

# AGENDA

A regular meeting of the Mayor and City Council of the City of Waxahachie, Texas to be held in the Council Chamber at City Hall, 401 S. Rogers on **Monday, January 4, 2021 at 7:00 p.m.**

Council Members: David Hill, Mayor, Council Member Place 1  
Mary Lou Shipley, Mayor Pro Tem  
Chuck Beatty, Council Member  
Melissa Olson, Council Member Place 3  
Doug Barnes, Council Member Place 2

1. Call to Order
2. Invocation
3. Pledge of Allegiance and Texas Pledge of Allegiance
4. **Public Comments:** Persons may address the City Council on any issues. This is the appropriate time for citizens to address the Council on any concern whether on this agenda or not. In accordance with the State of Texas Open Meetings Act, the Council may not comment or deliberate such statements during this period, except as authorized by Section 551.042, Texas Government Code.

5. **Consent Agenda**

All matters listed under Item 5, Consent Agenda, are considered to be routine by the City Council and will be enacted by one motion. There will not be separate discussion of these items. Approval of the Consent Agenda authorizes the Mayor/City Manager to execute all matters necessary to implement each item. Any item may be removed from the Consent Agenda for separate discussion and consideration by any member of the City Council.

- a. Minutes of the City Council meeting of December 21, 2020
  - b. Minutes of the City Council briefing of December 21, 2020
  - c. Event application for One Act Play Public Performance on March 6, 2021
  - d. Event application for Community Good Friday Service on April 2, 2021
  - e. Event application for Waxajam 2021 on April 10, 2021
  - f. Event application for Crossroads of Texas Film & Music Festival on April 22-24, 2021
6. **Consider** amending Chapter 14, Garbage and Trash, of the City of Waxahachie Code of Ordinances
  7. **Consider** authorization of a two year Master Service Agreement with GAW Construction, through an Interlocal Agreement with the City of Midlothian, for various concrete services
  8. **Consider** proposed Resolution of Candidate Nomination for the Ellis Appraisal District Board of Directors Vacancy for the year 2021
  9. **Consider** appeal for exemption to Police Chief's decision related to City Ordinance No. 3096

10. Comments by Mayor, City Council, City Attorney and City Manager

11. Adjourn

**The City Council reserves the right to go into Executive Session on any posted item.** This meeting location is wheelchair-accessible. Parking for mobility-impaired persons is available. Any request for sign interpretive services must be made forty-eight hours ahead of the meeting. To make arrangements, call the City Secretary at 469-309-4005 or (TDD) 1-800-RELAY TX

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City Council  
December 21, 2020

A regular meeting of the Mayor and City Council of the City of Waxahachie, Texas was held in the Council Chamber at City Hall, 401 S. Rogers on Monday, December 21, 2020 at 7:00 p.m.

Council Members Present: David Hill, Mayor, Council Member Place 1  
Mary Lou Shipley, Mayor Pro Tem  
Chuck Beatty, Council Member  
Doug Barnes, Council Member Place 2  
Melissa Olson, Council Member Place 3

Others Present: Michael Scott, City Manager  
Albert Lawrence, Assistant City Manager  
Tommy Ludwig, Assistant City Manager  
Robert Brown, City Attorney  
Lori Cartwright, City Secretary

**1. Call to Order**

Mayor David Hill called the meeting to order.

**2. Invocation**

**3. Pledge of Allegiance and Texas Pledge of Allegiance**

City Manager gave the invocation and led the Pledge of Allegiance and the Texas Pledge of Allegiance.

**4. Public Comments**

Mr. Chris Wright, 808 West Marvin, Waxahachie, thanked City Manager Michael Scott for opening the City Council Chamber for the Boys Basketball Booster Club to watch the WISD High School Boys Basketball game. He relayed a message from Mr. Tim Lyons to Mr. Kevin Strength for his dedicated service on City Council.

**5. Consent Agenda**

- a. Minutes of the City Council meeting of December 7, 2020
- b. Minutes of the City Council briefing of December 7, 2020
- c. Set City Council meeting of Tuesday, January 19, 2021

**Action:**

*Council Member Chuck Beatty moved to approve items a. through c. on the Consent Agenda. Mayor Pro Tem Mary Lou Shipley seconded, All Ayes.*

**6. Recognize Mr. Kevin Strength for his service as Mayor and City Council Member**

Mayor Hill presented Mr. Kevin Strength with a Proclamation highlighting his services while on City Council and declaring December 21, 2020 as Michael Kevin Strength Day in Waxahachie. Mayor Hill stated Mr. Strength served on the City Council from May of 2010 to November 2020. He served as Mayor from 2014-2019. Mayor Hill presented Mr. Strength with a shadow Box that

(5a)

included a key to the city, a gavel, an American flag that flew over the Waxahachie City Hall and two plaques thanking him for his service as Mayor and City Council Member.

Mr. Strength reflected on the friendships he has made since arriving on City Council. He stated Waxahachie is a wonderful place noting it was an honor and privilege to serve the citizens of Waxahachie. He stated the city is in good hands with the current City Council and city staff. Mr. Strength stated it is very humbling to be recognized and encouraged everyone to stay strong because the last ten years City Council and city staff worked very hard to stay strong and it shows.

