

**Diana Martinez**  
*Mayor*

**Eleazar Escobedo**  
*Mayor Pro-Tem*

**Trinidad Medina**  
*Commissioner*

**Pilar Garza**  
*Commissioner*

**Robert De La Garza**  
*Commissioner*

**Luciano Ozuna, Jr.**  
*City Manager*



**CITY OF ALAMO  
BOARD OF COMMISSIONERS  
SPECIAL MEETING  
FOR THE MONTH OF SEPTEMBER  
TUESDAY, SEPTEMBER 24, 2013 @ 6:00 PM  
ALAMO MUNICIPAL BUILDING  
420 N TOWER ROAD  
ALAMO TEXAS 78516**

If, during the course of the meeting covered by this notice the Board of Commissioners should determine that a closed meeting or executive session is required (1) for private consultation with the attorney for the authority with respect to matters where such attorney's duty to the Board of Commissioners clearly conflicts with the provisions of the open meeting Act, as authorized by Section 551.071, Government Code, V.T.C.S., or (2) for a private conference with one or more employees for the sole purpose of receiving information from or asking questions of any employees, as authorized by Section 551.075, Government Code, V.T.C.S., then such closed meeting or executive session will be held by the Board at the date, hour, and place given in this notice, or soon after commencement of The Special meeting covered by this notice.

Should any final action, decision, or vote be required with regard to any matter discussed in such meeting, or executive session, then such final action, decision, or vote shall be made at the open meeting covered by this notice upon reconvening of this public meeting, but only as to the items appearing on this agenda for such action.

**AT THIS MEETING THE CITY COMMISSION MAY DELIBERATE AND TAKE ANY ACTION DEEMED APPROPRIATE BY THE CITY COMMISSION ON THE FOLLOWING SUBJECTS:**

**AGENDA**

**I. CALL MEETING TO ORDER**

- A. Pledge of Allegiance
- B. Invocation

**PUBLIC HEARING TO RECEIVE PUBLIC COMMENTS REGARDING THE GENERAL FUND BUDGET, WATER AND SEWER BUDGET, DEBT SERVICE, AND THE HOTEL TAX FUND BUDGETS FOR FISCAL YEAR 2013 - 2014**

- C. Consideration and Action on an Ordinance to approve the amended General Fund, Water and Sewer Fund, Debt Service Fund and Hotel Tax Fund Budget for Fiscal year 2012 - 2013
- D. Consideration and Action on an Ordinance to approve the General Fund, Water and Sewer Fund, Debt Service Fund, and the Hotel Tax Fund Budgets for Fiscal year 2013 - 2014
- E. Consideration and Action on an Ordinance to adopt the Property Tax Rate for Fiscal Year 2013 - 2014
- F. Consideration and Action on an Ordinance to amend the Code of Ordinances Title 8 Public Utilities, Chapter 5; Utility and Sanitation Rates and Charges, Section 8-5-1; Subsection B, connection Fees, Section 8-5-3; Garbage and Trash Collection Rates, Sections A, B, C and Section 8-5-4; Brush collection charges and adding Section 8-5-10 Fees and Policy for Private Sewer Unplugs
- G. Consideration and Action on an Ordinance to amend the Code of Ordinances Title 7, Public ways and Property, Chapter 6; City Parks, Section 7-6-1; Usage Rates
- H. Consideration and Action on an Ordinance to amend the Code of Ordinances Title 7, Public Ways Chapter 4; City Swimming Pool Usage Rates
- I. Consideration and Action on an Ordinance to amend the Code of Ordinances Title 9 Building Regulations, Chapter 1 Building Codes, Section 9-1-3; Building Code Permit Fees
- J. Consideration and Action on an Ordinance to amend the Code of Ordinances Title 3, Business and License Regulations, Chapter 15; Business Operator License, Section 3-15-3; Fire Inspection Fees
- K. Consideration and Action on amending the Code of Ordinances Title 3, Business and Licensing Regulations; Chapter 12; garage, yard and porch sales; Section 3-12-2; Permits Required

**II. ADJOURNMENT**

Citizens are encouraged to sign the attendance sheet.

I, the undersigned authority, do hereby certify that the attached agenda of a Special Meeting of the Board of Commissioners is a true and correct copy and that I posted a true and correct copy of said

notice on the bulletin board in the Municipal Building, a place convenient and readily accessible to the general public at all times, and said Notice was posted on the **20<sup>th</sup> day of September 2013** at 5:00 p.m. and will remain so posted continuously for at least 72 hours preceding the scheduled time of said meeting in accordance with Chapter 551 of the Texas Government Code.

Dated this 20<sup>th</sup> day of September 2013 at 5:00 pm

A handwritten signature in black ink, appearing to read "Diana Elizondo". The signature is written in a cursive, flowing style.

Diana Elizondo, Administrative Assistant

## **ORDINANCE**

**AN ORDINANCE OF THE CITY OF ALAMO, TEXAS, AMENDING THE 2012-2013 FISCAL BUDGET FOR THE CITY OF ALAMO, TEXAS FOR OCTOBER 1, 2012 TO SEPTEMBER 30, 2013; TO WIT, PROVIDING FOR THE CHANGES IN REVENUES AND EXPENDITURES; PROVIDING FOR SEVERABILITY; PROVIDING FOR PUBLICATION; PROVIDING FOR EFFECTIVE DATE; AND ORDAINING OTHER PROVISIONS RELATING TO THE SUBJECT MATTER THEREOF.**

**WHEREAS**, the duly incorporated City of Alamo, Texas, has adopted a budget for its 2012-2013 Fiscal Year, such budget which was effective October 1, 2012; and

**WHEREAS**, the Board of Commissioners of the City of Alamo, Texas, deems it in the best interest of the City and for municipal purposes to amend the Fiscal Year 2012-2013 budget heretofore adopted by providing for the changes in revenues and expenditures which were not known nor could have been known to the government body prior to the adoption of the budget but since has become necessary since the effective date of the budget;

**NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF ALAMO, TEXAS:**

**SECTION I:** That the budgets for the City of Alamo, Texas for the Fiscal Year 2012-2013 which was effective October 1, 2012, as set forth in ordinance heretofore adopted, is hereby amended in **Exhibits 1-4**.

