



Physical Address: 501 South Main Street

Mailing Address: PO Box 228

RhOME, Texas 76078

Telephone: 817-636-2462

[www.cityofrhome.com](http://www.cityofrhome.com) | [citysecretary@cityofrhome.com](mailto:citysecretary@cityofrhome.com)

Mayor  
Patricia Mitchell

City Council

Place 1  
Jimmy Johnson

Mayor Pro-Tem,  
Place 2  
Michelle Tye

Place 3  
Randall Loftis

Place 4  
Kristi King

Place 5  
Kasey Shumake

City  
Administrator  
Amanda DeGan

City Attorney  
Carvan Adkins

City Secretary  
Shaina Odom

Fire Chief  
Scott Estes

Police Chief  
Eric Debus

Public Works  
Director  
Jesus Dominguez

## NOTICE OF MEETING OF THE RHOME CITY COUNCIL

Meeting Date: Thursday, June 22, 2023

Regular Session: 6 p.m.

Meeting Location: RhOME Community Center, 261 North School Road, RhOME, TX 76078

LIVE Streaming: In an effort to be as accessible as possible, we *may*

Live Stream the meeting using GoToMeeting from your computer or phone.

### By Computer

GoToMeeting: Select Join: Select Meeting

Session ID: 571-317-3116

Access Code: **145-068-413**

### By Phone

Call 1 (571) 317-3116

Access Code: 145-068-413

Toll Free Option: 1 (866) 899-4679

The RhOME City Council *may* conduct this meeting by videoconference call in accordance with Section 551.127 of the Texas Open Meetings Act. A quorum of the City Council will be physically present at the address listed above and the public may attend the meeting at the same location.

### Regular Session: 6 p.m.

#### Call to Order and Establish a Quorum

Invocation led by Pastor Heath Van Zandt

Pledge of Allegiance to the American Flag

Pledge of Allegiance to the Texas Flag

*Honor the Texas Flag; I pledge allegiance to thee, Texas, One state under God, One and indivisible*

#### Public Comments

1. The Council is not permitted to take action on or discuss any comments made to the Council at this time concerning an item not listed on the agenda. However, a Council Member or Mayor may make a statement of fact regarding the item, make a statement concerning the policy regarding the item and/or may propose that the item be placed on a future agenda or direct the City Administrator to contact the individual to address. If you are attending the meeting via Live Streaming, and you would like to make a Public Comment, you must email the City Secretary at [citysecretary@cityofrhome.com](mailto:citysecretary@cityofrhome.com) prior to 4 pm on the day of meeting and must identify each subject you plan to present to be recognized.
2. If the writer of a Public Comment is unable to read their own comment, it should be given to a friend, family member, or associate, that is able to attend in person and read the statement in their stead.
3. Public Comments made in person require the speaker to submit the sign-up form to the City Secretary prior to the meeting, and the form must identify each subject the speaker plans to present.
4. A statement of no more than 3 minutes may be made. There will be no yielding of time to another person. Comments should be directed to the entire Council, not individual members. Engaging in verbal attacks, or comments intended to insult, abuse, malign, or slander any individuals shall be cause for termination of time privileges and removal from Council Chambers.

## **Announcements from Mayor and Council Members**

- Hazardous Waste Pick Up July 11, 2023
- City Hall Closed Tuesday July 4, 2023
- City Council Meeting July 13, 2023 @ 6 p.m.

## **Consent Agenda**

*All items under this section are recommended for approval for the Consent Agenda. These items are of a routine nature and require only brief deliberation by Council. Council reserves the right to remove any item on the Consent Agenda for further deliberation.*

1. Minutes of City Council Regular Session dated June 8, 2023 **(City Secretary)**
2. Minutes of City Council Workshop Session dated June 17, 2023 **(City Secretary)**

## **Regular Agenda**

**Discussion and any necessary action for the following:**

1. Promotional Swearing-in of Sergeant Syd Grant **(Chief Debus)**
2. Replacement Truck for Fire – EMS Services **(Chief Estes)**
3. American Rescue Plan Act Funds **(City Administrator)**
4. Water usage during an event by Citizens **(Council Member Loftis)**
5. Code Enforcement **(City Administrator and Mayor Mitchell)**

## **Executive Session**

*Pursuant to the following designated section of the Texas Government Code, Annotated, Chapter 551 (Texas Open Meetings Act), the Council may convene into executive session to discuss the following:*

1. Section 551.071 Consultation with Attorney - pending or contemplated litigation, settlement offer or to seek advice from attorney.
  - Docket No. 55067 at the Public Utility Commission of Texas.
2. Section 551.072 Deliberation regarding Real Property - purchase, exchange, lease, or value of real property if deliberation in an open meeting would have detrimental effect on position of the governmental body in negotiations with a third person.
3. Section 551.074 Personnel – discuss appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee, or hear complaint or charge against officer or employee in executive session unless officer or employee requests a public hearing.
  - Retaining temporary staff assistance
4. Section 551.087 – Deliberations regarding Economic Development Negotiations – to discuss or deliberate regarding commercial or financial information that the City has received from a business prospect that the City seeks to locate, stay, or expand in or near the City and with which the City is conducting economic development negotiations.

## **Regular Agenda (Resume)**

1. Action to be taken from Executive Session discussions

## **Future Agenda Items**

***(Agenda items are due by 5 p.m. on the Wednesday of the week prior to the Council meeting)***

## **Adjourn**

**A quorum of Planning & Zoning Commissioners may be present at this meeting and its members may participate in the discussions of the items on the agenda over which they have responsibilities or authority.**

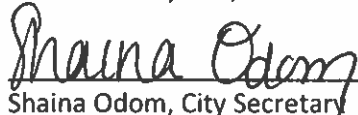
**A quorum of Parks & Recreation Board Members may be present at this meeting and its members may participate in the discussions of the items on the agenda over which they have responsibilities or authority.**

*\*Pursuant to the Open Meetings Act, Chapter 551, Section 551.071 of the Texas Government Code, the Council may convene into executive session at any time during the meeting if a need rises for the City Council to seek advice from the City Attorney concerning any item on this agenda, to discuss pending and contemplated litigation, or a settlement offer, or to discuss a matter in which the duty of the attorney to the City Council under the Texas Disciplinary Rules of Professional Conduct of the State Board of Texas clearly conflicts with Chapter 551.*

*The Council may vote and / or act upon each of the items listed in this Agenda. Except for Public Presentation and Input and items in the agenda designated as public hearing or otherwise designated for public input, there will be no public input during the course of this meeting without express authorization from the presiding officer.*

*This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to the meeting. Please contact City Hall at 817-636-2462 for further information.*

**CERTIFICATION:** I do hereby certify that the above City Council Agenda was posted on the designated bulletin board located at City Hall, 501 South Main Street, Rhome, Texas by 6 pm on June 16, 2023.

  
Shaina Odom, City Secretary

I certify that the attached notice and agenda of items to be considered by the Rhome City Council was removed by me from the designated bulletin board located at City Hall, 501 South Main Street, Rhome, Texas, on the \_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_, Title: \_\_\_\_\_



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# AGENDA ITEM 1



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**Public Works**  
**Director**  
Jesus Dominguez

## MINUTES OF MEETING OF THE RHOME CITY COUNCIL

Meeting Date: Thursday, June 8, 2023

Regular Session: 6 p.m.

### Regular Session: 6 p.m.

Mayor Mitchell called the meeting to order at 6 pm. Council Member Shumake was absent at the adjournment of the meeting.

### Call to Order and Establish a Quorum

Invocation

Mayor Mitchell led the invocation.

Pledge of Allegiance to the American Flag

Pledge of Allegiance to the Texas Flag

*Honor the Texas Flag; I pledge allegiance to thee, Texas, One state under God, One and indivisible*

### Public Comments

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- Deborah BeCraft

## **Announcements from Mayor and Council Members**

- City Council Meeting June 8, 2023 @ 6 p.m.

## **Consent Agenda**

*All items under this section are recommended for approval for the Consent Agenda. These items are of a routine nature and require only brief deliberation by Council. Council reserves the right to remove any item on the Consent Agenda for further deliberation.*

1. Minutes of City Council Regular Session dated May 25, 2023 **(City Secretary)**
2. Approval of Ordinance 2023-04 Mitigation Rates for 2023 **(Fire Chief Estes)**
3. Approval of Resolution 2023-12 Texas Smart Buy

Mayor Pro-Tem Tye made a motion to accept the Consent agenda as presented. Council Member King seconded the motion. Motion passed unanimously.

## **Monthly Staff Reports and Board Minutes**

*All items under this section are for informational purposes only; no action will be taken by Council.*

1. Departments: Administration, Building & Development, Fire Rescue, Municipal Court, Police and Public Works (Department Heads).