**7. Consider Development Agreement for ZDC-72-2020**

*Mayor Hill announced City Council postponed the Development Agreement for ZDC-72-2020 to the City Council meeting of January 19, 2021.*

**Action:**

*Mayor Pro Tem Mary Lou Shipley moved to postpone the Development Agreement for ZDC-72-2020 to the City Council meeting of January 19, 2021. Council Member Melissa Olson seconded, All Ayes.*

**8. Continue Public Hearing on a request by Carolyn J Haman for Voluntary Annexation on approximately 150.5+/- acres located NW of 2374 W Highway 287 Bypass (Property ID 185971 and 185886) - Owner: CAROLYN J HAMAN (ANX-DNX-145-2020)**

*Mayor Hill continued the Public Hearing and announced City Council postponed ANX-DNX-145-2020 to the City Council meeting of January 19, 2021.*

**9. Consider proposed Ordinance approving ANX-DNX-145-2020**

**Action:**

*Mayor Pro Tem Mary Lou Shipley moved to postpone ANX-DNX-145-2020 to the City Council meeting of January 19, 2021. Council Member Melissa Olson seconded, All Ayes.*

**10. Continue Public Hearing on a request by Phillip Fisher, Macatee Engineering LLC, for a Zoning Change from a Future Development and General Retail zoning district to Planned Development-Mixed-Use Residential, located W of 2374 W Highway 287 Bypass (Property IDs 185971, 185972, 185886, 185978) - Owner: CAROLYN J HAMAN (ZDC-72-2020)**

*Mayor Hill continued the Public Hearing and announced City Council postponed ZDC-72-2020 to the City Council meeting of January 19, 2021.*

**11. Consider proposed Ordinance approving ZDC-72-2020**

**Action:**

*Mayor Pro Tem Mary Lou Shipley moved to postpone ZDC-72-2020 to the City Council meeting of January 19, 2021. Council Member Melissa Olson seconded, All Ayes.*

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**12. Public Hearing on a request by Sean Neal, TGS Architects, for a Specific Use Permit (SUP) for Electronic Message Sign use within a General Retail zoning district located at 1905 N Highway 77 (Property ID 262426) - Owner: COMMUNITY NATIONAL BANK & TRUST OF TEXAS (ZDC-155-2020)**

Mayor Hill opened the Public Hearing.

Planning Director Shon Brooks reported the applicant intends to install a multi-tenant ground monument/electronic message sign for advertisement purposes at Community National Bank. He reported staff suggests the applicant provide a maximum height of 15 feet for the electronic message sign opposed to the proposed 20 feet. Mr. Brooks noted the maximum allowed size for an electronic message sign is 125 square feet. The applicant is proposing a size of 300 square feet.

Mr. Sean Neal, Applicant, TGS Architect, 5323 Spring Valley Road, Dallas, Texas, stated the reason for the requested height is he did not want trees as they grew to hide the signage.

After further discussion, the following was determined:

- The maximum height of the sign shall not exceed 18 feet.
- The width for the sign shall be 10 feet.
- The maximum square footage for the sign shall not exceed 180 square feet.
- The sign shall be set back a minimum of 15 feet from the public right-of-way.

There being no others to speak for or against ZDC-155-2020, Mayor Hill closed the Public Hearing.

**13. Consider proposed Ordinance approving ZDC-155-2020**

**ORDINANCE NO. 3240**

**AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT AN ELECTRONIC MESSAGE SIGN USE WITHIN A GENERAL RETAIL (GR) ZONING DISTRICT, LOCATED AT 1905 N. HIGHWAY 77, BEING PROPERTY ID 262426, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING LOT 1, BLOCK B OF THE VICTORY PARK REV. 2, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.**

**Action:**

*Council Member Doug Barnes moved to approve Ordinance No. 3240 as presented. Council Member Chuck Beatty seconded, All Ayes.*

**14. Public Hearing on a request by Josh Helm, Texas Best Construction, for a Specific Use Permit (SUP) for Accessory Building, Used as a Dwelling Unit and Accessory Building (Residential), Greater than or Equal to 700 SF use within a Single-Family Residential-2 zoning district located at 1640 Lone Elm Rd (Property ID 275601) - Owner: BRADLEY & JENNIFER KEITH (ZDC-158-2020)**

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Mayor Hill opened the Public Hearing.

Mr. Brooks presented a site plan for the two requested accessory buildings noting the structures will be located in the rear of the single-family zoned property. He stated the accessory dwelling unit cannot be used to rent to outside tenants.

There being no others to speak for or against ZDC-158-2020, Mayor Hill closed the Public Hearing.

**15. Consider proposed Ordinance approving ZDC-158-2020**

**ORDINANCE NO. 3241**

**AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT TWO (2) +700 SQUARE FOOT ACCESSORY STRUCTURES USE WITHIN A SINGLE FAMILY-1 (SF1) ZONING DISTRICT, LOCATED AT 1640 LONE ELM ROAD, PROPERTY ID 275601, BEING LOT 3, BLOCK A OF LONE ELM ADDITION, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.**

**Action:**

*Council Member Melissa Olson moved to approve Ordinance No. 3241 as presented. Council Member Chuck Beatty seconded, All Ayes.*

**16. Public Hearing on a request by Nicholas Balsamo, Kalterra Capital Partners, for a Zoning Change from a Multiple-Family Residential-2 zoning district to Planned Development-Multiple-Family Residential-2, located near the SW corner of Park Place Blvd at Garden Valley Pkwy (Property ID 275563) - Owner: KALTERRA CAPITAL PARTNERS LLC (ZDC-159-2020)**

Mayor Hill opened the Public Hearing and announced City Council postponed ZDC-159-2020 to the City Council meeting of January 19, 2021.

