

ORDINANCE NO. 342

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BANDERA AMENDING THE CODE OF ORDINANCES OF THE CITY OF BANDERA, TEXAS, CHAPTER 3, BUILDING REGULATIONS, BY ADDING ARTICLE 3.07 HOUSE NUMBERS; PROVIDING FOR SEVERABILITY; PROVIDING FOR PROPER NOTICE AND MEETING; REPEALING ALL ORDINANCES OR SECTIONS OF ORDINANCES IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City Council of the City of Bandera, Texas (the "City"), has previously adopted regulations to provide for the regulation of the general layout and alignment of streets; and,

WHEREAS, the City Council of the City of Bandera, Texas (the "City"), has previously adopted regulations regulating certain aspects of the building and maintenance of structures and buildings; and

WHEREAS, the City Council of the City has evaluated the effectiveness of the regulations and deems it necessary to amend the City's Code of Ordinances by amending Chapter 3, Building Regulations, by adding Article 3.07 House Numbers; and

WHEREAS, the coordination of emergency response within the City requires that the City addressing be consistent with the addressing within the extra-territorial jurisdiction of the City as well as the County; and

WHEREAS, the City Council finds that amending the City's Code of Ordinances as described herein, and the adoption of certain provisions of the Bandera County 911 Addressing Guidelines and method of numbering houses will further promote the public health, safety, and general welfare of the City.

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

I. CODE AMENDMENT

The City of Bandera Code of Ordinances, Chapter 3, Building Regulations, is hereby amended by adding Article 3.07 House Numbers as set forth in the attached Exhibit A, which is fully incorporated herein by reference.

**II. BANDERA COUNTY 911 ADDRESSING GUIDELINES
AND METHOD OF NUMBERING HOUSES**

For consistency in the numbering of houses and assignment of addresses with the City, the City hereby adopts those portions of Article VI of the Bandera County 911 Addressing Guidelines and method of numbering houses not in conflict with the provisions set forth in Exhibit A, as such guidelines have been currently adopted and as may later be amended by the Bandera County Commissioner's Court. Said guidelines shall be on file and of record in the office of the City Secretary.

III. REPEALER

All ordinances, or part thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters resolved herein for the period of time stated.

IV. SEVERABILITY

It is hereby declared to be the intention of the City Council of the City that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

IV. PROPER NOTICE AND MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was adopted was open to the public and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code, as amended.

V. PENALTY


Any Person violating any of the provisions of this Ordinance shall be deemed guilty of a Class C misdemeanor upon conviction and shall be fined, except as otherwise provided herein, in a sum not to exceed five hundred dollars (\$500.00) for each offense, and a separate offense shall be deemed committed upon each day during or on which a violation occurs or continues.

VI. EFFECTIVE DATE

This ordinance shall become effective immediately upon its passage and any publication required by law.

PASSED, ADOPTED, APPROVED, AND EFFECTIVE THE 18TH DAY OF JANUARY, 2018.

CITY OF BANDERA, TEXAS

By: 
Suzanne Schauman, Mayor

ATTEST:


Jill Shelton, City Secretary

EXHIBIT A

AMEND CHAPTER 3 BUILDING REGULATIONS OF THE CITY OF BANDERA CODE OF ORDINANCES BY ADDING ARTICLE 3.07 HOUSE NUMBERS AS FOLLOWS:

ADD:

ARTICLE 3.07 HOUSE NUMBERS

Division 1. Generally

Sec. 3.07.001 Public Necessity

Firefighters, emergency vehicles, and personnel may need to find your home quickly should an emergency occur. It is difficult for emergency vehicles, utility trucks, and postal and delivery trucks to find homes and businesses with address numbers that are not properly posted. The placement and maintenance of a visible house number in conformance with this Article is declared to be a public necessity.

Sec. 3.07.002 Required to be placed

It shall be the duty of the owner of any house situated in the city to place or permit to be placed thereon in some conspicuous place on such house an official street number, so that the number may be plainly seen and observed from the street. In case the owner is a nonresident of the city it shall be the duty of the agent of the owner or the occupant of such house, when such agent or occupant is notified by the city administrator or designee, to place such official number on such house; provided, that such agent or occupant so notified shall be allowed five (5) days' time from the date of the receipt of the notice to place such official number on such house.

Sec. 3.07.003 Numbering by city

The city council may, if they deem it advisable, officially number the houses within the city and for such purpose may employ such persons as they deem suitable to perform such work, and prescribe the compensation to be paid such persons. It shall be the duty of all persons owning or occupying any house to permit such persons to freely enter thereon for the purpose of performing such work of officially numbering any house.

Sec. 3.07.004 Charge for numbers when placed by city

In case the city council determines to do the work of officially numbering houses in the city, the official numbers shall be furnished free of charge, and it shall be unlawful for any person to charge any tenant, occupant or owner of any house compensation for any such official number.

Sec. 3.07.005 Numbering method generally

All houses shall be considered officially numbered when numbered in strict accordance and compliance with the terms of this Article and in accordance with Article VI of the Bandera County 911 Addressing Guidelines and method of numbering houses as adopted and amended, and on file and of record in the office of the City Secretary.

Sec. 3.07.006 Obtaining correct number

It shall be the duty of the city administrator or designee, upon application, to give the proper number for houses to persons requesting the same. Such persons shall be required to state the street upon which the house to be numbered is situated and the direction and distance the same is situated from the nearest cross street.

Sec. 3.07.007 Altering, removal, etc., of numbers placed by city

In the event the city council shall determine to do the work of officially numbering the houses within the city, each official number shall be placed on each house in the manner provided by this article and it shall thereafter be unlawful for any person to willfully deface, injure or remove any such number; provided, that a person shall have the right to remove such number when altering or changing the house and then shall place such number temporarily at some other part of such house where it will show conspicuously from the street.

Sec. 3.07.008 Specifications for numbers

- (a) House numbers must be no less than 3" tall.
- (b) House numbers must be in a contrasting color to the color scheme of the structure.
- (c) House numbers must be visible from up to 150 feet, from all angles.
- (d) House numbers must be visible at night.
- (e) House number visibility must be kept clear of obstruction throughout the year. Plant and tree growth during certain seasons can hide numbers. Low hanging limbs can obstruct the view for a large emergency response vehicle that would normally be visible to others.