## **Regular Agenda**

**Discussion and any necessary action for the following:**

1. Business Hosted Public Safety Event **(City Administrator)**

**Robert Heinsohn gave an update about the Public Safety Event, tentatively for July 1, 2023. Included will be; bounce houses, waterslides, ice cream truck, looking for DJ. Talking with food truck vendors and working with Rhome businesses for sponsors. No action was taken.**

2. Utility Payment and Health Assistance Program **(City Administrator)**

**City Administrator, DeGan, presented the Assistance Program. They help with gas, water, and electric. The City of Rhome will have to sign a contract, there is no cost for the program. The agreement may not need to be signed, because Rhome only provides water, sewer, and trash. Reached out to the office and have not heard back about the agreement. Residents must sign up for the program. DeGan, recommended a trial. UniteUs is \$500 a year, and helps veterans, disabled, and low-income homes. Direction, try it.**

3. Wise County Sherriff Dispatch Fee - Draft Letter **(City Administrator)**

**City Administrator, DeGan, stated Council Member Loftis offered to write a letter to go to the Sherriff office. DeGan presented the drafted letter. Not all parties are in agreement with the letter. Council member Loftis investigated Software as a Service, turnkey dispatch, they do not provide services to Texas currently. Mayor Pro-Tem Tye said Grant money for rural sheriff departments to help with incomes will be available in September 2023. No action taken.**

4. Code Enforcement **(Mayor)**

**Tabled due to resident not being present.**

## **Executive Session**

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3. Section 551.074 Personnel – discuss appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee, or hear complaint or charge against officer or employee in executive session unless officer or employee requests a public hearing.
4. Section 551.087 – Deliberations regarding Economic Development Negotiations – to discuss or deliberate regarding commercial or financial information that the City has received from a business prospect that the City seeks to locate, stay or expand in or near the City and with which the City is conducting economic development negotiations.

**Regular Agenda (Resume)**

1. Action to be taken from Executive Session discussions

No executive session was held.

**Future Agenda Items**

***(Agenda items are due by 5 p.m. on the Wednesday of the week prior to the Council meeting)***

**Adjourn**

Mayor Pro-Tem Tye motioned to adjourn; Council Member Johnson seconded the motion. Motion passed unanimously.

---

Patricia Mitchell,

Mayor

ATTEST:

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Shaina Odom  
City Secretary



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## AGENDA ITEM 2





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**Director**  
Jesus Dominguez

## MINUTES OF SPECIAL ORIENTATION WORKSHOP MEETING OF THE RHOME CITY COUNCIL

Meeting Date: Saturday, June 17, 2023

Begins at 9:00 a.m.

### Call to Order and Establish a Quorum

Mayor Pro-Tem Tye called the meeting to order at 9 am. Council Member Shumake, Council Member Johnson, and Mayor Mitchell were absent.

Invocation

Chief Debus led the Invocation.

Pledge of Allegiance to the American Flag

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No Public Comment

## **Announcements from Mayor and Council Members**

- City Council Meeting June 22, 2023 @ 6 p.m.

## **Regular Agenda**

### **Discussion and any necessary action for the following:**

- 1.** Orientation Workshop to Onboard New and Returning Council Members
  - a. Organizational Structure of the City or Rhome staff teams
  - b. Form of Government – Type A General Law
    - i. 2022 Texas Municipal League Handbook for Mayors and Councilmembers
    - ii. Duties of the Council Team
    - iii. ICMA Council-Manager Brochure
  - c. Administrative Processes & Procedures
    - i. Meeting Calendar for 2023 and 2024
    - ii. Discussion of Fiscal Year 24 Budget Calendar
    - iii. Responsibilities of Council Members
    - iv. Where Council Activities Occur
    - v. Internal Processes
    - vi. Council Mail & Emails
    - vii. Staff Leadership
    - viii. Communications with Staff
  - d. Legal Overview
    - i. Open Government Training Requirements - Attorney General's website
    - ii. Open Government pop quiz
    - iii. 2021 TML PIA Made Easy
  - e. Governance
    - i. Code of Ethics
    - ii. Social Media Policy – Employee Focused
    - iii. Social Media Policy – Use and Administration
  - f. Tools, Systems, and Processes Available to Council to Govern the City
    - i. Fiscal and Budget Policies
    - ii. Brief Budget, Budget Cycle, and Ad Valorem Overview for FY 2024
    - iii. Comprehensive Plan for Rhome
    - iv. Capital Improvement Plan
  - g. Learning Opportunities for Continuing Education of Council Team
    - i. Articles Available for Council Review
    - ii. Governance Training with Consultant

City Administrator, DeGan, presented the Power Point associated with the Council Orientation Packet. Attached in Minutes.

## **Executive Session**

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### **Regular Agenda (Resume)**

1. Action to be taken from Executive Session discussions

No executive session was held.

### **Future Agenda Items**

***(Agenda items are due by 5 p.m. on the Wednesday of the week prior to the Council meeting)***

### **Adjourn**

Council member Loftis made a motion to adjourn the meeting. Council Member King seconded the motion. Meeting adjourned at 11:50 am.

---

Patricia Mitchell,  
Mayor

ATTEST:

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Shaina Odom  
City Secretary

# RHOME CITY COUNCIL ORIENTATION

Saturday  
June 17, 2023



## WELCOME!

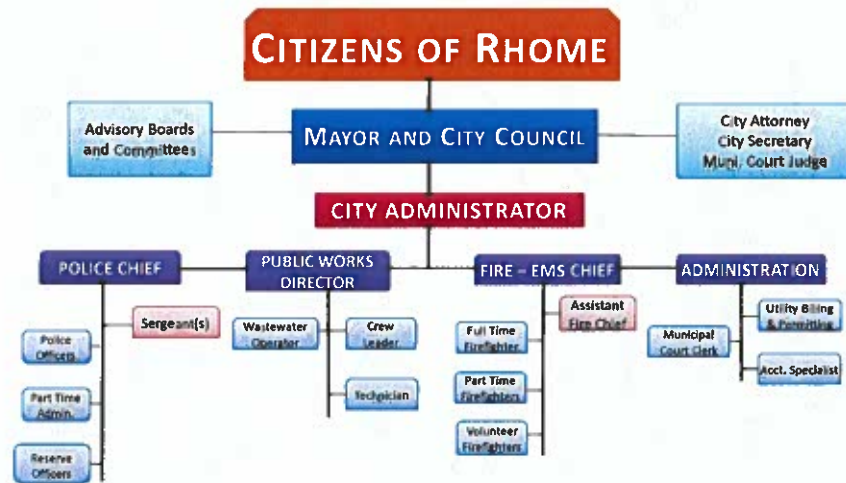
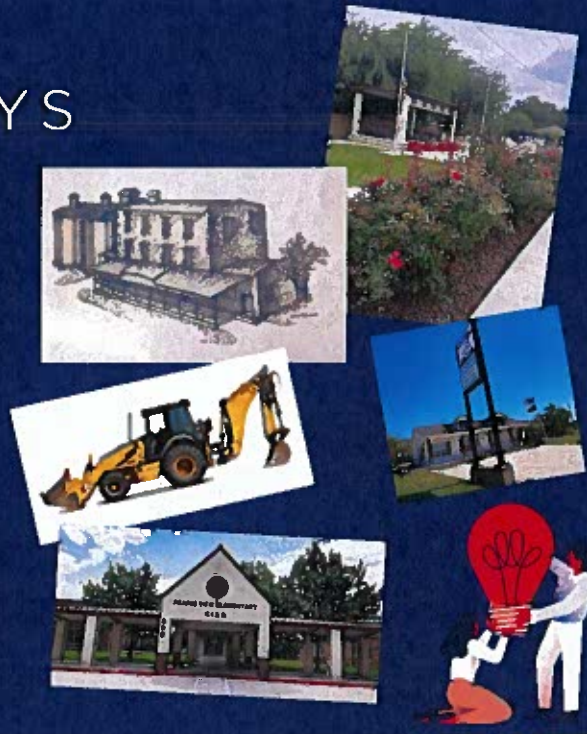
- Meeting Agenda
- Staff in Attendance
- Workshop Format





# MAIN TAKEAWAYS

- Overview of Organization
- Responsibilities of Mayor - Council Members
- Governance Role
- Responsibilities of Staff Team
- Meeting Agenda Format
- Importance of "Tools" of the City
- Building the Council Team - Learning Opportunities



This chart is a visual depiction of the staffing levels, current positions and the manner in which work is distributed within the City of Rhome organization. It is also meant to be a tool to help improve transparency with our community members.

## TYPE OF GOVERNMENT

Cities = public services.

