 11.01 of this article is hereby amended to read as follows:

Section 105.5 - Procedure

The Board may establish rules and regulations for its own procedure in addition to and not inconsistent with the provisions of this code. The Board shall meet within ten days after an appeal is filed or at the request of the Building Official when the Building Official desires to have the Board determine whether or not any building or structure complies with the standards set out in this code.

(E) Section 301 - Action Required, of the Standard Code

adopted by Section 11.01 of this article is hereby amended to add thereto the following new section:

Section 301.2 - Compliance with Standards: Public Hearing

If the Building Official has determined that any building, structure, or portion thereof is unsafe, he shall call a meeting of the Board of Adjustments and Appeals for the purpose of conducting a public hearing for such Board to make a determination of whether or not such building, structure, or portion thereof fails to comply with the standards set out in this code and is, thereof, unsafe. Notice in writing of the date, time, and place of such hearing shall be given to the record owner, either personally or by certified mail, postage prepaid, and return receipt requested. Attached to such notice shall be a detailed report documenting conditions which, in opinion of the Building Official, renders the building or structure unsafe under the provisions of this code. The provisions of Sections 302.1.2, 302.1.3, 301.1.4, 402, 403, 502, 503 and 504 of this code shall be applicable to such public hearing and notice with the word Aowner@ being substituted for the word Aappellant@.

(F) Item 2 of Section 302.1.1 - Content of Notice, of the

Standard Code adopted by Section 11.01 of this article is hereby amended to read

as follows:

2. A statement indicating that the building or Structure has been declared unsafe by the Board of Adjustments and Appeals after a public hearing, attaching thereto a copy of the written decision of such Board.

(G) Item 1 of Section 303 - Standards for Compliance, of the Standard Code adopted by Section 11.01 of this article is hereby amended to read as follows:

1. The building or structure shall be repaired in accordance with the applicable building code of the city or demolished at the option of the owner, unless the building or structure is unrepairable, in which event it shall be demolished.

(H) Section 302.1.4 of the Standard Code adopted by Section 11.01 of this article is hereby amended to read as follows:

Section 302.1.4 - Proof of Service

Proof of service of the notice shall be by written declaration indicating the date, time, and manner in which service was made signed by the person served or by the return receipt.

(I) The following definitions contained in Section 202 of the Standard Code adopted by Section 11.01 of this article are hereby amended or added to read as follows:

APPLICABLE GOVERNING BODY - The Board of Alderman of the Village.

BUILDING OFFICIAL - The Building Official appointed pursuant to the International Building Code adopted by Article II of the ordinance adopting this code.

CHIEF APPOINTING AUTHORITY - The Board of Alderman of the Village.

OFFICIAL PUBLIC RECORDS - The most current tax roll of the Village at the time any notice required by the Standard Code adopted by Section 11.01 of this article is given.

RECORDER - The County Clerk of Brazoria County, Texas.

UNREPAIRABLE BUILDING OR STRUCTURE - Any building or structure that cannot be repaired because it is a nonconforming use under the Comprehensive Zoning Ordinance of the Village and the repair of such building or structure is prohibited by such ordinance.

(J) Section 601.2.2 of the Standard Code adopted by Section 11.01 of this article is hereby amended to read as follows:

Section 601.2.2. Subsequent to posting the building or structure, the Building Official may cause the building or structure in question to be repaired to the extent required to render it safe, or if the notice required demolition, the Building Official may cause the building or structure to be demolished and all debris to be removed from the premises. This may be done by using employees of the Village or by contract with an independent contractor and, if the latter, may consist of an agreement whereby such contractor will demolish the building or structure without further compensation than to keep for the use and benefit of such contractor all salvageable material removed from the premises. Any cost incurred by the Village, including but limited to, the wages of employees of the Village who perform such work, during or in connection with the repair or demolition of any building or structure, shall be collected in the manner provided in Section 601.2.4 below. In lieu of demolishing such building or structure on the premises, the Building Official may permit such contractor, at such contractor's expense, to remove or cause such building or structure to be removed from the premises to a location within or without the corporate limits of the Village under such conditions as the Building Official may prescribe, if agreed to by such contractor in writing. Provided, however, before removing such building or structure, such contractor shall agree in writing to indemnify and hold harmless the Village and its officers and employee from any and all claims that might be made against them or any of them arising out of such removal; and if removed to a location within the Village, such building or structure must either be demolished or repaired to comply with the Comprehensive Zoning Ordinance and all applicable technical codes of the Village, within such time as the Building Official may specify.

(K) Chapter 6 of the Standard Code adopted by Section 11.01

of this article is hereby amended to add thereto a new section to be known as Section 601.2.4, which shall read as follows:

Section 601.2.4. Any costs incurred by the Village in the repair demolition of any building or structure shall be assessed against the premises on which such building or structure is or was located by filing with the recorder for recording in the official records of the county a written statement by the Building Official, subscribed and sworn to and duly acknowledge by the Building Official before a notary public or other officer of the state authorized to administer oaths and take acknowledgments, containing the legal description of the premises, the name or names of the owner or owners, a description of the work performed, the date on which such work was completed and a statement of the total cost incurred by the Village in connection therewith. Upon the filing of such statement, the Village shall have a privileged lien on such premises, second only to tax liens and liens for street improvements, to secure the cost of such repair or demolition, together with interest at 10% annum on the total cost incurred from the date such work was completed until paid. For the collection of such cost and interest, suit may be instituted and recovery and foreclosure had in the name of the Village. Such recorded statement of the Building Official shall be prima facie proof of the fact and cost of such repair or demolition and the reasonableness thereof.