**17. Consider proposed Ordinance approving ZDC-159-2020**

**Action:**

*Mayor Pro Tem Mary Lou Shipley moved to postpone ZDC-159-2020 to the City Council meeting of January 19, 2021. Council Member Chuck Beatty seconded, All Ayes.*

**18. Consider Development Agreement for ZDC-159-2020**

Mayor Hill announced City Council postponed the Development Agreement for ZDC-159-2020 to the City Council meeting of January 19, 2021.

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**Action:**

*Mayor Pro Tem Mary Lou Shipley moved to postpone the Development Agreement for ZDC-159-2020 to the City Council meeting of January 19, 2021. Council Member Chuck Beatty seconded, All Ayes.*

19. **Public Hearing on a request by Jenny Nivens, Dancing Daiquiris, for Convenience Store (Daiquiri Shop) use within a Planned Development-37-General Retail zoning district located at 1014 Ferris Ave, Suite 110 (being a portion of Property ID 176876) – Owner: LEDBETTER REAL ESTATE LTD (ZDC-164-2020)**

Mayor Hill opened the Public Hearing.

Mr. Brooks reported the applicant is requesting the zoning change to allow for a Convenience Store (Daiquiri Shop). He recommended approval.

There being no others to speak for or against ZDC-164-2020, Mayor Hill closed the Public Hearing.

20. **Consider proposed Ordinance approving ZDC-164-2020**

**ORDINANCE NO. 3242**

**AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT A CONVENIENCE STORE WITH ALCOHOL SALES (DAIQUIRI SHOP) USE WITHIN A PLANNED DEVELOPMENT-37-GENERAL RETAIL/PARKING (PD-37-GR/P) ZONING DISTRICT, LOCATED AT 1014 FERRIS AVE, SUITE 110, BEING PROPERTY ID 176876, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING PART OF LOTS 1, 2, AND 4, BLOCK 17 IN THE WILLIAMS ADDITION SUBDIVISION, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.**

**Action:**

*Council Member Chuck Beatty moved to approve Ordinance No. 3242 as presented. Mayor Pro Tem Mary Lou Shipley seconded, All Ayes.*

21. **Public Hearing on a request by Brian Gray for a Specific Use Permit (SUP) for Accessory Building (Residential), Greater than or Equal to 700 SF use within a Planned Development-23-Single-Family Residential-1 zoning district located at 101 Homestead Ln (Property ID 269680) - Owner: BRIAN & MARY GRAY (ZDC-166-2020)**

Mayor Hill opened the Public Hearing.

Mr. Brooks reported the accessory structure is equal or greater than 700 square feet and requires approval of a SUP. He recommended approval.

There being no others to speak for or against ZDC-166-2020, Mayor Hill closed the Public Hearing.

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**22. Consider proposed Ordinance approving ZDC-166-2020  
ORDINANCE NO. 3243**

**AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT A +700 SQUARE FOOT ACCESSORY STRUCTURE USE WITHIN A PLANNED DEVELOPMENT-23-SINGLE FAMILY-1 (PD-23-SF1) ZONING DISTRICT, LOCATED AT 101 HOMESTEAD LANE, PROPERTY ID 269680, BEING LOT 1, BLOCK B OF HOMESTEAD ESTATES, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.**

**Action:**

*Mayor Pro Tem Mary Lou Shipley moved to approve Ordinance No. 3243 as presented. Council Member Melissa Olson seconded, All Ayes.*

**23. Discuss live streaming all public meetings in City Hall, including briefings, and take any necessary action**

Mayor Hill announced discussion of item 23 has moved to a future meeting.

**24. Comments by Mayor, City Council, City Attorney and City Manager**

City Council and City Staff wished everyone a Merry Christmas and Happy New Year.

City Manager Michael Scott stated he looks forward to 2021 being much brighter and prosperous days. He thanked City Council for their work this year.

Council Member Doug Barnes noted may God continue to bless all of us in the coming days ahead. He stated this is a unique time for all of us but with direction, we will all be much better off.

Mayor Pro Tem Mary Lou Shipley stated she looks forward to a brighter new year and is thankful we have gotten through this year to this point. She stated city staff has been extremely diligent and cooperative and has carried on business as usual.

Council Member Melissa Olson stated several people are dealing with health issues and asked everyone to keep them in their prayers and hopes 2021 brings great news for those who are ailing.

Mayor David Hill stated 2020 was going to be a new day with a clear vision and we are certainly looking forward to 2021. He reminded all to be careful, wear your mask, social distance, and wash your hands.

**25. Adjourn**

There being no further business, the meeting adjourned at 7:31 p.m.