### Type A – General Law

- Alderman = City Council
- Size of Council
- Mayor – Five (5) Council
- Mayor – Two (2) per Ward
- May allow for “Place” system
- Mayor does not vote unless tie
- Council = Two (2) Year Term

### Type B & C- General Law

#### Type B

- Aldermanic government
- Mayor – Five (5) Alderman
- Elected-at-large
- May allow for “Place” system
- Conflicting law for Mayor vote

#### Type C

- Commission government
- Mayor – Two (2) Commissioners

### Home Rule

- May adopt and use aldermanic or commission form of govt.
- Adopts a city ‘charter’
- May define qualifications
- Must be at least 21 and lived in city for at least 12 months
- Must have 5,000+ residents

## TYPE OF GOVERNMENT, cont.

Why does it matter?

### Home Rule

- Home Rule cities have additional powers in their charter documents.
- Establishes official form of government (Council-Manager, Mayor-Manager, Mayor-Council, etc.)
- Looks to Texas Constitution, state, or federal law to determine what is prohibited or preempted
- May allow for recall of local elected officials

### Type A General Law

- Rhome is a Type A General Law City
- We look to the Texas Constitution to find the powers granted to our local officials
- No ‘charter’ document for the city
- No recall allowed for local elected officials

## COUNCIL- MANAGER FORM OF GOVERNMENT

### Rhome Comprehensive Plan Excerpt:

*"Rhome implements a Council-Manager form of government in which an elected governing body, the City Council, is responsible for legislative functions such as establishing a policy, passing local ordinances, voting appropriations, and developing an overall vision.*

*The legislative body appoints a professional manager to oversee the administrative operations, implement its policies, and advise it. The mayor presides over City Council meetings and is elected as an at-large city council member. Rhome has 6 Council positions (5 Council Members and 1 Mayor). The City Council oversees the Planning and Zoning Commission as well as the Parks and Recreation Board."*

2001

Ordinance & Resolution (2001-07) approved appointing first known city administrator for Rhome. Position also served in dual role of chief of police and administrator.

2018

Hired second city administrator. July 2018 thru Dec. 2019

2020

Hired third city administrator. February 2020 thru August 2022

2022

Hired current city administrator. December 2022 thru present

## COUNCIL- MANAGER FORM OF GOVERNMENT

### *What is Council - Manager under general law city type?*

- Voters elect local citizens to represent them in city related business.
- Elected officials (city council) hire the city manager to run the day-to-day operations.
- City Council serves as legislative body.
- Sets policy direction, approves budget, sets tax rate, and determines service delivery type.
- Mayor/Council do not exercise administrative authority.
- 2003 legislation allows general law cities to delegate (by ordinance) management duties to city administrator.

## DUTIES OF MAYOR

- Mayor is highest elected office in the municipal government.
- Generally - political representative
- Conducts meetings of Council - following rules of order.
- Votes on items when there is a tie.
- Should serve as the spokesperson for the Council.
- Council may wish to consider or appoint an alternative spokesperson if disagreement occurs on given topic.
- Mayoral powers mostly taken from ordinances/resolutions adopted by city council.
- Mayor to sign all official documents such as ordinances, resolutions, letters, conveyances, grant agreements, official plats, contracts, and bonds.
- General law cities - mayor may object to council approved ordinance/resolution.
- The mayor performs other duties consistent with State law, City Ordinances, or as may be assigned to him/her by Council.

## DUTIES OF MAYOR-PRO TEM

- Mayor-pro Tem is a member of the larger council group
- Performs mayor's duties when he/she is absent, unable, or unwilling.
- Selected by majority of council vote.
- Term of office is one (1) year.
- Retains right to vote on all matters when acting as mayor.



## DUTIES OF COUNCIL MEMBERS

- Function as city legislators/policy makers.
- Regulatory authority over property and citizen actions in the city limits.
- May vote or abstain on every decision made at council meeting
- Has full parliamentary privileges (right to speak, make motions, introduce/amend ordinances)
- Identifies needs of city/residents/businesses
- Reviews and approves annual budget - sets tax rate.
- Approves policies that guide the work of staff team
- Reviews job performance of city administrator/manager
- May also review work of city secretary, municipal judge, city attorney

## DUTIES OF COUNCIL MEMBERS, cont.

- May levy taxes, fees, charges
- Sell bonds to finance city projects
- Ensure effective public services are delivered to community
- Serves as an employer, determines compensation/benefits (city employees)
- Plans for the future of and provides leadership for the city

## QUALITIES OF LOCAL LEADERS

- #1: Relationship Builder
- #2: Team Player
- #3: Emotionally Mature
- #4: Approachable
- #5: Critical Thinker
- #6: Prepared for Service
- #7: Financial skills
- #8: Sense of Humor
- #9: Servant Heart
- #10: Sense of Engagement

First Seven From: Municipal World Article - July, 2018  
written by: Christina Benty

## GEORGE CUFF'S RULES OF GOOD GOVERNANCE

- Rule #1: Clarity of Mandate
- Rule #2: Clarity of Authority
- Rule #3: Public Accountability & Responsiveness
- Rule #4: Clear Sense of Purpose
- Rule #5: Full Disclosure
- Rule #6: Sense of Integration
- Rule #7: Sound Relationship: Governing Body & Chief Officer (City Manager)
- Rule #8: Independence of Governing Body
- Rule #9: Orientation & Succession Planning
- Rule #10: Ongoing Performance Assessment

<https://www.georgecuff.com/>

## COUNCIL MEETINGS

### Regular Agenda Format

- Most meetings 2<sup>nd</sup> and 4<sup>th</sup> Thursday
- Regular meeting agenda must be posted 72 hours in advance (minimum)
- Quorum required to hold meeting
- All Council meetings open to the public and subject to Open Meetings Act (OMA)
- Best practice to hold governance, orientation, budget workshops each year

### Executive Session

- Personnel, consultation with attorney, real property discussions, economic development negotiations

### Special or emergency meetings (as needed)

- One (1) hour notice required – “emergency or urgent public necessity”

## ORDINANCES AND RESOLUTIONS

### *What is an Ordinance?*

- More formal than a resolution of Council
- Local law that regulates people/property
- Generally relates to more general direction and seen as more permanent
- May require publication notification in the official city newspaper

### *What is a Resolution?*

- Generally issued for policy or position statement of a city
- Less formal than ordinance
- May be used to state opinion of Council on a certain issue/topic

## TEXAS OPEN MEETINGS ACT (TOMA)

- Chapter 551 – Local Government Code
- “Most likely to be unintentionally violated”
- Each elected official MUST take minimum of one (1) hour training
- Provides for agenda posting and record keeping regulations
- Requires all council meetings be open to the public (executive session exception)
- Quorum may occur at unexpected times – be aware
- Penalties exist for violating TOMA

## PUBLIC INFORMATION ACT (PIA)

- Public Information
  - “any information that is collected, assembled, or maintained by or for a governmental entity (including information held by an individual officer or employee in the transaction of official business), regardless of the format.”
- Most information is presumed to be public
- Training required for elected officials – minimum of one (1) hour
- City not required to create documents
- Council Members are “temporary custodians” of records held on private devices
- Exemptions apply to certain materials
- Criminal and Civil penalties may apply for violating PIA

## CONFLICTS OF INTEREST

- Definition
  - "if any action on the matter would involve a business entity or real property in which the official has a substantial interest, and action on the matter would confer an economic benefit on the individual"
- Must file affidavit with city secretary if conflict exists and abstain from vote
- Exception to the rule
- Other disclosure rules apply for public servants and family members of elected officials
- Check with city attorney if unsure of applicability
- Penalties apply for violating

## GOVERNANCE TOOLS

POLICY	DESCRIPTION	DO WE HAVE THE TOOL?
Code of Conduct & Ethics Policy	Defines Council interactions with each other and staff team; describes ethical guidelines and expectations; may also outline both social, print, and TV media policy for interviews/information	Basic guidelines
Budget Document	Policy document for the community; required each year by the local government code; deadlines apply for approval; budget hearings - setting of tax rate; public budget notices apply; amendments occur during year; financial oversight by Council	Yes - also in process to expand budget document
Strategic Plan	Outlines the mission/vision statement for the organization; communicates the city's goals and objectives; monitors city performance; identifies opportunities and challenges for the municipality; provides direction to staff; always evolving	No
Comprehensive Plan	Plans for 20-30 year time-line; guides public policy for future land use, neighborhoods/housing; parks and recreation; and economic development	Yes - could be updated

## FISCAL YEAR 2022-2023 BUDGET

- Budget is currently segregated by General Fund and Utility Fund (Water & Sewer)

<u>Revenue</u>	<u>Expenditures</u>	<u>Net</u>
General Fund \$ 3,193,837	General Fund \$ 3,144,462	General Fund \$ 49,374
Utility Fund <u>\$ 1,610,603</u>	Utility Fund <u>\$ 1,469,460</u>	Utility Fund <u>\$ 141,142</u>
Total Budget \$4,804,440	Total Budget \$ 4,613,923	Total Budget \$ 190,516