**SECTION II:** That the City Secretary shall provide for a filing of a true copy of this Budget Amendment Ordinance to the Office of the County Clerk, Hidalgo County, Texas;

**SECTION III:** This Ordinance shall be effective after its passage and execution in accordance with law;

**SECTION IV:** The City Secretary of the City of Alamo, Texas, is hereby authorized and directed to cause the caption of this ordinance to be published in the official newspaper of the City of Alamo, Hidalgo County, Texas;

**SECTION V:** The City Secretary of the City of Alamo, Hidalgo County, Texas, is hereby directed to cause this ordinance hereof to be published in the Code of Ordinances of the City of Alamo, Texas;

**SECTION VI:** If any part or parts of this Ordinance are found to be invalid or unconstitutional by a Court of competent jurisdiction, then such invalidity or unconstitutionality shall not affect the remaining parts hereof and such parts shall remain in full force and effect, and to the extent this ordinance is considered severable.

**CONSIDERED, PASSED, AND APPROVED** on this the 24<sup>th</sup> day of September, 2013, at a special meeting of the Board of Commissioners of the City of Alamo, Texas, at which a quorum was present and which was held in accordance with the provision of Chapter 551 of the Texas Government Code.

Signed this the 24<sup>th</sup> day of September 2013.

**CITY OF ALAMO**

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Diana Martinez, Mayor

**ATTEST:**

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Luciano Ozuna, Jr. City Manager

**APPROVE AS TO FORM ONLY:**

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Javier Villalobos, City Attorney

City of Alamo

**Exhibits NO. I-IV**

	General Fund Amended Budget FY 2012-13		General Fund Proposed Budget FY 2013-14		General Fund Budget Variance	
Total Revenue	\$	8,680,181	\$	8,321,194	\$	(358,987)
Total Expenditures	\$	8,729,492	\$	8,377,785	\$	(351,707)
Revenue Over/(Under) Exp.	\$	(49,311)	\$	(56,591)	\$	(7,280)

	Water/Sewer Fund Amended Budget FY 2012-13		Water/Sewer Fund Proposed Budget FY 2013-14		Water/Sewer Fund Budget Variance	
<b>Revenues</b>						
Total Revenue	\$	5,513,253	\$	3,904,988	\$	(1,608,265)
Total Expenditures	\$	3,564,500	\$	3,671,046	\$	106,546
Revenue Over/(Under) Exp.	\$	1,948,753	\$	233,942	\$	(1,714,811)

	Debt Svc Fund Amended Budget FY 2012-13		Debt Svc Fund Proposed Budget FY 2013-14		Debt Svc Fund Budget Variance	
Total Revenue	\$	1,078,936	\$	1,108,000	\$	29,064
Total Expenditures	\$	1,098,754	\$	863,619	\$	(235,135)
Revenue Over/(Under) Exp.	\$	(19,818)	\$	244,381	\$	264,199

	Hotel Tax Fund Amended Budget FY 2012-13		Hotel Tax Fund Proposed Budget FY 2013-14		Hotel Tax Fund Budget Variance	
Total Revenue	\$	79,676	\$	80,000	\$	324
Total Expenditures	\$	1,500	\$	35,000	\$	33,500
Revenue Over/(Under) Exp.	\$	78,176	\$	45,000	\$	(33,176)

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## ORDINANCE

**AN ORDINANCE OF THE CITY OF ALAMO, TEXAS, ADOPTING THE 2013-2014 FISCAL YEAR BUDGET FOR THE CITY OF ALAMO, TEXAS FOR OCTOBER 1, 2013 TO SEPTEMBER 30, 2014. PROVIDING FOR AN EFFECTIVE DATE; PROVIDING FOR SEVERABILITY; PROVIDING FOR PUBLICATION; AND ORDAINING OTHER PROVISIONS RELATING TO THE SUBJECT MATTER THEREOF.**

**WHEREAS**, the duly incorporated City of Alamo, Texas, has proposed a budget for its 2013-2014 fiscal year. Such Budget to be effective October 1, 2013; and

**WHEREAS**, the Board of Commissioners of the City of Alamo, Texas, deems it in the best interest of the City and for the municipal purposes to adopt the general fund, water & sewer fund, debt service fund and Hotel Tax Fund;

**NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF ALAMO, TEXAS:**

**Section I:** That the budgets for the City of Alamo, Texas for the fiscal year 2013-2014 as set out in **EXHIBIT 1-4** attached hereto and made a part hereof, which is effective October 1, 2013 is hereby adopted.

**Section II:** That the City Secretary shall provide for the filing of a true copy of this Budget Adoption in the office of the County Clerk, Hidalgo County, Texas.

**Section III:** This Ordinance shall be effective after its passage and execution in accordance with the law.

**Section IV:** The City Secretary of the City of Alamo, Texas hereby authorized and directed to cause the caption of this ordinance to be published in the official newspaper of the City of Alamo, Hidalgo County, Texas.