11.03. The Board of Aldermen of the Village shall from time to time by resolution set any fees for the issuances of any permits required by the provisions of the Standard Code adopted by Section 11.01 of this article.

11.04. Any person, firm or corporation, or the agent of any of them, who shall violate any provision of the International Code adopted by Section 11.01 of this article, or fail to comply with such Code or any requirement therein or any order of the Building Official made pursuant thereto, shall be guilty of a misdemeanor, and shall be punished by a fine of not to exceed Five Hundred (\$500.00) Dollars; and each day any such violation continues or occurs shall constitute a separate offense.

11.05. If the office of Building Official is vacant, the Mayor of the Village, or his designee, shall have the powers and shall perform the duties of the Building Official under the provisions of the Standard Code re-adopted by Section 11.01 of this article.

ARTICLE XII - INTERNATIONAL RESIDENTIAL CODE

12.01. The International Residential Code, 2009, published by the International Code Council, Inc., together with all amendments thereto, save and except such portions as are inconsistent with the provisions of the other section of this article, is hereby adopted as the Residential Code for the Village.

12.02. The following sections of the International Code adopted by Section 12.01 of this article are hereby revised as follows:

Section R101.1. Insert: Village of Jones Creek, Texas

Table R301.2(1).Insert: Southern Building Code Congress International Standard for Hurricane Resistant Residential Construction (SSTD 10)

Section P2603.6.1. Insert: 18 (eighteen) inches

Section P3103.1. Insert 4 (four) inches.

12.03. The Board of Aldermen of the Village shall from time to time by resolution set any fees for the issuances of any permits required by the provisions of the International Code adopted by Section 12.01 of this article.

12.04. Any person, firm or corporation, or the agent of any of them, who shall violate any provision of the International Code adopted by Section 12.01 of

this article, or fail to comply with such Code or any requirement therein or any order of the Building Official made pursuant thereto, shall be guilty of a misdemeanor, and shall be punished by a fine of not to exceed Five Hundred (\$500.00) Dollars or, in the event such violation is a violation of a provision governing fire safety or public health and sanitation, including dumping of refuse, by a fine not to exceed Two Thousand (\$2,000.00) Dollars; and each day any such violation continues or occurs shall constitute a separate offense.

12.05. If the office of Building Official is vacant, the Mayor of the Village, or his designee, shall have the powers and shall perform the duties of Chief Administrator under the provisions of the International Code adopted by Section 12.01 of this article.

Eleventh, nothing contained in this ordinance shall cause any rights heretofore vested to be altered, affected or impaired in any way and all such rights may be hereafter enforced as if this ordinance had not been adopted.

Twelfth, where the provisions of any international code adopted by any Articles II through X and XII, inclusive, of this ordinance conflict or overlap with the provision of Article XI of this ordinance, the provision of Article XI shall apply.


Thirteenth, where provisions of this ordinance conflict or overlap with the Comprehensive Zoning Ordinance of the Village, the zoning ordinance shall control.

Fourteenth, 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.

Fifteenth, the penal provisions of this ordinance shall take effect and be in force from and after its descriptive caption has been published twice in the Brazosport Facts, but all other provisions shall take affect


and be in force from and after the adoption of this ordinance.

READ, PASSED AND ADOPTED this 21 day of February, 2012.



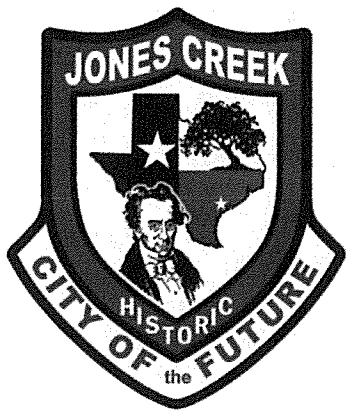
Michael Hobbs, Mayor,
Village of Jones Creek, Texas

ATTEST:



Linda Shepard, Village Administrator/
Secretary, Village of Jones Creek, Texas

C\JC.Ord\International Code Ord-2009



The Village of Jones Creek is accepting applications for the position:

Full Time Front Desk Clerk

Applications may be submitted in person at the following address:

7207 Stephen F. Austin, Jones Creek

Or by email at: jc.cityhall@coastal-link.net

The Front Desk Clerk will be responsible for the daily operation of the front desk including welcoming guests, answering phones, cash handling, filing and processing payments, assisting with multiple departments, good working knowledge of current and upcoming events, and to ensure proper protocol is followed while delivering outstanding customer service.

ESSENTIAL DUTIES AND RESPONSIBILITIES

The statements below are intended to describe the general nature and level of work being performed by individual(s) assigned to this position. They are not intended to be an exhaustive list of all responsibilities, duties and skills required of personnel so classified in this position. The position description is subject to change as needed. Guidance and training will be provided.

- Performs routine clerical duties to include filing and data entry.
- Customer Service, greets and assists customers and residents over the phones, routes calls to the appropriate person or department, takes detailed messages; responds to inquiries.
- Process and assist with new and active trash service accounts, processing trash payments.
- Assists with processing permits, scheduling inspections, and correspondence as directed.
- Assists with maintaining records for incoming court filings and collection of court fees.
- Provide knowledgeable information to citizens and respond effectively with other departments.
- General maintenance in an office environment, Maintain a clean and sanitary facility, keep non-public areas secure at all times.

MINIMUM QUALIFICATIONS

- High school diploma or equivalent; AND two (2) years of customer service or clerical experience, preferably within a municipal government; OR an equivalent combination of education, training, and experience.
- Use of computer applications required (e.g., email, spreadsheets, word processing, and Microsoft Office).

* **Bilingual a plus.**

* **Pay based on experience and qualifications.**