## TRAINING & DEVELOPMENT

- Texas Municipal League - Annual Conference
- Targeted training for small cities
- Texas Town and City Article - *How Cities Work*
- ICMA Article - Preparing Council's for Their Work
- On Target Board Member Training
- Governance Training

Q&A SESSION

NEXT STEPS





Physical Address: 501 South Main Street

Mailing Address: PO Box 228

Rhode, Texas 76078

Telephone: 817-636-2462 | Metro: 817-638-2758

[www.cityofrhode.com](http://www.cityofrhode.com) [cityadministrator@cityofrhode.com](mailto:cityadministrator@cityofrhode.com)

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# AGENDA ITEM 1





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# AGENDA ITEM 2



**Agenda Commentary**  
**Meeting Date: June 22, 2023**

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Department: Administration

Contact: Amanda DeGan, City Administrator

**Agenda Item: Replacement Truck for Fire – EMS Services**

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Type of Item: ☐ Ordinance ☐ Resolution ☐ Contract/Agreement ☐ Public Hearing  
☐ Plat ☒ Discussion & Direction ☐ Other

---

**Summary:**

- Staff are making a request to replace the command vehicle for the fire department that had become inoperable and was auctioned this past spring.
- The vehicle would be marked as a Rhyme Fire – EMS city vehicle.
- The cost would not exceed \$30,000 and would be used to respond on scene to accidents/fires as needed.
- Chief Estes will be available to answer any questions regarding this item.

---

Funding Expected: ☐ Revenue ☐ Expenditure ☒ N/A

Budgeted Item: ☐ Yes ☐ No ☒ N/A

GL Account: \_\_\_\_\_ Amount: \_\_\_\_\_

Legal Review Required: ☐ Yes ☐ No Date Completed: \_\_\_\_\_

Engineering Review: ☐ FD Review: ☐ PD Review: ☐ PW Review: ☐

---

**History / Details / Recommendation:**

See attached vehicle examples for review.



[All results](#)

Listing 92 of 146

[More](#)**2019 Ford F-150 XL SuperCab 4WD**

(Waxahatchie, TX (58 mi away))

**\$27,493**

GREAT DEAL

\$18,000 below market

★★★★★

Dealer Rating (109 reviews)

We are online

Contact dealer (972) 449-4326

Hello, my name is First name Last name and

I'm interested in this 2019 Ford F-150 from the 76078 area. You can reach me by email at

Email Address or by phone at

123-456-7890 (optional)

Thank you!

[Add comments](#)☒ Email me new listings for my search:

By clicking the "Contact Dealer" button, you are giving us your contact information and authorizing us to contact you by phone, email, text, or mail. We will not share your information with any third party. You can opt out of this at any time. [Privacy Policy](#)

Advertisements

Pre-qualify for financing with no impact to your credit score

Capital One

Wells Fargo

**Features****Mileage**

69,954

**DriveTrain**

Four-Wheel Drive

**Exterior color**

Oxford White

**Interior color**

Dark Earth Gray

**MPG**

19 (Hwy)

**Engine**

395 hp 5L V8 Flex Fuel Vehicle

**Fuel type**

Flex Fuel Vehicle

**Transmission**

Automatic

**Finance in Advance**

No Impact on Your Credit Score



Only Takes 4 Minutes



Personalized Real Rates

**Overview**

Make:	Ford	Interior color:	Dark Earth Gray
Model:	F-150	Mileage:	69,954 mi
Year:	2019	Condition:	Used
Trim:	XL SuperCab 4WD	VIN:	1FTFX1E57K
Body type:	Pickup Truck	Stock number:	KC16855
Exterior color:	Oxford White		PF13470

Fuel economy

Performance

Safety

Measurements

**Pricing****\$27,493**

GREAT DEAL

Avg. market price (MSRP)

We compared this car with similar 2019 Ford F-150 based on price, mileage, features, condition, dealer reputation, and other factors. Contact the dealer for pricing details. Due to [Department of Motor Vehicle](#) regulations CarGurus is unable to show price history for this car.

40 days at this dealership - 40 days on CarGurus - 9 saves

**History<sup>1</sup>**

Clean title

0 accidents reported

2 previous owners

**2019 Ford F-150**

Mileage: 69,954 · Waxahatchie, TX (58 mi away)

**\$27,493**

GREAT DEAL

\$X,XXX below market



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## AGENDA ITEM 3



**Agenda Commentary**  
**Meeting Date: June 22, 2023**

Department: Administration  
Contact: Amanda DeGan, City Administrator  
**Agenda Item: America Rescue Plan Act Funds**

Type of Item: ☐ Ordinance ☐ Resolution ☐ Contract/Agreement ☐ Public Hearing  
☐ Plat ☒ Discussion & Direction ☐ Other

**Summary:**

- American Rescue Plan Act (2021) is a federal program that offers \$350 billion to help states, counties, and tribal governments to cover increased expenditures, replenish lost revenue, and mitigate economic harm from COVID – 19.
- As a city under 50,000 population (Non-Entitlement Units of Local Government/NEU) the City of Rhome was allocated \$457,165.
- The ARPA funds were disbursed in batch form; the first one was in August of 2021 and the second one was in August of 2022.
- Rhome currently has approximately \$244K that needs to be committed by the end of this calendar year.

Funding Expected: ☒ Revenue ☒ Expenditure ☐ N/A

Budgeted Item: ☐ Yes ☐ No ☒ N/A

GL Account: \_\_\_\_\_ Amount: \_\_\_\_\_

Legal Review Required: ☐ Yes ☐ No Date Completed: \_\_\_\_\_

Engineering Review: ☐ FD Review: ☐ PD Review: ☐ PW Review: ☐

**History / Details / Recommendation:**

As of now, we have expended approximately \$213,250 of the funds we have received on the following:

1. OpenGov - Cloud conversion and Financial Software Package	\$130,737.50
2. Communication Equip for Fire & Police Department	\$32,850.74
3. Professional Services (CPA)	\$4,725.00
4. Community Center AV System	\$9,712.23
5. Professional Services (Grantworks)	\$25,500.00
6. DVD Blu Ray Duplicator Robot	<u>\$9,725.00</u>
	\$213,250.47

In talking with our grant administrator, GrantWorks, we have an additional \$244,000 (approx.) that needs to be committed to purchases by December 31, 2023. These funds may be used for “government services”, which has been taken to mean items the government needs to function. Many cities have used

the funds for hardware/software for operations, equipment purchases, construction fees, infrastructure, etc.

As this is not an ongoing revenue source, Staff would not recommend that Council allocate the funds to a project with significant year to year upkeep or expenditures as it would then need to be absorbed into the general funding for the city.

Projects Council may want to consider:

#### Facilities

- Building upgrades at the Senior Center, Fire, Public Works, or Police Department

#### Public Works Projects

- I/I reduction for West Wastewater Treatment Plant
- Water Well Disinfection Conversion
- FM 3433 Disinfection Booster
- Public Works Road Repair Equipment
- Public Works Cover for New Backhoe/Front End Loader
- Repair to Ground Storage Water Tanks
- Various well repairs to water system
- New Water Well

#### Technology

- Technology Upgrades for out-of-date equipment (mainly desktops/laptops)
- Technology Upgrade for cybersecurity enhancements (\$16K – approx. then \$17K per year for licenses, support)
- Reimburse GF for previous technology expenditures (approx. \$12K spent)

#### Professional Services

- CPA – Accounting Assistance (\$10K)

#### Police Department

- Eight (8) Axion in-car Video Cameras (\$100K over five years)
- Twelve (12) body worn cameras (\$50K over five years)
- Records Management Software (\$15K per year)
- Handheld Ticket Writers
- Automatic License Plate Readers (\$20K per year)
- Twelve (12) patrol rifles (\$18K)
- Two (2) Stalker Lidar Units (\$5,200)

#### Fire Department

- Repair of existing apparatus (\$30K)
- Modular Building Purchase/Rental (lease or purchase)
- Hose and Nozzle Replacement (\$24K)
- Extraction Tools for Accidents (\$32K)
- Pump & Roll Truck (\$375K)
- Commercial Cab Engine (\$500K)
- Purchase of new fire engine (\$625K)

**From:** [William Bass](#)  
**To:** [City Administrator](#)  
**Subject:** Re: GrantWorks: Further ARPA Projects Decision  
**Date:** Wednesday, May 24, 2023 2:14:40 PM

---

Hi Amanda,

Absolutely, since the passage of the "final rule" from the treasury in regards to how the federal government is requiring the ARPA funds to be spent, they have allowed all recipients to use up to \$10 million of whatever their total allocation is on the expenditure category "6.1 government services".

The treasury doesn't define what "government services" are, it just defines what it isn't. The funds can't be spent on debts, settlements, repayments, or put into a savings account. Basically a "government service" is just anything that the city need or uses to function (software, hardware, equipment, construction, infrastructure, etc.), so there is no real limitation on what the funds can be spent on, as long as they are being spent on something.