**Section V:** The City Secretary of the City of Alamo, Texas, is hereby directed to cause this ordinance hereof to be published in the Code of Ordinance of the City of Alamo, Texas.

**Section VI:** If any part or parts of this Ordinance are found to be invalid or unconstitutional by a Court having competent jurisdiction, then such invalidity or unconstitutional by a Court having competent jurisdiction, then such invalidity or unconstitutional shall not affect the remaining parts hereof and such remaining parts shall remain in full force and effect, and to the extent this ordinance is considered severable.

**PASSED AND APPROVED** by the Board of Commissioners of the City of Alamo, Texas, at their special meeting held in the Alamo City Hall on this the 24<sup>th</sup> day of September 2013.

Signed this the 24<sup>th</sup> day of September, 2013.

**CITY OF ALAMO**

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Diana Martinez, Mayor

**ATTEST:**

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Luciano Ozuna, City Manager

**APPROVED AS TO FORM ONLY:**

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Javier Villalobos, City Attorney

City of Alamo

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Revenue Over/(Under) Exp.	\$	(49,311)	\$	(56,591)	\$	(7,280)

	Water/Sewer Fund		Water/Sewer Fund		Water/Sewer Fund	
	Amended Budget		Proposed Budget		Budget	
	FY 2012-13		FY 2013-14		Variance	
<b>Revenues</b>						
Total Revenue	\$	5,513,253	\$	3,904,988	\$	(1,608,265)
Total Expenditures	\$	3,564,500	\$	3,671,046	\$	106,546
Revenue Over/(Under) Exp.	\$	1,948,753	\$	233,942	\$	(1,714,811)

	Debt Svc Fund		Debt Svc Fund		Debt Svc Fund	
	Amended Budget		Proposed Budget		Budget	
	FY 2012-13		FY 2013-14		Variance	
Total Revenue	\$	1,078,936	\$	1,108,000	\$	29,064
Total Expenditures	\$	1,098,754	\$	863,619	\$	(235,135)
Revenue Over/(Under) Exp.	\$	(19,818)	\$	244,381	\$	264,199

	Hotel Tax Fund		Hotel Tax Fund		Hotel Tax Fund	
	Amended Budget		Proposed Budget		Budget	
	FY 2012-13		FY 2013-14		Variance	
Total Revenue	\$	79,676	\$	80,000	\$	324
Total Expenditures	\$	1,500	\$	35,000	\$	33,500
Revenue Over/(Under) Exp.	\$	78,176	\$	45,000	\$	(33,176)

City of Alamo

Exhibits NO. I-IV

	General Fund Amended Budget FY 2012-13		General Fund Proposed Budget FY 2013-14		General Fund Budget Variance
Total Revenue	\$	8,680,181	\$	8,321,194	\$ (358,987)
Total Expenditures	\$	8,729,492	\$	8,377,785	\$ (351,707)
Revenue Over/(Under) Exp.	\$	(49,311)	\$	(56,591)	\$ (7,280)

	Water/Sewer Fund Amended Budget FY 2012-13		Water/Sewer Fund Proposed Budget FY 2013-14		Water/Sewer Fund Budget Variance
<b>Revenues</b>					
Total Revenue	\$	5,513,253	\$	3,904,988	\$ (1,608,265)
Total Expenditures	\$	3,564,500	\$	3,671,046	\$ 106,546
Revenue Over/(Under) Exp.	\$	1,948,753	\$	233,942	\$ (1,714,811)

	Debt Svc Fund Amended Budget FY 2012-13		Debt Svc Fund Proposed Budget FY 2013-14		Debt Svc Fund Budget Variance
Total Revenue	\$	1,078,936	\$	1,108,000	\$ 29,064
Total Expenditures	\$	1,098,754	\$	863,619	\$ (235,135)
Revenue Over/(Under) Exp.	\$	(19,818)	\$	244,381	\$ 264,199

	Hotel Tax Fund Amended Budget FY 2012-13		Hotel Tax Fund Proposed Budget FY 2013-14		Hotel Tax Fund Budget Variance
Total Revenue	\$	79,676	\$	80,000	\$ 324
Total Expenditures	\$	1,500	\$	35,000	\$ 33,500
Revenue Over/(Under) Exp.	\$	78,176	\$	45,000	\$ (33,176)

AN ORDINANCE FIXING THE TAX RATE AND TAX LEVY FOR THE CITY OF ALAMO, TEXAS FOR THE TAX YEAR 2013 AND THE FISCAL YEAR BEGINNING ON OCTOBER 1, 2013 AND ENDING ON SEPTEMBER 30, 2014, UPON ALL TAXABLE PROPERTY IN SAID CITY OF ALAMO, TEXAS IN CONFORMITY WITH THE LAWS OF THE STATE OF TEXAS AND THE ORDINANCES OF SAID CITY: REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH.

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF ALAMO, TEXAS:

Section 1: That there shall be and is hereby levied and shall be assessed and collected for the tax year 2013 and the fiscal year beginning October 1, 2013 and ending September 30, 2014 upon all taxable property within the city limits of Alamo, Texas, made taxable by law an ad valorem tax of .59897 on each assessment to be based on one hundred percent (100%) of its taxable value, which said taxes when collected shall be apportioned among the funds and departments of city government of the City of Alamo, Texas and for the purpose hereinafter set for as follows to wit:

PORTION TO THE GENERAL FUND -----.48965

PORTION TO THE DEBT SERVICE FUND -----.10932

Section 2: The City Tax Assessor/Collector of the City of Alamo, Texas is hereby directed to assess and enter upon the tax rolls of the City of Alamo, Texas of the current year, the amounts and the rates herein levied, and keep a correct account of the same and when collected, the same be deposited in the depository of the City of Alamo, Texas to be distributed in accordance with this Ordinance.