Respectfully submitted,

Lori Cartwright, City Secretary

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City Council  
December 21, 2020

A briefing session of the Mayor and City Council of the City of Waxahachie, Texas was held in the City Council Conference Room at City Hall, 401 S. Rogers, Waxahachie, Texas, on Monday, December 21, 2020 at 6:00 p.m.

Council Members Present: David Hill, Mayor, Council Member Place 1  
Mary Lou Shipley, Mayor Pro Tem  
Chuck Beatty, Council Member  
Doug Barnes, Council Member Place 2  
Melissa Olson, Council Member Place 3

Others Present: Michael Scott, City Manager  
Albert Lawrence, Assistant City Manager  
Tommy Ludwig, Assistant City Manager  
Robert Brown, City Attorney  
Lori Cartwright, City Secretary

**1. Call to Order**

Mayor David Hill called the meeting to order.

**2. Conduct a briefing to discuss items for the 7:00 p.m. regular meeting**

Director of Planning Shon Brooks reviewed the following cases:

- ANX-DNX-145-2020 – The applicant requested to continue ANX-DNX-145-2020 to the City Council meeting of January 19, 2021.
- ZDC-72-2020 – The applicant requested to continue ZDC-72-2020 to the City Council meeting of January 19, 2021.
- ZDC-155-2020 — The applicant intends to install a multi-tenant ground monument/electronic message sign for advertisement purposes at Community National Bank.
- ZDC-158-2020 – Mr. Brooks reviewed a site plan for the two requested accessory buildings noting the structures will be located in the rear of the single-family zoned property. Staff will recommend approval.
- ZDC-159-2020 - The applicant requested to continue ZDC-159-2020 to the City Council meeting of January 19, 2021.
- ZDC-164-2020 – The applicant is requesting the zoning change to allow for a Convenience Store (Daiquiri Shop).
- ZDC-166-2020 – The applicant is requesting to construct two accessory structures in the rear of a single-family property.

(5b)

City Council  
December 21, 2020  
Page 2

City Council Member Melissa Olson discussed live streaming all public meetings in City Hall, including briefings.

City Manager Michael Scott stated currently all Planning and Zoning Commission (P&Z) meetings and City Council meetings are being streamed through Swagit and explained they charge by tiers purchased. He stated the tier we currently have is 50 meetings and we currently pay \$18,420 for that service. Mr. Scott noted the Council Conference room does not have Swagit capabilities and explained to equip the conference room and streamline additional meetings will cost approximately an additional \$50,000. Mr. Scott stated to stream the P&Z briefings and City Council briefings only would be approximately an additional \$40,000.

After further discussion, it was determined to bring the item back for discussion at a future City Council meeting.

### **3. Adjourn**

There being no further business, the meeting adjourned at 7:31 p.m.

Respectfully submitted,

Lori Cartwright  
City Secretary

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## Application for a Festival or Event Permit

Event Name and Description: One act Play public performance at Railway Park

### Applicant Information

Name: Life High School Waxahachie  
Address: 170 Butcher Road  
City, State, Zip: Waxahachie, TX 75165 Phone: 214 949 6406  
E-mail Address: jacqueline.rose@lifeschools.net

### Organization Information

Organization Name: Life Blackbox Theatre  
Address: 170 Butcher Road, Waxahachie  
Authorized Head of Organization: Jacqueline Rose  
Phone: 214-949-6406 E-mail Address: jacqueline.rose@lifeschools.net

### Event Chairperson/Contact

Name: Jacqueline Rose  
Address: 604 Richmond Lane  
City, State, Zip: Waxahachie, TX 75165 Phone: 214 949 6406  
E-mail Address: jacqueline.rose@lifeschools.net

### Event Information

Event Location/Address: Railway Park  
Purpose: Performance @ 6:00 pm  
Event Start Date and Time: 03/06/2021 @ 11:00am

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Event End Date and Time: 03/06/2021

Approximate Number of Persons Attending Event Per Day: 500

Site Preparation and Set-Up Date and Time: 03/05/2021 @ 6:00pm  
03/06/2021 @ 11:00am

Clean-Up Completion Date and Time: 03/06/2021 @ 8:00pm

List all activities that will be conducted as a part of this event including street closures, traffic control, vendor booths, etc. Include any requests for city services.

Bathrooms

Will food and/or beverages be available and/or sold?  YES  NO *Prepackaged, individually wrapped desserts - donation only - not sold*

\*Will alcohol be available and/or sold?  YES  NO

If yes, will the event be in the Historic Overlay District?  YES  NO

If food will be prepared on-site, a Temporary Food Permit must be obtained by the Environmental Health Department.

Will dumpsters be needed? Yes

Will an Unmanned Aircraft Systems Unit (drone) be used? YES/NO If so, provide a copy of the current FAA License.

Please submit a site plan showing the layout of the event including equipment, stages, and street locations.