#### **Treasuries definition of "Government Service"**

Pg. 259 of the [Final Rule](#):

Treasury Response: Treasury continues to believe that the lists of activities that either are or are not providing government services are accurate but is clarifying here that, generally speaking, services provided by the recipient governments are "government services" under the interim final rule and final rule, unless Treasury has stated otherwise. Government services 260 include, but are not limited to, maintenance or pay-go funded building300 of infrastructure, including roads; modernization of cybersecurity, including hardware, software, and protection of critical infrastructure; health services; environmental remediation; school or educational services; and the provision of police, fire, and other public safety services. The aforementioned list of government services is not exclusive. However, recipients should be mindful that other restrictions may apply, including those articulated in the section Restrictions on Use. In the final rule, Treasury is maintaining the limitations on government services included in the interim final rule and has addressed and responded to public commenters on these issues in the section Restrictions on Use.

Were looking at \$244,411.61 left to expend.

Best,

William





| 2201 Northland Drive, Austin, Texas 78756 | [www.grantworks.net](http://www.grantworks.net)

**BUILDING OUR NATION'S COMMUNITIES. HELP FOR TODAY, HOPE FOR TOMORROW.**



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**From:** City Administrator <[cityadministrator@cityofrhome.com](mailto:cityadministrator@cityofrhome.com)>

**Sent:** Wednesday, May 24, 2023 12:13 PM

**To:** William Bass <[william.bass@grantworks.net](mailto:william.bass@grantworks.net)>

**Subject:** RE: GrantWorks: Further ARPA Projects Decision

Hello William,

Would you refresh my memory on how we can spend this money?

Thank you,

Amanda

---

**From:** William Bass <[william.bass@grantworks.net](mailto:william.bass@grantworks.net)>

**Sent:** Monday, May 22, 2023 10:21 AM

**To:** City Administrator <[cityadministrator@cityofrhome.com](mailto:cityadministrator@cityofrhome.com)>

**Subject:** Re: GrantWorks: Further ARPA Projects Decision

Hi Amanda,

I hope your weekend was well!

I was just following up with you to see if the city had an opportunity to decide on the use of its remaining ARPA allocation.

We're looking at \$244,411.61 left to expend.

Best,

William



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# AGENDA ITEM 4



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# AGENDA ITEM 5



**Agenda Commentary**  
**Meeting Date: June 22, 2023**

Department: Administration  
Contact: Amanda DeGan, City Administrator  
**Agenda Item: Code Enforcement**

Type of Item: ☐ Ordinance ☐ Resolution ☐ Contract/Agreement ☐ Public Hearing  
☐ Plat ☒ Discussion & Direction ☐ Other

**Summary:**

- Staff have recently been fielding phone calls and questions regarding Code Enforcement.
- These have covered a variety of topics: dilapidated buildings, parking on the street, mowing and maintenance, and junk vehicles/debris.
- As we begin to move into the peak of mowing and high weed enforcement season along with addressing additional code enforcement topics, Staff will be looking for direction from Council.
- Staff have also prepared a high level overview of codes that Council may want to prioritize and/or consider for updating and publishing.

Funding Expected: ☐ Revenue ☐ Expenditure ☒ N/A

Budgeted Item: ☐ Yes ☐ No ☒ N/A

GL Account: \_\_\_\_\_ Amount: \_\_\_\_\_

Legal Review Required: ☐ Yes ☐ No Date Completed: \_\_\_\_\_

Engineering Review: ☐ FD Review: ☐ PD Review: ☐ PW Review: ☐

**History / Details / Recommendation:**

The City has several sections in the Code that would apply to enforcement of various nuisance or health and safety issues, such as:

Article 3.05.004 – Substandard buildings

Article 3.06.005 – Parking on street or other public property

Section 5.01.002 – Outdoor burning

Section 6.03.003 – Offensive Odors

Section 6.03.004 – Height limitations (Weeds, Grass, etc.)

Section 6.06.007 – Suspension of food permit (due to hazardous conditions to public health)

Article 8.03 – Nuisance – abandoned refrigerators/freezers, litter, etc.

Article 8.04.001 – Excessive noise

Article 8.08 – Junked or abandoned vehicles

## Section 12.06.002 – Parking on roadway

# **EXCERPTS OF CODE FROM BOTH MUNICIPAL AND ZONING SECTIONS OF MUNICODE**

## **PARKING**

State law references—Authority to regulate parking on private property, V.T.C.A., Local Government Code, sec. 431.001; authority to regulate parking generally, V.T.C.A., Transportation Code, sec. 542.202(2); stopping, standing and parking, V.T.C.A., Transportation Code, sec. 545.301 et seq.; privileged parking for persons with disabilities, V.T.C.A., Transportation Code, ch. 681.

### **Sec 12.06.001 Penalty**

Any person who fails to comply with the provisions of this article shall be guilty of a misdemeanor and shall be subject to a fine as prescribed in section 1.01.009 of this code, with each and every day that such violation exists to be a separate and distinct offense.

last Updated: 1999

### **Sec 12.06.002 Parking On Roadway**

Except where specifically provided in this code, parking of any vehicle shall be prohibited on the street surface of any public roadway used for vehicular travel within the corporate limits of the city.

Last Updated: 1999

### **Sec 12.06.005 Parking In Marked Spaces**

Whenever the city shall have designated the manner in which motor vehicles shall be parked on any public street by marking parking spaces on such streets, it shall be unlawful to park any motor vehicle on any such street other than in the manner so designated and entirely within the lines of such space.

Last Updated: 1999

### **Sec 12.06.006 Responsibility Of Vehicle Owner**

No person shall allow, suffer, or permit any vehicle registered in his name to stand or be parked in any street in the city in violation of any of the ordinances of the city or laws of the state regulating the standing or parking of vehicles.

Last Updated: 1999

### **Sec 12.06.007 Impoundment Of Unlawfully Parked Vehicles**

Any vehicle parked in violation of the traffic ordinances of the city at a place where parking is prohibited or parking time is limited may be removed and impounded by the police department, such removal to be accomplished by an authorized wrecker service. An impounding fee in the amount established by city council, plus the wrecker service charge, shall be assessed against and collected from the owner or driver of the vehicle before the release of such vehicle. The payment of the impounding fee shall not excuse such owner or driver of the vehicle from the charge of violating the regulation prohibiting or limiting parking.

Last Updated: 1999

## COMMERCIAL VEHICLES

### 12.07.002 Compliance

Except as otherwise provided herein, it shall be unlawful for any person to drive, operate or move, and/or to cause or permit to be driven, operated, or moved, on any public street within the city any commercial motor vehicle, with or without load, contrary to any of the regulations contained in this article.

Last Updated: 1999 Code

### Sec 12.07.003 Parking Commercial Vehicles In Residential Districts

1. Except as provided herein, no commercial vehicle, boat, boat trailer, or recreational vehicle (RV), including trailers, travel trailers, campers or motor homes, shall be parked on any street or public right-of-way adjacent to any residentially zoned property. A commercial vehicle, boat, boat trailer, or recreational vehicle (RV), including trailers, travel trailers, campers, or motor homes, may not be parked on any street or public right-of-way adjacent to any residentially zoned property except for the purpose of loading and unloading. (Ordinance 2018-26 adopted 8/9/18)
2. No commercial vehicle, trailers, boat trailer or recreational vehicle (RV), including travel trailers, campers or motor homes, shall be parked in the front yard or side yard of a residentially zoned property, within a utility easement, except on an all-weathered surface driveway, including gravel, asphalt or concrete surface or on a paved parking space. (Ordinance 2013-02 adopted 2/14/13)
3. No truck tractor, road tractor, tractor trailer, semi-trailer or similar vehicle shall be parked in front of or behind the building line of any residentially zoned property.
4. No truck tractor, road tractor, tractor trailer, semi-trailer or similar vehicle with a payload or capacity of greater than one (1) ton or more according to the manufacturer's classification or the licensed registered weight shall be parked on any nonresidentially zoned property unless said vehicle is used in conjunction with a permitted business located on the lot; and the vehicle is parked on a concrete, asphalt or other approved hard, all-weather surface.
5. "Commercial vehicle" shall mean any vehicle designed or used primarily for transportation of property or persons for hire with a rated capacity or payload greater than one (1) ton or more according to the manufacturer's classification or licensed registered weight. A commercial vehicle meeting these criteria may include but shall not be limited to vehicles:
  1. Registered to a business;
  2. Bearing a business insignia; or
  3. Bearing a commercial license plate.
6. Commercial vehicles may include but shall not be limited to trucks, tractors, road-tractors, semi-trailers, tractor trailers, vans, step-vans, wreckers, motor buses (excluding motor homes), street or suburban buses, school buses and taxi cabs.
7. Any person violating any provision of this article within the corporate limits of the city shall be guilty of a misdemeanor and, upon conviction, shall be fined as provided for in the general penalty provision found in this code. Each day that such violation continues shall be a separate offense. Prosecution or conviction under this provision shall never be a bar to any other remedy or relief for violations of this article.
8. Exceptions. Procedures adopted herein shall not apply to a vehicle or vehicle part thereof that:

1. Is completely enclosed in a building in a lawful manner and is not visible from the street or other public or private property; or
2. Is stored or parked in a lawful manner on private property in connection with the business of a licensed vehicle dealer or junkyard, or that is an antique or special interest vehicle stored by a motor vehicle collector on the collector's property, if the vehicle or part and the outdoor storage area, if any, is screened from ordinary public view by appropriate means, including a fence, rapidly growing trees or shrubbery.