Section 3: All Ordinances or parts of Ordinances in conflict herewith are expressly repealed.

PASSED AND APPROVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF ALAMO, TEXAS at a meeting held in the Alamo City Hall on the 24<sup>th</sup> day of September, 2013.

CITY OF ALAMO

\_\_\_\_\_  
DIANA MARTINEZ, MAYOR

ATTEST:

\_\_\_\_\_  
LUCIANO OZUNA, JR. CITY MANAGER

APPROVED AS TO FORM ONLY:

\_\_\_\_\_  
JAVIER VILLALOBOS, CITY ATTORNEY

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF ALAMO, TEXAS TITLE 8-PUBLIC UTILITIES; CHAPTER 5, UTILITY AND SANITATION RATES AND CHARGES; SECTION 8-5-1, SUBSECTION B, CONNECTION FEES; SECTION 8-5-3; GARBAGE AND TRASH COLLECTION RATES; SECTIONS A,B,C; AND SECTION 8-5-4; BRUSH COLLECTION CHARGES; SECTION A; BY INCREASING THE GARBAGE AND TRASH RATE AND BRUSH COLLECTION RATE; AND ADD SECTION 8-5-10; SETTING THE FEES AND POLICY FOR UNPLUGGING PRIVATE SEWER LINES; PROVIDING FOR AN EFFECTIVE DATE; PROVIDING FOR PUBLICATION AND ORDAINING OTHER PROVISIONS RELATING TO THE SUBJECT MATTER HEREOF.

WHEREAS, certain costs have increased relating to the garbage/trash collection and brush collection service provided by the private collector under contract with the City of Alamo, it has become necessary to increase prices to insure the City of Alamo has adequate trash and garbage collection.

WHEREAS, the solid waste contract between the City of Alamo and Allied Waste Service, formally BFI, allows for an increase as set by the US Department of Labor Consumer Price Index, however, sets a cap of 4.5%.

WHEREAS, the consumer price index allows for annual increases to equalize expenses; the City Manager will be permitted to adjust future garbage collection and brush collection rates as per the consumer price index so long as a contract remains in effect between the City of Alamo and Allied Waste Services.

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF ALAMO, TEXAS THAT THE RATES BE AMENDED AS FOLLOWS:

SECTION I: THE CODE OF ORDINANCES OF THE CITY OF ALAMO, TITLE 8-PUBLIC UTILITIES; CHAPTER 5, UTILITY AND SANITATION RATES AND CHARGES; SECTION 8-5-1, SUBSECTION B, CONNECTION FEES; SECTION 8-5-3; GARBAGE AND TRASH COLLECTION RATES; SECTIONS A,B,C; AND SECTION 8-5-4; BRUSH COLLECTION CHARGES; SECTION A; BY INCREASING THE GARBAGE AND TRASH RATE AND BRUSH COLLECTION RATE; AND ADD SECTION 8-5-10; SETTING THE FEES AND POLICY FOR UNPLUGGING PRIVATE SEWER LINES

8-5-1: WATER RATES AND CHARGES, SUBSECTION B CONNECTION FEES:

1. Connection Fees: Water connection fee shall be twenty five dollars (\$25.00) for connections made during regular working hours, weekends, and City observed holidays.
2. Re-connection Fee: Water re-connection fees which are due on accounts being delinquent and disconnected due to such delinquency shall be charged a re-connection fee of thirty five dollars (\$35.00)

### 8-5-3: GARBAGE AND TRASH COLLECTION RATES:

A: The following monthly rates shall apply to include, but not limited to, residences designed for and occupied by one family, churches, multiple residences on one master meter, etc. The residential service rate includes a \$2.00 administrative fee and a \$1.00 administrative fee on additional containers.

Residential Service - once a week pick up service -- \$12.98 per container  
 Additional container -- \$2.90  
 (third and subsequent containers will be charged at full rate)

B: The following monthly rates shall apply to commercial establishments, which includes but not limited to offices, stores, garages, lumberyards, taverns, service stations, etc. The commercial service rate includes a \$2.00 administrative fee and a \$1.00 administrative fee on additional containers.

Commercial service – once a week service -- \$20.78 per container  
 Additional container -- \$6.30  
 (third and subsequent containers will be charged at full rate)

C: Commercial Dumpsters rates and charges.

Bin Size	Frequency Pick Up/Week					
	1x week	2x week	3x week	4x week	5x week	6x week
2.0 yard	\$ 69.74	\$118.60	\$166.07	\$205.78	\$240.66	\$281.81
3.0 yard	\$ 76.73	\$130.44	\$180.34	\$226.36	\$264.73	\$319.49
4.0 yard	\$ 83.71	\$142.32	\$196.73	\$246.95	\$288.12	\$330.65
6.0 yard	\$123.45	\$209.89	\$290.17	\$364.26	\$425.97	\$488.33
8.0 yard	\$139.52	\$239.96	\$326.46	\$422.75	\$520.41	\$618.10

### Section 8-5-4: BRUSH COLLECTION CHARGES:

The following rates shall apply to brush collection fees, which includes a \$1.00 administrative fee.

- A. A monthly charge of \$4.54 will be applied to all active residential accounts and per unit on multi apartment complexes within the city limits of Alamo.
- B. A monthly charge of \$2.50 will be applied to every two lots within a mobile home park and/or recreational vehicle park.
- C. A monthly charge of \$4.54 will be applied to all active commercial accounts within the city limits of Alamo.