I, THE UNDERSIGNED APPLICANT, AGREE TO INDEMNIFY AND HOLD HARMLESS THE CITY OF WAXAHACHIE, ITS OFFICERS, EMPLOYEES, AGENTS, AND REPRESENTATIVES AGAINST ALL CLAIMS OF LIABILITY AND CAUSES OF ACTION RESULTING FROM INJURY OR DAMAGE TO PERSONS OR PROPERTY ARISING OUT OF THE SPECIAL EVENT. DUE TO COVID-19, I ALSO UNDERSTAND APPROVAL OF MY EVENT IS SUBJECT TO THE THEN CURRENT NECESSARY PRECAUTIONS RESULTING FROM COVID CASE TRENDS AS WELL AS ANY CHANGE IN ACCORDANCE WITH FEDERAL, STATE, OR LOCAL ORDERS.

J. R. [Signature]  
Signature of Applicant

12/16/2020  
Date

\* Please note that approval of this permit does not replace/modify compliance with all applicable state laws as specified by the Texas Alcoholic Beverage Commission (TABC).

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**Villarreal, Amber**

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**From:** Mosley, Laurie  
**Sent:** Wednesday, December 16, 2020 2:02 PM  
**To:** Villarreal, Amber  
**Subject:** RE: Event Permit and Gathering Application - Life High School - 3.6.2020

I do not see any issues from my department. Thank you!

---

**From:** Villarreal, Amber <avillarreal@waxahachie.com>  
**Sent:** Wednesday, December 16, 2020 11:56 AM  
**To:** Ricky Boyd <rboyd@waxahachiefire.org>; Wade Goolsbey <wgoolsby@waxahachiepd.org>; Mosley, Laurie <lmosley@waxahachiecvb.com>; Simpson, Anita <asimpson@waxahachie.com>; Skistimas, Kelly <kelly.skistimas@waxahachie.com>; Griffith, Thomas <john.griffith@waxahachie.com>; Martinez, Gumaro <gmartinez@waxahachie.com>; Drewry, Michaela <michaela.drewry@waxahachie.com>; Me'Lony Jordan <mjordan@waxahachie.com>; Martinez, Jose <jose.martinez@waxahachie.com>  
**Cc:** Scott, Michael <msscott@waxahachie.com>; Lawrence, Albert <alawrence@waxahachie.com>; Ludwig, Tommy <tludwig@waxahachie.com>; Cartwright, Lori <lcartwright@waxahachie.com>; Crocker, Clarice <ccrocker@waxahachie.com>  
**Subject:** FW: Event Permit and Gathering Application - Life High School - 3.6.2020

For your review/comments.

Thank you,

Amber Villarreal, TRMC, CMC  
Assistant City Secretary  
City of Waxahachie  
Direct (469) 309-4006 | Fax (469) 309-4003 | PO Box 757, Waxahachie, Texas 75168  
[www.waxahachie.com](http://www.waxahachie.com)

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**From:** Skistimas, Kelly <[kelly.skistimas@waxahachie.com](mailto:kelly.skistimas@waxahachie.com)>  
**Sent:** Wednesday, December 16, 2020 11:38 AM  
**To:** Cartwright, Lori <[lcartwright@waxahachie.com](mailto:lcartwright@waxahachie.com)>  
**Cc:** Villarreal, Amber <[avillarreal@waxahachie.com](mailto:avillarreal@waxahachie.com)>; Mosley, Laurie <[lmosley@waxahachiecvb.com](mailto:lmosley@waxahachiecvb.com)>  
**Subject:** Event Permit and Gathering Application - Life High School - 3.6.2020

Hi there,

Please see attached event application for:

Date: 3.6.2021  
Event: Life High School Blackbox Theater  
Location: Railyard Park

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**Villarreal, Amber**

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**From:** Boyd, Ricky <RBoyd@waxahachiefire.org>  
**Sent:** Wednesday, December 16, 2020 2:37 PM  
**To:** Villarreal, Amber  
**Subject:** RE: Event Permit and Gathering Application - Life High School - 3.6.2020

No concerns other than for Covid.

**Ricky Boyd, Fire Chief**

**Waxahachie Fire-Rescue**  
**214-463-9335**

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**From:** Villarreal, Amber [mailto:avillarreal@waxahachie.com]  
**Sent:** Wednesday, December 16, 2020 11:56 AM  
**To:** Boyd, Ricky <RBoyd@waxahachiefire.org>; Wade Goolsbey <wgoolsby@waxahachiepd.org>; Mosley, Laurie <lmosley@waxahachiecvb.com>; Simpson, Anita <asimpson@waxahachie.com>; Skistimas, Kelly <kelly.skistimas@waxahachie.com>; Griffith, Thomas <john.griffith@waxahachie.com>; Martinez, Gumaro <gmartinez@waxahachie.com>; Drewry, Michaela <michaela.drewry@waxahachie.com>; Me'Lony Jordan <mjordan@waxahachie.com>; Martinez, Jose <jose.martinez@waxahachie.com>  
**Cc:** Scott, Michael <msscott@waxahachie.com>; Lawrence, Albert <alawrence@waxahachie.com>; Ludwig, Tommy <tludwig@waxahachie.com>; Cartwright, Lori <lcartwright@waxahachie.com>; Crocker, Clarice <ccrocker@waxahachie.com>  
**Subject:** FW: Event Permit and Gathering Application - Life High School - 3.6.2020

For your review/comments.