#### Sec 12.07.004 Parking In Nonresidential Districts

It shall be unlawful for any person, driver, or owner to leave, park or stand any commercial vehicle, truck tractor, road tractor, semi-trailer, bus truck or trailer upon property within any area zoned other than those areas designated exclusively for overnight parking, according to the zoning ordinances of the city, or upon any public street or alley within such designated areas. This section shall not prevent the parking or standing of the above-described vehicles in such zoned area for the purposes of expeditiously loading or unloading passengers, freight or merchandise.

Last Updated: 2012



## **NOISE ORDINANCE**

### **Sec 8.04.001 Excessive Noise Prohibited**

It shall be unlawful for any person, firm, or corporation to make, continue, or cause to be made or continued any loud, unnecessary, or unusual noise or any noise which interferes with the normal enjoyment of life or property or disturbs, endangers, or interferes with the public peace and comfort within the limits of the city.

Last Updated : 1999

### **Sec 8.04.002 Specific Noises Prohibited**

The following enumerated acts are declared to be loud, disturbing, and unnecessary noises in violation of this article, but such enumeration shall not be deemed to be exclusive:

1. The playing of any radio, television, musical instrument, phonograph, stereo, or other machine or device for the producing, reproducing, or amplification of sound in such manner as to create a noise which could be reasonably considered to disturb a person of ordinary disposition residing in the vicinity, or at any time with louder volume than is necessary for convenient hearing for persons who are in the room, vehicle, chamber, or location in which such machine or device is operated and who are voluntary listeners thereto, is hereby prohibited. The operation of such set, instrument, phonograph, stereo, machine or device in such a manner as to be plainly audible at a distance of fifty (50) feet from the building, structure, vehicle, or location in which it is situated shall be prima facie evidence of a violation of this section.
2. The playing or operating of or permitting to be played or operated any phonograph, radio, or loud-speaking or noise-making device or attachment on any premises under the ownership, management, or control of such person, when such premises are being used as a place of business to which the public generally is invited, in such a manner or in such volume as to be reasonably calculated to disturb the peace or to be unreasonably offensive to the public or to the occupants of other premises in the vicinity.
3. The sounding of any horn or signal device on any automobile or other vehicle while not in motion, except as a danger signal if another vehicle is approaching apparently out of control, or, if in motion, only as a danger signal after or as brakes are being applied and deceleration of the vehicle is intended.
4. The use of any automobile, motorcycle, or other vehicle so out of repair or operated in such manner as to create loud and unnecessary spinning or squealing of tires, grating, grinding, rattling, or other noise.
5. The parking, storage or repairing of any motor vehicle or any motorized equipment between the hours of 10:00 p.m. and 7:00 a.m. with any motor(s) left in operation for an extended period.
6. The use of sound-amplifying equipment for commercial advertising purposes.

Last Updated: 1999

## WEAPONS IN THE CITY LIMITS

**State law references**—Weapons, V.T.C.A., Penal Code, ch. 46; authority of municipality to regulate the discharge of firearms, V.T.C.A., Local Government Code, sec. 217.003.

### Sec 8.05.001 Carrying Weapons

It shall be unlawful for a person to intentionally, knowingly, or recklessly carry on or about his person, within the city limits, a handgun, illegal knife, or club, as defined in V.T.C.A., Penal Code, section 46.01, except as follows:

1. In the actual discharge of his official duties as a member of the armed forces or National Guard or a guard employed by a penal institution;
2. On his own premises or premises under his control, unless he is an employee or agent of the owner of the premises and his primary responsibility is to act in the capacity of a private security guard to protect persons or property, in which event he must comply with subsection (5) below;
3. Engaging in lawful hunting, fishing, or other sporting activity, if the weapon is a type commonly used in the activity;
4. A person who is traveling;
5. A person who holds a security officer commission issued by the state private security bureau if:
  1. He is engaged in the performance of his duties as a security officer or traveling to and from his place of assignment;
  2. He is wearing a distinctive uniform; and
  3. The weapon is in plain view;
6. A person who is a licensed peace officer; and/or
7. A person who is licensed to carry a concealed handgun.

(1999 Code, sec. 130.50)

## **JUNK VEHICLES**

### Sec 8.08.031 Declaration Of Nuisance; Exceptions

The location or presence of any junked motor vehicle or vehicles on any private or public property, occupied or unoccupied, improved or unimproved, within the city shall be deemed a public nuisance. It shall be unlawful for any person to cause or maintain such public nuisance by wrecking, dismantling, partially dismantling, rendering inoperable, abandoning, or discarding any motor vehicle on the real property of another or to suffer, permit, or allow the same to be placed, located, maintained, or exist upon his own real property. This section shall not apply to:

1. A vehicle or part thereof which is completely enclosed within a building in a lawful manner where it is not visible from the street or other public or private property;
2. A vehicle or part thereof which is stored or parked in a lawful manner on private property in connection with the business of a licensed vehicle dealer or a junkyard;
3. A vehicle in an appropriate storage place or depository maintained in a location officially designated and in a manner approved by the city;
4. A motor vehicle in operable condition specifically constructed for racing or operation on privately owned drag strips or race strips;
5. An unlicensed, inoperable antique or special interest vehicle stored on property, provided that the vehicle and outdoor storage area are maintained so that they do not constitute a health hazard and are screened from ordinary public view by means of a fence, rapidly growing trees, shrubbery, or other appropriate means; or
6. A motor vehicle stored as the property of a member of the armed forces of the United States while on active duty assignment.

Last Updated: 1999

## **ABANDONED MOTOR VEHICLES AND OTHER ABANDONED PROPERTY**

When an abandoned motor vehicle or any property other than a junked motor vehicle, as defined in section 8.08.001, is placed, left standing, parked, erected, or lying in violation of any ordinance or code of the city or left unattended for more than forty-eight (48) continuous hours in or on any public street, alley, sidewalk, park, or other public place of the city [such property] is declared to be a nuisance. Any such property when so found shall be removed summarily by any officer of the city and taken to the city pound and shall be kept there until redeemed or sold as herein provided.

Last Updated: 1999

## **NUISANCE/DILAPIDATED BUILDINGS**

### **Sec 8.03.092 Duty To Maintain Property**

No person owning, leasing, occupying, or having charge of any premises shall maintain or keep any nuisance thereon, nor shall any such person keep or maintain such premises in a manner causing substantial diminution in the value of the other property in the neighborhood in which such premises are located.

(1999 Code, sec. 94.31)

### **Sec 8.03.093 Notice To Abate**

Upon becoming aware of nuisance conditions set forth herein, the mayor or his designated representative shall make a determination whether or not the conditions and circumstances constitute a nuisance as herein defined. If it is determined that the conditions constitute a nuisance, the mayor shall cause a written notice to be given to the owner, tenant, or person in control of said premises, or an agent thereof, to remove or abate the nuisance. Such notice shall state the nature of the nuisance and that it must be removed or abated within ten (10) days and that failure to do so may cause a complaint to be filed in municipal court for the violation of maintaining a nuisance. Such notice shall be given by delivering the written notice personally or by mailing the written notice by certified mail, return receipt requested. If the location of the owner of the property is unknown, the notice shall be mailed, by certified mail, return receipt requested, to the last known address listed on the tax roll and by publication in the official newspaper and a regional newspaper of general circulation in the area for at least two (2) successive days. If the notice is mailed, it shall be prima facie evidence of service if an executed return receipt is received.

State law references—Authority of municipality to restrain or prohibit the ringing of bells, blowing of horns, hawking of goods, or any other noise, V.T.C.A., Local Government Code, sec. 217.003; disorderly conduct, V.T.C.A., Penal Code, sec. 42.01.

### **Sec 3.05.004 Substandard Buildings Declared**

(a) For the purposes of this article, any building, regardless of the date of its construction, which has any or all of the conditions or defects hereinafter described shall be deemed to be a substandard building, and a nuisance:

- (1) Whenever any building is dilapidated, substandard, or unfit for human habitation and a hazard to the public health, safety and welfare in the opinion of the building official.
- (2) Whenever any building, regardless of its structural condition, is unoccupied by its owners, lessees or other invitees and is unsecured from unauthorized entry to the extent that it could be entered or used by vagrants or other uninvited persons as a place of harborage or could be entered or used by children.
- (3) Any building that is boarded up, fenced or otherwise secured in any manner if:
  - (A) The building constitutes a danger to the public even though secured from entry; or
  - (B) The means used to secure the building are inadequate to prevent unauthorized entry or use of the building.