#### 8-5-10: FEES AND POLICY FOR PRIVATE SEWER UNPLUG:

- A. Any resident receiving City of Alamo sanitation sewer may request assistance from the city to unplug their private sewer line. Such service will be provided only if and when the city maintenance crew has verified that the sewer plug up is not the city main sewer line.
- B. Upon verification that the sewer plug up is on the customer's line and before any work order is dispatched, the property owner must sign a Release of Liability in the Utility Billing/Collections Department. This Release of Liability form releases the City of Alamo, its officers, administration, and employees from any and all liability for damages or claims during the course of the unplugging of private sewer lines on private property.
- C. Such Release of Liability must be signed by the property owner, and having shown proper identification, will be notarized by a staff member in the Utility Billing/Collections Department.
- D. The Board of Commissioner of the City of Alamo hereby sets a fee of eighty dollars (\$80.00) to offset the costs of unplugging a private sewer line. In the event that the sewer unplug is unsuccessful and the city crew has been diligent in its efforts, the fee will not be refunded.

Section II. The City Secretary of the City of Alamo, Texas is hereby authorized and directed to cause the applicable portion to be published in the Code of Ordinances book for the City of Alamo, Texas.

Section III. The City Secretary of the City of Alamo, Texas is hereby authorized and directed to cause the caption of this Ordinance to be published in the official newspaper of the City of Alamo, Texas.

Section V. If any section, or part of any section, paragraph or clause of this Ordinance is declared invalid or unconstitutional for any reason, such as declaration not be held to invalidate or impair the validity, force or effect of any such section, part of any other section, paragraph or clause of this Ordinance and such remaining part shall remain in full force or effect, and to that extent, this Ordinance is considered serviceable.

Section VII. This Ordinance shall be in effect from and after its date of passage and signature by the Mayor of the City of Alamo.

PASSED AND APPROVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF ALAMO, TEXAS at a special meeting held on this the 24<sup>th</sup> day of September, 2013, held in accordance with provisions of Chapter 551 of the Texas Local Government Code.

CITY OF ALAMO, TEXAS

BY: \_\_\_\_\_  
DIANA MARTINEZ, MAYOR

ATTEST:

\_\_\_\_\_  
LUCIANO OZUNA, JR. CITY MANAGER

APPROVED AS TO FORM:

\_\_\_\_\_  
JAVIER VILLALOBOS, CITY ATTORNEY

**ORDINANCE NO.**

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF ALAMO, TITLE 7, PUBLIC WAYS AND PROPERTY, CHAPTER 6; CITY PARKS PROVIDING ENFORCEMENT PROCEDURES; ESTABLISHING CRIMINAL PENALTIES; PROVIDING FOR EFFECTIVE DATES; PROVIDING FOR PUBLICATION PROVIDING FOR SEVERABILITY CLAUSE AND ORDAINING OTHER PROVISIONS RELATED TO THE SUBJECT MATTER THEREOF**

**WHEREAS**, the Board of Commissioners of the City of Alamo may, in consideration of the concerns of the citizens of Alamo and the surrounding areas, and from time to time revise rates associated with the use of said park pavilion(s); and

**WHEREAS**, in accordance with Article I, Section 2 of the Alamo City Charter, the enumeration of powers granted and authorized by the charter shall not be held or deemed exclusive, but shall be in addition to the powers appropriate for the exercise necessary of local self-government, and shall all powers granted by law, constitution, and ordinance; and

**WHEREAS**, pursuant to Texas Local Government Code section 51.001, the City has the authority to adopt ordinances that are for the good government, peace, or order of the municipality or for the trade and commerce of the municipality and that are necessary to carry out powers granted to the City and;

**WHEREAS**, pursuant to the Texas Constitution, article XI, Section 5, and Texas Local Government Code section 51.072, the City, as a home-rule municipality, has full power of local self-government.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF ALAMO, TEXAS THAT:**

**SECTION I.** The Code of Ordinances of the City of Alamo, Title 7- Public Ways and Property, Chapter 6, City Parks, is hereby amended to include the following:

**7-6-1:           USAGE RATES:** The rate for usage of a city park pavilion is as follows:

A. Usage of any park pavilion shall incur a cost to any person or group (all non-profit group(s) must be certified as per Internal Revenue Service requirements) who wishes to use a park pavilion that cost being defined as the following:

- |    |                   |   |
|----|-------------------|---|
| 1. | Resident.         | Cost shall be forty dollars (\$40.00) per day.  |
| 2. | Non-resident.     | Cost shall be fifty dollars (\$50.00) per day.  |
| 3. | Non-profit group. | Cost shall be thirty dollars (\$30.00) per day. |

- B. A refundable cost of twenty-five dollars (\$25.00) per event shall be charged to any person or group who uses any city park pavilion to offset costs incurred by the city to provide cleanup of the park area after usage.
- C. Total cost to any person or group who uses any city park pavilion shall be at charged as per Section 7-6-1 (A), and (B) of which is considered refundable if the park pavilion area is left in a clean condition; clean condition being defined as no trash or garbage lying about, cans and/or bottles deposited in a proper disposal unit, trash/garbage properly bagged and stored and restroom areas left in a clean condition (no trash on the floor, etc.).
- D. All park pavilions shall be rented for use on a first come, first served basis, and persons or groups who may wish to rent any park pavilion or field must apply for dates through the Utilities Billing Department located at City Hall, 420 North Tower Road, Alamo, Texas 78516.
- E. Usage of ball field(s) shall incur a cost per day to any person or group (all non-profit group(s) must be certified as per Internal Revenue Service requirements) who wishes to use a ball field that cost being defined as follows:

	Resident	Non-resident	Non-profit group
Ball field(s) use	\$125.00 per field	\$150.00 per field	\$75.00 per field
Practice field no lights	\$40.00- 2hr limit	\$60.00- 2hr limit	\$30.00- 2hr limit
Practice field with lights	\$60.00- 2hr limit	\$80.00- 2hr limit	\$50.00- 2hr limit
Concession stand use donation to Boys & Girls Club	\$200.00	\$250.00	\$100.00

SECTION II. The City Secretary is hereby directed to cause this Ordinance to be published in the Code of the City of Alamo.