Thank you,

**Amber Villarreal, TRMC, CMC**  
**Assistant City Secretary**  
**City of Waxahachie**  
Direct (469) 309-4006 | Fax (469) 309-4003 | PO Box 757, Waxahachie, Texas 75168  
[www.waxahachie.com](http://www.waxahachie.com)

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**From:** Skistimas, Kelly <[kelly.skistimas@waxahachie.com](mailto:kelly.skistimas@waxahachie.com)>  
**Sent:** Wednesday, December 16, 2020 11:38 AM  
**To:** Cartwright, Lori <[lcartwright@waxahachie.com](mailto:lcartwright@waxahachie.com)>  
**Cc:** Villarreal, Amber <[avillarreal@waxahachie.com](mailto:avillarreal@waxahachie.com)>; Mosley, Laurie <[lmosley@waxahachiecvb.com](mailto:lmosley@waxahachiecvb.com)>  
**Subject:** Event Permit and Gathering Application - Life High School - 3.6.2020

Hi there,

Please see attached event application for:

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**Villarreal, Amber**

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**From:** Simpson, Anita  
**Sent:** Monday, December 21, 2020 10:07 AM  
**To:** Villarreal, Amber  
**Subject:** RE: Event Permit and Gathering Application - Life High School - 3.6.2020

No issues with this event.



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**From:** Villarreal, Amber <avillarreal@waxahachie.com>  
**Sent:** Wednesday, December 16, 2020 11:56 AM  
**To:** Ricky Boyd <rboyd@waxahachiefire.org>; Wade Goolsbey <wgoolsby@waxahachiepd.org>; Mosley, Laurie <lmosley@waxahachiecvb.com>; Simpson, Anita <asimpson@waxahachie.com>; Skistimas, Kelly <kelly.skistimas@waxahachie.com>; Griffith, Thomas <john.griffith@waxahachie.com>; Martinez, Gumaro <gmartinez@waxahachie.com>; Drewry, Michaela <michaela.drewry@waxahachie.com>; Me'Lony Jordan <mjordan@waxahachie.com>; Martinez, Jose <jose.martinez@waxahachie.com>  
**Cc:** Scott, Michael <msscott@waxahachie.com>; Lawrence, Albert <alawrence@waxahachie.com>; Ludwig, Tommy <tludwig@waxahachie.com>; Cartwright, Lori <lcartwright@waxahachie.com>; Crocker, Clarice <ccrocker@waxahachie.com>  
**Subject:** FW: Event Permit and Gathering Application - Life High School - 3.6.2020

For your review/comments.

Thank you,

Amber Villarreal, TRMC, CMC  
Assistant City Secretary  
City of Waxahachie  
Direct (469) 309-4006 | Fax (469) 309-4003 | PO Box 757, Waxahachie, Texas 75168  
[www.waxahachie.com](http://www.waxahachie.com)

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---

**From:** Skistimas, Kelly <kelly.skistimas@waxahachie.com>  
**Sent:** Wednesday, December 16, 2020 11:38 AM  
**To:** Cartwright, Lori <lcartwright@waxahachie.com>

(5d)



### Application for a Festival or Event Permit

Event Name and Description: Community Good Friday Service

#### Applicant Information

Name: Jeremy Franklin

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_ Phone: 505-440-6143 (cell)

E-mail Address: \_\_\_\_\_

#### Organization Information

Organization Name: Farley Street Baptist Church

Address: 1116 Brown Street, Waxahachie, TX 75165

Authorized Head of Organization: Jeremy Franklin

Phone: 972-937-4603 E-mail Address: jeremy@farleystreet.com

#### Event Chairperson/Contact

Name: Jeremy Franklin

Address: Same as Above

City, State, Zip: \_\_\_\_\_ Phone: \_\_\_\_\_

E-mail Address: \_\_\_\_\_

#### Event Information

Event Location/Address: Railyard Park

Purpose: Community Good Friday Service

Event Start Date and Time: April 2, 2021 / 7pm (TBD)

(5d)

Event End Date and Time: April 2, 2021 / 8:30 pm (TBD)

Approximate Number of Persons Attending Event Per Day: 300-500

Site Preparation and Set-Up Date and Time: 4/2/2021 / All Day

Clean-Up Completion Date and Time: same day

List all activities that will be conducted as a part of this event including street closures, traffic control, vendor booths, etc. Include any requests for city services.

Music & Drama (religious service)  
City services (normal provisions)

Will food and/or beverages be available and/or sold? YES/NO  NO

\*Will alcohol be available and/or sold? YES/NO  NO

If yes, will the event be in the Historic Overlay District? YES/NO

If food will be prepared on-site, a Temporary Food Permit must be obtained by the Environmental Health Department.

Will dumpsters be needed? No

Will an Unmanned Aircraft Systems Unit (drone) be used? YES/NO  NO If so, provide a copy of the current FAA License.

*Please submit a site plan showing the layout of the event including equipment, stages, and street locations.*

I, THE UNDERSIGNED APPLICANT, AGREE TO INDEMNIFY AND HOLD HARMLESS THE CITY OF WAXAHACHIE, ITS OFFICERS, EMPLOYEES, AGENTS, AND REPRESENTATIVES AGAINST ALL CLAIMS OF LIABILITY AND CAUSES OF ACTION RESULTING FROM INJURY OR DAMAGE TO PERSONS OR PROPERTY ARISING OUT OF THE SPECIAL EVENT. DUE TO COVID-19, I ALSO UNDERSTAND APPROVAL OF MY EVENT IS SUBJECT TO THE THEN CURRENT NECESSARY PRECAUTIONS RESULTING FROM COVID CASE TRENDS AS WELL AS ANY CHANGE IN ACCORDANCE WITH FEDERAL, STATE, OR LOCAL ORDERS.