- (4) Whenever any building, because of obsolescence, dilapidated condition, deterioration, damage, inadequate exits, lack of sufficient fire-resistive construction, faulty electric wiring, gas connections or heating apparatus, or other cause, is determined by the fire marshal to be a fire hazard.
- (5) Whenever any building is in such a condition as to create a public nuisance known under common law or in equity jurisprudence.
- (6) Whenever any portion of a building remains on a site after the demolition or destruction of the building.
- (7) Whenever any building is abandoned so as to make such building or portion thereof an attractive nuisance or hazard to the public.
- (8) Any building existing in violation of any provision of the residential code, building code, fire code, plumbing code, mechanical code, electrical code, or property maintenance code of the city to the extent that the life, health or safety of the public or any occupant is endangered.
- (b) For the purposes of this article, any building, regardless of the date of its construction, which has any or all of the conditions or defects hereinafter described to an extent that endangers the life, limb, health, property, safety, morals or welfare of the public or the occupants of the building shall be deemed and hereby is declared to be a substandard building, and a nuisance:

(1) Whenever any door, aisle, passageway, stairway or other means of exit is not of sufficient width or size or is not so arranged as to provide safe and adequate means of exit in case of fire or panic.

(2) Whenever the walking surface of any aisle, passageway, stairway or other means of exit is so warped, worn, loose, torn or otherwise unsafe as to not provide safe and adequate means of exit in case of fire or panic

(3) Whenever the stress in any materials, or members or portion thereof, due to all dead and live loads, is more than one- and one-half times the working stress or stresses allowed in the building code for new buildings of similar structure, purpose or location.

(4) Whenever any portion of the building has been damaged by fire, earthquake, wind, flood or by any other cause, to such an extent that the structural strength or stability thereof is materially less than it was before such catastrophe and is less than the minimum requirements of the building code for new buildings of similar structure, purpose or location.

(5) Whenever any portion or member or appurtenance thereof is likely to fail, or to become detached or dislodged, or to collapse and thereby injure persons or damage property.

(6) Whenever any portion of a building, or any member, appurtenance or ornamentation on the exterior thereof is not of sufficient strength or stability, or is not so anchored, attached or fastened in place so as to be capable of resisting a wind pressure of one half of that specified in the building code for new buildings of similar structure, purpose or location without exceeding the working stresses permitted in the building code for such buildings.

(7) Whenever any portion of a building has wracked, warped, buckled or settled to such an extent that walls or other structural portions have materially less resistance to winds or earthquakes than is required in the case of similar new construction.

(8) Whenever the building, or any portion thereof, is likely to partially or completely collapse because of:

- (A) Dilapidation, deterioration or decay;
- (B) Faulty construction;
- (C) The removal, movement or instability of any portion of the ground necessary for the purpose of supporting such building; or
- (D) The deterioration, decay or inadequacy of its foundation; or
- (E) Any other cause.

(9) Whenever, for any reason, the building, or any portion thereof, is manifestly unsafe for the purpose for which it is being used.

(10) Whenever the exterior walls or other vertical structural members list, lean or buckle to such an extent that a plumbline passing through the center of gravity does not fall inside the middle one third of the base.

(11) Whenever the building, exclusive of the foundation, shows 33 percent or more damage or deterioration of its supporting member or members, or 50 percent or more damage or deterioration of its non-supporting members, enclosing or outside walls or coverings.

(12) Whenever the building has been so damaged by fire, wind, earthquake, flood or any other cause, or has become so dilapidated or deteriorated as to become:

- (A) An attractive nuisance to children; or
- (B) A harbor for vagrants, criminals or immoral persons.

(13) Whenever any building has been constructed, exists or is maintained in violation of any specific requirement or prohibition applicable to such building provided by the building code, or of any law or ordinance of this state or city relating to the condition, location or structure of buildings.

(14) Whenever any building which, whether or not erected in accordance with all applicable laws and ordinances, has in any non-supporting part, member or portion less than 50 percent, or in any supporting part, member or portion less than 66 percent of the strength, fire-resisting qualities or characteristics, or weather-resisting qualities or characteristics required by law in the case of a newly constructed building of like area, height and occupancy in the same location.

(15) Whenever a building, used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, air or sanitation facilities, or otherwise, is determined by the building official to be unsanitary, unfit for human habitation or in such a condition that is likely to cause sickness or disease for reasons including, but not limited to, the following:

- (A) Lack of, or improper water closet, lavatory, bathtub or shower in a dwelling unit or lodging house.
- (B) Lack of, or improper water closets, lavatories and bathtubs or showers per number of guests in a hotel.
- (C) Lack of, or improper kitchen sink in a dwelling unit.
- (D) Lack of hot and cold running water to plumbing fixtures in a hotel.
- (E) Lack of hot and cold running water to plumbing fixtures in a dwelling unit or lodging house.
- (F) Lack of adequate heating facilities.
- (G) Lack of, or improper operation of, required ventilating equipment.
- (H) Lack of minimum amounts of natural light and ventilation required by this code.
- (I) Room and space dimensions less than required by this code or the building code.
- (J) Lack of required electrical lighting.
- (K) Dampness of habitable rooms.
- (L) Infestation of insects, vermin or rodents.
- (M) General dilapidation or improper maintenance.
- (N) Lack of connection to required sewage disposal system.
- (O) Lack of adequate garbage and rubbish storage and removal facilities.
- (P) Accumulation of animal or human urine or feces, mold, or any condition that could likely harbor or spread disease.

Last Updated: 2021

## SIGNAGE – GENERAL AND COMMERCIAL USE

### **Municipal Code - Sec 3.04.009 Signs**

No signs or neon tubing shall be installed until a permit has been issued. A building permit is required for the sign and an electrical permit is required for the wiring. A licensed electrician must connect the sign to the power supply.

Last Updated: 1999

### **Zoning Code - SECTION 38 SIGN REGULATIONS**

PURPOSE: Signs use private land near the public rights-of-way to inform and persuade the general public by publishing a message. This section provides standards for the erection and maintenance of private signs. All private signs not exempt as provided below shall be erected and maintained in accordance with these standards. The general objectives of these standards are to promote health, safety, welfare, convenience, and enjoyment of the public, and in part, to achieve the following:

1. Safety: To promote the safety of persons and property by providing that signs:
  - a. Do not create a hazard due to collapse, fire, collision, decay or abandonment.
  - b. Do not obstruct firefighting or police surveillance.
  - c. Do not create traffic hazards by confusing or distracting motorists, or by impairing the driver's ability to see pedestrians, obstacles, or other vehicles, or to read traffic signs.
2. Communications Efficiency: To promote the efficient transfer of information in sign messages by providing that:
  - A. Those signs that provide messages and information most needed and sought by the public are given priorities.
  - B. Businesses and services may identify themselves.
  - C. Customers and other persons may locate a business or service.
  - D. No person or group is arbitrarily denied the use of the sight lines from the public rights-of-way.
  - E. Persons exposed to signs are not overwhelmed by the number of messages presented, and are able to exercise freedom of choice to observe or ignore said messages, according to the observer's purpose.
3. Landscape Quality and Preservation: To protect the public welfare and to enhance the appearance and economic value of the cityscape, by providing that signs:
  - a. Do not interfere with scenic views.
  - b. Do not create a nuisance to persons using the public rights-of-way.
  - c. Do not create a nuisance to occupants of adjacent and contiguous property by their brightness, size, height or movement.
  - d. Are not detrimental to land or property values.

### **B. ADMINISTRATION:**

The provisions of this Ordinance shall be administered and enforced by the Building Official or designated representative of the City of Rhome.



### C. BILLBOARDS PROHIBITED:

It is the express intent of the City Council to prohibit the erection, maintenance, or use of any sort of outdoor signage of the type normally called billboards. It shall include all such signs of any such type, whether temporary or permanent or whatever mode of construction. No signs of any type are to be permitted within the City of Rhome or its extraterritorial jurisdiction other than is expressly provided under the provisions of this Ordinance and none shall be of the type commonly described as billboards.