SECTION III. The City Secretary is hereby authorized and directed to cause the caption of this Ordinance to be published in the official newspaper in and for the City of Alamo, Texas, according to law.

SECTION IV. This Ordinance shall be effective after its passage and signature by the Mayor of the City of Alamo.

SECTION V. If any section, or part of any section, paragraph or clause of this Ordinance is declared invalid or unconstitutional for any reason, such declaration shall not be held to invalidate or impair the validity, force or effect of any other section, part of any section, paragraph or clause of this Ordinance.

PASSED AND APPROVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF ALAMO, TEXAS, at a Special Meeting called and held on this the, 24<sup>th</sup> day of September, 2013, held in accordance with the provisions of Chapter 551 of the Texas Government Code.

CITY OF ALAMO:

\_\_\_\_\_  
Diana Martinez, Mayor

ATTEST:

\_\_\_\_\_  
Luciano Ozuna, Jr., City Manager

APPROVED AS TO FORM ONLY:

\_\_\_\_\_  
Javier Villalobos  
City Attorney

**ORDINANCE NO.**

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF ALAMO, TITLE 7, PUBLIC WAYS AND PROPERTY, CHAPTER 4; CITY SWIMMING POOL PROVIDING ENFORCEMENT PROCEDURES; ESTABLISHING CRIMINAL PENALTIES; PROVIDING FOR EFFECTIVE DATES; PROVIDING FOR PUBLICATION PROVIDING FOR SEVERABILITY CLAUSE AND ORDAINING OTHER PROVISIONS RELATED TO THE SUBJECT MATTER THEREOF**

**WHEREAS**, the Board of Commissioners of the City of Alamo may, in consideration of the concerns of the citizens of Alamo and the surrounding areas, and from time to time revise rates associated with the use of said swimming pool; and

**WHEREAS**, in accordance with Article I, Section 2 of the Alamo City Charter, the enumeration of powers granted and authorized by the charter shall not be held or deemed exclusive, but shall be in addition to the powers appropriate for the exercise necessary of local self-government, and shall all powers granted by law, constitution, and ordinance; and

**WHEREAS**, pursuant to Texas Local Government Code section 51.001, the City has the authority to adopt ordinances that are for the good government, peace, or order of the municipality or for the trade and commerce of the municipality and that are necessary to carry out powers granted to the City and;

**WHEREAS**, pursuant to the Texas Constitution, article XI, Section 5, and Texas Local Government Code section 51.072, the City, as a home-rule municipality, has full power of local self-government.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF ALAMO, TEXAS THAT:**

**SECTION I.** The Code of Ordinances of the City of Alamo, Title 7- Public Ways and Property, Chapter 4, City Swimming Pool, is hereby amended to include the following:

**7-4-1:** **SWIMMING POOL RATES:** The following rates shall be charged for the use of the swimming pool of the City. (All non-profit groups must be certified as per Internal Revenue Service requirements)

	Resident	Non-resident	Non-profit group
Private party for 3 hours:	\$195.00	\$225.00	\$160.00

SECTION II. The City Secretary is hereby directed to cause this Ordinance to be published in the Code of the City of Alamo.

SECTION III. The City Secretary is hereby authorized and directed to cause the caption of this Ordinance to be published in the official newspaper in and for the City of Alamo, Texas, according to law.

SECTION IV. This Ordinance shall be effective after its passage and signature by the Mayor of the City of Alamo.

SECTION V. If any section, or part of any section, paragraph or clause of this Ordinance is declared invalid or unconstitutional for any reason, such declaration shall not be held to invalidate or impair the validity, force or effect of any other section, part of any section, paragraph or clause of this Ordinance.

PASSED AND APPROVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF ALAMO, TEXAS, at a Special Meeting called and held on this the, 24<sup>th</sup> day of September, 2013, held in accordance with the provisions of Chapter 551 of the Texas Government Code.

CITY OF ALAMO:

\_\_\_\_\_  
Diana Martinez, Mayor

ATTEST:

\_\_\_\_\_  
Luciano Ozuna, Jr., City Manager

APPROVED AS TO FORM ONLY:

\_\_\_\_\_  
Javier Villalobos  
City Attorney

**ORDINANCE NO.**

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF ALAMO, TITLE 9, BUILDING REGULATIONS, CHAPTER 1; BUILDING CODES; SECTION 9-1-3 BUILDING CODE PERMIT FEES PROVIDING ENFORCEMENT PROCEDURES; ESTABLISHING CRIMINAL PENALTIES; PROVIDING FOR EFFECTIVE DATES; PROVIDING FOR PUBLICATION PROVIDING FOR SEVERABILITY CLAUSE AND ORDAINING OTHER PROVISIONS RELATED TO THE SUBJECT MATTER THEREOF**