Jeremy Frank  
Signature of Applicant

12/16/2020  
Date

\* Please note that approval of this permit does not replace/modify compliance with all applicable state laws as specified by the Texas Alcoholic Beverage Commission (TABC).

(SD)

**Villarreal, Amber**

---

**From:** Boyd, Ricky <RBoyd@waxahachiefire.org>  
**Sent:** Thursday, December 17, 2020 8:28 AM  
**To:** Villarreal, Amber  
**Subject:** RE: Event Permit and Gathering Application - Farley Street BC - 4.2.2021

I have no issues with this request.

**Ricky Boyd, Fire Chief**

**Waxahachie Fire-Rescue**  
**214-463-9335**

---

**From:** Villarreal, Amber [mailto:avillarreal@waxahachie.com]  
**Sent:** Wednesday, December 16, 2020 4:25 PM  
**To:** Boyd, Ricky <RBoyd@waxahachiefire.org>; Wade Goolsbey <wgoolsby@waxahachiepd.org>; Mosley, Laurie <lmosley@waxahachiecvb.com>; Simpson, Anita <asimpson@waxahachie.com>; Skistimas, Kelly <kelly.skistimas@waxahachie.com>; Griffith, Thomas <john.griffith@waxahachie.com>; Martinez, Gumaro <gmartinez@waxahachie.com>; Drewry, Michaela <michaela.drewry@waxahachie.com>  
**Cc:** Scott, Michael <msscott@waxahachie.com>; Lawrence, Albert <alawrence@waxahachie.com>; Ludwig, Tommy <tludwig@waxahachie.com>; Cartwright, Lori <lcartwright@waxahachie.com>; Crocker, Clarice <ccrocker@waxahachie.com>  
**Subject:** FW: Event Permit and Gathering Application - Farley Street BC - 4.2.2021

For your review/comments.

Thank you,

**Amber Villarreal, TRMC, CMC**  
**Assistant City Secretary**  
**City of Waxahachie**  
Direct (469) 309-4006 | Fax (469) 309-4003 | PO Box 757, Waxahachie, Texas 75168  
[www.waxahachie.com](http://www.waxahachie.com)

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---

**From:** Skistimas, Kelly <kelly.skistimas@waxahachie.com>  
**Sent:** Wednesday, December 16, 2020 4:09 PM  
**To:** Cartwright, Lori <lcartwright@waxahachie.com>  
**Cc:** Villarreal, Amber <avillarreal@waxahachie.com>; Mosley, Laurie <lmosley@waxahachiecvb.com>  
**Subject:** Event Permit and Gathering Application - Farley Street BC - 4.2.2021

Hi there,

Please see attached event application for:

(50)

**Villarreal, Amber**

---

**From:** Wade Goolsby <wgoalsby@waxahachiepd.org>  
**Sent:** Thursday, December 17, 2020 11:06 AM  
**To:** Villarreal, Amber  
**Subject:** RE: Event Permit and Gathering Application - Farley Street BC - 4.2.2021

I have no issues with this.

**Wade G. Goolsby**  
Chief of Police  
Waxahachie Police Department  
630 Farley St.  
Waxahachie, TX 75165  
469-309-4414

---

**From:** Villarreal, Amber <avillarreal@waxahachie.com>  
**Sent:** Wednesday, December 16, 2020 4:25 PM  
**To:** Ricky Boyd <rboyd@waxahachiefire.org>; Wade Goolsby <wgoalsby@waxahachiepd.org>; Mosley, Laurie <lmosley@waxahachiecvb.com>; Simpson, Anita <asimpson@waxahachie.com>; Skistimas, Kelly <kelly.skistimas@waxahachie.com>; Griffith, Thomas <john.griffith@waxahachie.com>; Gumaro Martinez <gmartinez@waxahachie.com>; Drewry, Michaela <michaela.drewry@waxahachie.com>  
**Cc:** Michael Scott <msscott@waxahachie.com>; Albert Lawrence <alawrence@waxahachie.com>; Tommy Ludwig <tludwig@waxahachie.com>; Cartwright, Lori <lcartwright@waxahachie.com>; Crocker, Clarice <ccrocker@waxahachie.com>  
**Subject:** FW: Event Permit and Gathering Application - Farley Street BC - 4.2.2021

For your review/comments.