### D. TYPES OF SIGNS

- 1) Reserved
- 2) Reserved
- 3) Reserved
- 4) Hazardous Nuisance Signs: No sign shall be illuminated to an intensity to cause glare or brightness to a degree that could constitute a hazard or nuisance. Moving, flashing, intermittently lighted, changing color, beacons, revolving or similarly constructed signs are not allowed. Under no circumstances shall a sign constitute a traffic hazard
- 5) Luminance (or Brightness)
  - a. No sign shall be illuminated to such an intensity or in such a manner as to cause a glare or brightness to a degree that it constitutes a hazard or nuisance. Signs shall not exceed a brightness of two hundred (200) foot lambert [foot-lamberts] at the property line. Alternating electronic data control components showing time, temperature, and similar data are allowed.
  - b. No lighted sign shall be erected within one hundred and fifty feet (150') of a residential development unless the lighting is shielded from view of the residential development.
- 6) Movement and Directional Control Signs: Movement control signs may be erected on any occupancy or any premises, other than a single-family or duplex premises, may be attached or detached, and may be erected provided that such signs shall comply with all other applicable requirements of this ordinance. The occupant of a premises who erects a movement control sign shall comply with the following requirements:
  - a. Each sign must be stationary and not exceed six (6) square feet in effective area
  - b. If a sign is an attached sign, the words must not exceed four inches in height.
  - c. Each sign must convey a message that directs vehicular or pedestrian movement within or onto the premises on which the sign is located.
  - d. The signs must contain no advertising or logo.
- 7) Moving or Flashing Signs: Strobe lights and rotating beacons are prohibited. Signs that flash messages such as time and temperature are allowed.
- 8) Political Signs: Political signs may be erected provided such signs comply with the following:
  - a. The sign is on private property;
  - b. The sign is erected no sooner than the thirtieth (30th) day before the election and is removed no later than the seventh day after the election;
  - c. The area of the sign is not more than thirty-two (32) square feet per sign face;
  - d. The sign does not exceed eight feet (8') in height; and,
  - e. The sign is self-supporting.

- f. See Subsection G,3 for other political sign requirements in residential areas.
- 9) Restricted Language or Wording: Signs shall not display gestures or words that are obscene, profane, or pornographic in nature.
- 10) Searchlights: Searchlights are limited to a seventy-two (72) hour operation period. Consecutive permits are not allowed for continuous use and shall be limited to the initial opening of a business.
- 11) Sign on Fence, Wall, Etc.: No person shall paint a sign or attach a sign, other than nameplate and address (showing a street number), to the outside of a fence, railing or wall that is not a structural part of a building in or facing a residential zoning district, even if it is on the property line. The name of the company that constructed the fence is also permitted, but shall not exceed one square foot in size.
- 12) Sign on Sidewalk, Street, Etc.: No person shall attach any sign, paper, or material, paint, stencil, or write any name, number (except house or street address number) or otherwise mark on any sidewalk, curb, gutter, or street.
- 13) Sign on Tree, Pole, Etc.: No person shall attach or maintain any sign upon any tree or public utility pole or structure.
- 14) Signs over Rights-of-Way on Premises: Signs over or in public rights-of-way are prohibited. No sign shall be erected in the right-of-way except movement or traffic-control devices, street signs, or directional signs placed by the City or State.

Last Updated: 2013

## **FUTURE CODE REVISIONS**

### **Sec 8.01.010 Temporary Outdoor Storage**

After the passage of this section, it shall be illegal to have any temporary storage containers, buildings or facilities, as defined herein, within the corporate limits of the city, except under the following circumstances.

1. Temporary outdoor storage facility, building or appurtenance is hereby defined to be any device, building or container by which an occupant of the property may store any sort of materials for a period of time and such definition shall include such temporary structures or containers as may be rented for the storage of various household items or appurtenances including, but not limited to, furniture, household goods, equipment, et cetera. This shall specifically include those which are generically known as PODs and such like containers.
2. The use of such may be permitted for a period of up to one (1) week if a person using such container(s) first obtains a permit from the city hall registering such activity, declaring its period of use and paying a fee not to exceed five dollars (\$5.00) for such permit.
3. A person may also be granted a permit for the use of such container for a period of up to thirty (30) days upon a showing of cause and the payment of a like permit fee to the city designating the need for such storage and the date, within thirty (30) days, upon which it will be removed.
4. Any permit requiring a more extensive period than thirty (30) days may be obtained by a similar permit from the city but such permit shall only be extended upon approval by the city council under a regularly scheduled city council meeting, and shall be for no more than an additional thirty (30) day period.
5. All such containers, buildings, et cetera, shall be kept behind the building line of the property in question except upon an approved request by the city council.

Last Updated: 2014

### **Sec 8.01.007 Posting Advertising Matter On Utility Poles Or Streetlights**

It shall be unlawful for any person to tack, tie, or in any other manner fasten upon any electric light pole, telephone or telegraph pole, or streetlight in the city any poster, placard, or other advertising matter for a period of time longer than sixty (60) days or for more than ten (10) days after the date of the event being advertised.

Last Updated: 1999

## **JUVENILE OFFENSES**

### **Sec 8.02.033 Offenses – Juvenile Curfew**

1. A minor commits an offense if he remains in any public place or on the premises of any establishment within the corporate city limits during curfew hours.
2. A parent or guardian of a minor commits an offense if he/she knowingly permits or, by insufficient control, allows the minor to remain in any public place or on the premises of any establishment within the corporate city limits during curfew hours.
3. The owner, operator or any employee of an establishment commits an offense if he/she knowingly permits or allows a minor to remain upon the premises of the establishment during curfew hours.

Last Updated: 2013

### **Sec 8.02.034 Defenses**

It is a defense to prosecution under section 8.02.033 that the minor was:

1. Accompanied by the minor's parent or guardian;
2. On an errand at the direction of the minor's parent or guardian, without any detour or stop;
3. In a motor vehicle involved in interstate travel;
4. Engaged in an employment activity, or going to or returning from home from an employment activity, without any detour or stop;
5. Involved in an emergency;
6. On the sidewalk abutting the minor's residence or abutting the residence of a next-door neighbor if the neighbor did not complain to the police department about the minor's presence;
7. Attending an official school, religious or other recreational activity supervised by adults and sponsored by the city, a civic organization or another similar entity that takes responsibility for the minor or going to or returning home, without any detour or stop, an official school, religious or other recreational activity supervised by adults and sponsored by the city, a civic organization or another similar entity that takes responsibility for the minor;
8. Exercising First Amendment rights protected by the United States Constitution, such as the free exercise of religion, freedom of speech and the right of assembly; or
9. Married or had been married or had disabilities of minority removed in accordance with chapter 31 of the Texas Family Code.

Last Updated: 2013

## Sec 8.02.035 Enforcement

10. Before taking any enforcement action under this section, an officer shall ask the apparent offender's age and reason for being in the public place. The officer shall not issue a citation or make an arrest under this section unless the officer reasonably believes that an offense has occurred and that, based on any response and other circumstances, no defense in section 8.02.034 is present.

## 11. Sec 8.02.036 Penalty

12. Any person who violates any provision of this division is guilty of a separate offense for each day or part of a day during which the violation is committed, continued or permitted. Each offense, upon conviction, is punishable by a fine not to exceed five hundred dollars (\$500.00), or the maximum amount permissible under state law.

Last Updated: 2013

## **PARADES AND PROCESSIONS**

### Sec 12.08.001 Permit

1. Required; exceptions. No procession or parade, excepting the forces of the United States military, the military forces of this state, and forces of the police and fire departments, shall occupy, march, or proceed along any street, sidewalk, or any other public place or way except in accordance with a permit issued by the chief of police. This section shall not apply to funeral processions, or school functions such as marching bands, provided such activities are under the direction of appropriate school authorities or a governmental agency.
2. Application. The application for such permit shall be made fifteen (15) working days prior to the proposed parade or procession. The permit application shall state the name of the sponsoring organization or person(s), the reason for the procession or parade, the proposed route of the parade, and the number of persons, vehicles, floats, units, or other participants in said parade or procession, time of day requested, any special requirements such as extremely wide or long vehicles, special effects, such as lighted units, and the use of any hazardous materials or live fires.
3. Issuance or denial. The chief of police shall review the permit application and shall issue the permit for the parade or procession on the application of the applicant, except in the following circumstances, in which the chief of police is authorized to deny or modify the permit to be issued:
  1. Where the parade or procession is of such length or duration that such will inhibit the flow of traffic for a period in excess of two (2) hours;
  2. Where, in the opinion of the chief of police, there is substantial danger to life or bodily harm or property damage to a participant in the parade or procession, or to a spectator, or a person is likely to be affected because of the use of hazardous materials, toxic chemicals, or live fires in the parade or procession;
  3. Where the hours proposed for such parade or procession will cause a direct interference with the traffic flow along the proposed route to the point that personal injury or property damage is likely to result to the parade or procession participants

or others displaced by said parade or procession along the parade or procession route or on detours caused by said parade or procession route.

(1999 Code, sec. 70.100)

4. Fee. Each application for a permit shall be accompanied with a permit fee in the amount established by city council before its consideration. This fee shall be nonrefundable regardless of whether the permit is granted or denied.

(1999 Code, sec. 70.100; Ordinance adopting Code)