**WHEREAS**, the Board of Commissioners of the City of Alamo may, in consideration of the concerns of the citizens of Alamo and the surrounding areas, and from time to time revise rates associated with all building code fees; and

**WHEREAS**, in accordance with Article I, Section 2 of the Alamo City Charter, the enumeration of powers granted and authorized by the charter shall not be held or deemed exclusive, but shall be in addition to the powers appropriate for the exercise necessary of local self-government, and shall all powers granted by law, constitution, and ordinance; and

**WHEREAS**, pursuant to Texas Local Government Code section 51.001, the City has the authority to adopt ordinances that are for the good government, peace, or order of the municipality or for the trade and commerce of the municipality and that are necessary to carry out powers granted to the City and;

**WHEREAS**, pursuant to the Texas Constitution, article XI, Section 5, and Texas Local Government Code section 51.072, the City, as a home-rule municipality, has full power of local self-government.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF ALAMO, TEXAS THAT:**

**SECTION I.** The Code of Ordinances of the City of Alamo, Title 9- Building Regulations, Chapter 1; Building Codes, Section 9-1-3; Building Code Permit Fees is hereby amended to include the following:

**9-1-3: BUILDING CODE PERMIT FEES:**

A. Building Fees.

5. All fees to include but not limited to construction, alterations, remodels, additions, repairs, shell buildings, signs, fences and all other miscellaneous buildings in all districts.

0-\$1,999.00	\$30.00
\$2,000.00-\$3,999.00	\$50.00
\$4,000.00-\$7,999.00	\$75.00
\$8,000 or more	.0375 percent of value

B. Moving Permit:

1. The fee for a moving permit shall be one-hundred dollars (\$100.00), plus a twenty-five dollar (\$25.00) inspection fee provided, however, for any structural inspection report which shall be required before a building or structure is moved into the City of Alamo from a location outside the corporate limits, a permit fee of fifty dollars (\$50.00) shall be charged for such inspection.

C. Demolition: the fee for the demolition of any building(s) or structure(s) shall be the following:

0-1,000 square feet	\$100.00 plus inspection fee
Plus for every additional 500 Square feet over 1,000 square feet	\$20.00 plus inspection fee

D. Inspection fees:

1. There shall be an inspection fee of twenty-five dollars (\$25.00).
2. There shall be a re-inspection fee of fifty dollars (\$50.00).

I. RES-check compliance report fees:

1. There shall be a fee of twenty dollars (\$20.00) for review of a RES-check compliance report (residential only).
2. There shall be a fee of fifty dollars (\$50.00) for review of a RES-check compliance report (non-residential).

J. Driveway or curb cut fees:

1. There shall be a fee of thirty dollars (\$30.00) for driveway or curb cut per entrance or exit to property.

K. Underground storage tank removal: Fees for the removal of underground storage tanks:

1. There shall be a fee for the removal of underground storage tanks:

For the first tank	\$100.00
Each additional tank	\$75.00

L. Administrative fees:

Plan review (non-residential)	\$50.00
Any permit renewal	\$40.00
Reprint of any lost permit(s)	\$30.00
Building facility or housing inspection	\$25.00
Lien processing (all)	\$85.00

M. Certificate of occupancy permit (excludes single family):

0-1,999 square feet	\$75.00
2,000-4,999 square feet	\$150.00
5,000-7,999 square feet	\$250.00
Over 8,000 square feet	\$400.00

N. Contractor fee:

1. There shall be a license registration fee of one-hundred twenty-five dollars (\$125.00) for all electrical, plumbing and mechanical contractors conducting business in the City of Alamo.
2. There shall be a renewal fee of seventy-five dollars (\$75.00) for all electrical, plumbing, and mechanical contractors conducting business in the City of Alamo.

O. Other fees:

1. Re-zone \$250.00
2. Variance \$250.00
3. Conditional Use Permit \$250.00

SECTION II. The City Secretary is hereby directed to cause this Ordinance to be published in the Code of the City of Alamo.

SECTION III. The City Secretary is hereby authorized and directed to cause the caption of this Ordinance to be published in the official newspaper in and for the City of Alamo, Texas, according to law.

SECTION IV. This Ordinance shall be effective after its passage and signature by the Mayor of the City of Alamo.

SECTION V. If any section, or part of any section, paragraph or clause of this Ordinance is declared invalid or unconstitutional for any reason, such declaration shall not be held to invalidate or impair the validity, force or effect of any other section, part of any section, paragraph or clause of this

Ordinance.

PASSED AND APPROVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF ALAMO, TEXAS, at a Special Meeting called and held on this the, 24<sup>th</sup> day of September, 2013, held in accordance with the provisions of Chapter 551 of the Texas Government Code.

CITY OF ALAMO:

\_\_\_\_\_  
Diana Martinez, Mayor

ATTEST:

\_\_\_\_\_  
Luciano Ozuna, Jr., City Manager

APPROVED AS TO FORM ONLY:

\_\_\_\_\_  
Javier Villalobos  
City Attorney

**ORDINANCE NO.**

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF ALAMO, TITLE 3, BUSINESS AND LICENSE REGULATIONS, CHAPTER 15, BUSINESS OPERATOR LICENSE; SECTION 3-15-3; FIRE INSPECTION BY ADOPTING AS SET OUT THEREIN; PROVIDING FOR EFFECTIVE DATES; PROVIDING FOR PUBLICATION PROVIDING FOR SEVERABILITY CLAUSE AND ORDAINING OTHER PROVISIONS RELATED TO THE SUBJECT MATTER THEREOF.**

**WHEREAS**, the Board of Commissioners of the City of Alamo may, in consideration of the concerns of the citizens of Alamo and the surrounding areas, and from time to time revise rates associated with the business license regulations;

**WHEREAS**, in accordance with Article I, Section 2 of the Alamo City Charter, the enumeration of powers granted and authorized by the charter shall not be held or deemed exclusive, but shall be in addition to the powers appropriate for the exercise necessary of local self-government, and shall all powers granted by law, constitution, and ordinance; and

**WHEREAS**, pursuant to the Texas Constitution, Article XI, Section 5, and Local Government Code section 51.072, the City, as a home-rule municipality, has full power of local self-government.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF ALAMO, TEXAS THAT:**

**SECTION I.** The Code of Ordinances of the City of Alamo, Title 3, Business and License Regulations, Chapter 15, Business Operator's License; Section 3-15-3, Fire Inspection and is hereby amended to include:

3-15-3: **FIRE INSPECTION:** Every new business shall pay a separate fee for an initial fire inspection. All existing businesses shall pay an annual inspection fee. The following fees apply:

	Initial inspection	Annual inspection
0-1,999 square feet	\$75.00	\$40.00
2,000-4,999 square feet	\$100.00	\$70.00
5,000-7,999 square feet	\$150.00	\$100.00
Over 8,000 square feet	\$300.00	\$150.00

SECTION II. The City Secretary is hereby directed to cause this Ordinance to be published in the Code of the City of Alamo.

SECTION III. The City Secretary is hereby authorized to publish a notice of the official newspaper in and for the City of Alamo, Texas, according to law.

SECTION IV. This Ordinance shall be effective after its passage and signature by the Mayor of the City of Alamo.

SECTION V. If any section, or part of any section, paragraph or clause of this Ordinance is declared invalid or unconstitutional for any reason, such declaration shall not be held to invalidate or impair the validity, force or effect of any other section, part of any section, paragraph or clause of this Ordinance.

PASSED AND APPROVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF ALAMO, TEXAS, at a Special Meeting called and held on this the 24th day of September, 2013, held in accordance with the provisions of Chapter 551 of the Texas Government Code.

CITY OF ALAMO:

\_\_\_\_\_  
Diana Martinez, Mayor

ATTEST:

\_\_\_\_\_  
Luciano Ozuna, Jr., City Manager

APPROVED AS TO FORM:

\_\_\_\_\_  
Javier Villalobos  
City Attorney

**ORDINANCE NO.**

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF ALAMO, TITLE 3, BUSINESS AND LICENSE REGULATIONS, CHAPTER 12; GARAGE, YARD, AND PORCH SALES; SECTION 3-12-2, PERMITS REQUIRED; PROVIDING ENFORCEMENT PROCEDURES; ESTABLISHING CRIMINAL PENALTIES; PROVIDING FOR EFFECTIVE DATES; PROVIDING FOR PUBLICATION PROVIDING FOR SEVERABILITY CLAUSE AND ORDAINING OTHER PROVISIONS RELATED TO THE SUBJECT MATTER THEREOF**

**WHEREAS**, the Board of Commissioners of the City of Alamo may, in consideration of the concerns of the citizens of Alamo and the surrounding areas, and from time to time revise rates associated with garage, yard, and porch sales; and

**WHEREAS**, in accordance with Article I, Section 2 of the Alamo City Charter, the enumeration of powers granted and authorized by the charter shall not be held or deemed exclusive, but shall be in addition to the powers appropriate for the exercise necessary of local self-government, and shall all powers granted by law, constitution, and ordinance; and

**WHEREAS**, pursuant to Texas Local Government Code section 51.001, the City has the authority to adopt ordinances that are for the good government, peace, or order of the municipality or for the trade and commerce of the municipality and that are necessary to carry out powers granted to the City and;

**WHEREAS**, pursuant to the Texas Constitution, article XI, Section 5, and Texas Local Government Code section 51.072, the City, as a home-rule municipality, has full power of local self-government.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF ALAMO, TEXAS THAT:**

**SECTION I.** The Code of Ordinances of the City of Alamo, Title 3- Business and License Regulations, Chapter 12, Garage, Yard, and Porch Sales, is hereby amended to include the following:

3-12-2:       **PERMITS REQUIRED:** The owner or occupant with a garage, yard, or porch sale, shall obtain a permit from the Utility Billing Department of the City of Alamo, the cost of which shall be ten dollars (\$10.00).

**SECTION II.** The City Secretary is hereby directed to cause this Ordinance to be published in the Code of the City of Alamo.

SECTION III. The City Secretary is hereby authorized and directed to cause the caption of this Ordinance to be published in the official newspaper in and for the City of Alamo, Texas, according to law.

SECTION IV. This Ordinance shall be effective after its passage and signature by the Mayor of the City of Alamo.

SECTION V. If any section, or part of any section, paragraph or clause of this Ordinance is declared invalid or unconstitutional for any reason, such declaration shall not be held to invalidate or impair the validity, force or effect of any other section, part of any section, paragraph or clause of this Ordinance.

PASSED AND APPROVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF ALAMO, TEXAS, at a Special Meeting called and held on this the, 24<sup>th</sup> day of September, 2013, held in accordance with the provisions of Chapter 551 of the Texas Government Code.

CITY OF ALAMO:

\_\_\_\_\_  
Diana Martinez, Mayor

ATTEST:

\_\_\_\_\_  
Luciano Ozuna, Jr., City Manager

APPROVED AS TO FORM ONLY:

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Javier Villalobos  
City Attorney