Thank you,

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Assistant City Secretary  
City of Waxahachie  
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**From:** Skistimas, Kelly <kelly.skistimas@waxahachie.com>  
**Sent:** Wednesday, December 16, 2020 4:09 PM  
**To:** Cartwright, Lori <lcartwright@waxahachie.com>

(50)

**Villarreal, Amber**

---

**From:** Simpson, Anita  
**Sent:** Monday, December 21, 2020 9:46 AM  
**To:** Villarreal, Amber; Ricky Boyd; Wade Goolsbey; Mosley, Laurie; Skistimas, Kelly; Griffith, Thomas; Martinez, Gumaro; Drewry, Michaela  
**Cc:** Scott, Michael; Lawrence, Albert; Ludwig, Tommy; Cartwright, Lori; Crocker, Clarice  
**Subject:** RE: Event Permit and Gathering Application - Farley Street BC - 4.2.2021

No comments



---

**From:** Villarreal, Amber <avillarreal@waxahachie.com>  
**Sent:** Wednesday, December 16, 2020 4:25 PM  
**To:** Ricky Boyd <rboyd@waxahachiefire.org>; Wade Goolsbey <wgoolsby@waxahachiepd.org>; Mosley, Laurie <Imosley@waxahachiecvb.com>; Simpson, Anita <asimpson@waxahachie.com>; Skistimas, Kelly <kelly.skistimas@waxahachie.com>; Griffith, Thomas <john.griffith@waxahachie.com>; Martinez, Gumaro <gmartinez@waxahachie.com>; Drewry, Michaela <michaela.drewry@waxahachie.com>  
**Cc:** Scott, Michael <msscott@waxahachie.com>; Lawrence, Albert <alawrence@waxahachie.com>; Ludwig, Tommy <tludwig@waxahachie.com>; Cartwright, Lori <lcartwright@waxahachie.com>; Crocker, Clarice <ccrocker@waxahachie.com>  
**Subject:** FW: Event Permit and Gathering Application - Farley Street BC - 4.2.2021

For your review/comments.

Thank you,

**Amber Villarreal, TRMC, CMC**  
Assistant City Secretary  
City of Waxahachie  
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**From:** Skistimas, Kelly <kelly.skistimas@waxahachie.com>  
**Sent:** Wednesday, December 16, 2020 4:09 PM  
**To:** Cartwright, Lori <lcartwright@waxahachie.com>

(5e)



**Application for a Festival or Event Permit**

Event Name and Description: Waxajam 2021  
EX WHS Students and Friends Music Festival  
Showcasing local talent

**Applicant Information**

Name: Johnny Bryant  
Address: 107 McKenzie  
City, State, Zip: Waxahachie, TX 75165 Phone: 817-995-0102  
E-mail Address: johnnyfbryant56@gmail.com

**Organization Information**

Organization Name: Waxajam  
Address: \_\_\_\_\_  
Authorized Head of Organization: Sam Taylor, Steve Cagle  
Phone: \_\_\_\_\_ E-mail Address: \_\_\_\_\_

**Event Chairperson/Contact**

Name: Johnny Bryant  
Address: 107 McKenzie  
City, State, Zip: Waxahachie, TX 75165 Phone: 817-995-0102  
E-mail Address: johnnyfbryant@gmail.com

**Event Information**

Event Location/Address: Railyard Park Amphitheater - College @ Rogers  
Purpose: EX WHS Students + friends raising \$ for scholarships  
Event Start Date and Time: April 10, 2021 9a-9p for music students

(52)

Event End Date and Time: April 10, 2021 9a-9p

Approximate Number of Persons Attending Event Per Day: 250

Site Preparation and Set-Up Date and Time: day before event, April 9, 2021

Clean-Up Completion Date and Time: day after event, April 11, 2021

List all activities that will be conducted as a part of this event including street closures, traffic control, vendor booths, etc. Include any requests for city services.

- Live music - Raffle
- Vendor booths - merchandise
- Vendor booths - food, alcohol
- Auction

Will food and/or beverages be available and/or sold?  YES  NO

\*Will alcohol be available and/or sold?  YES  NO

If yes, will the event be in the Historic Overlay District?  YES  NO

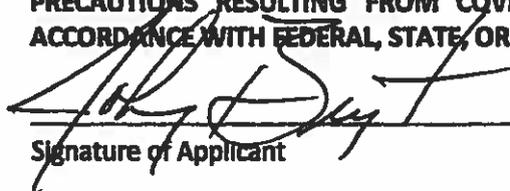
If food will be prepared on-site, a Temporary Food Permit must be obtained by the Environmental Health Department.

Will dumpsters be needed? yes

Will an Unmanned Aircraft Systems Unit (drone) be used? YES/NO If so, provide a copy of the current FAA License. Not at this time

*Please submit a site plan showing the layout of the event including equipment, stages, and street locations.*

I, THE UNDERSIGNED APPLICANT, AGREE TO INDEMNIFY AND HOLD HARMLESS THE CITY OF WAXAHACHIE, ITS OFFICERS, EMPLOYEES, AGENTS, AND REPRESENTATIVES AGAINST ALL CLAIMS OF LIABILITY AND CAUSES OF ACTION RESULTING FROM INJURY OR DAMAGE TO PERSONS OR PROPERTY ARISING OUT OF THE SPECIAL EVENT. DUE TO COVID-19, I ALSO UNDERSTAND APPROVAL OF MY EVENT IS SUBJECT TO THE THEN CURRENT NECESSARY PRECAUTIONS RESULTING FROM COVID CASE TRENDS AS WELL AS ANY CHANGE IN ACCORDANCE WITH FEDERAL, STATE, OR LOCAL ORDERS.



Signature of Applicant

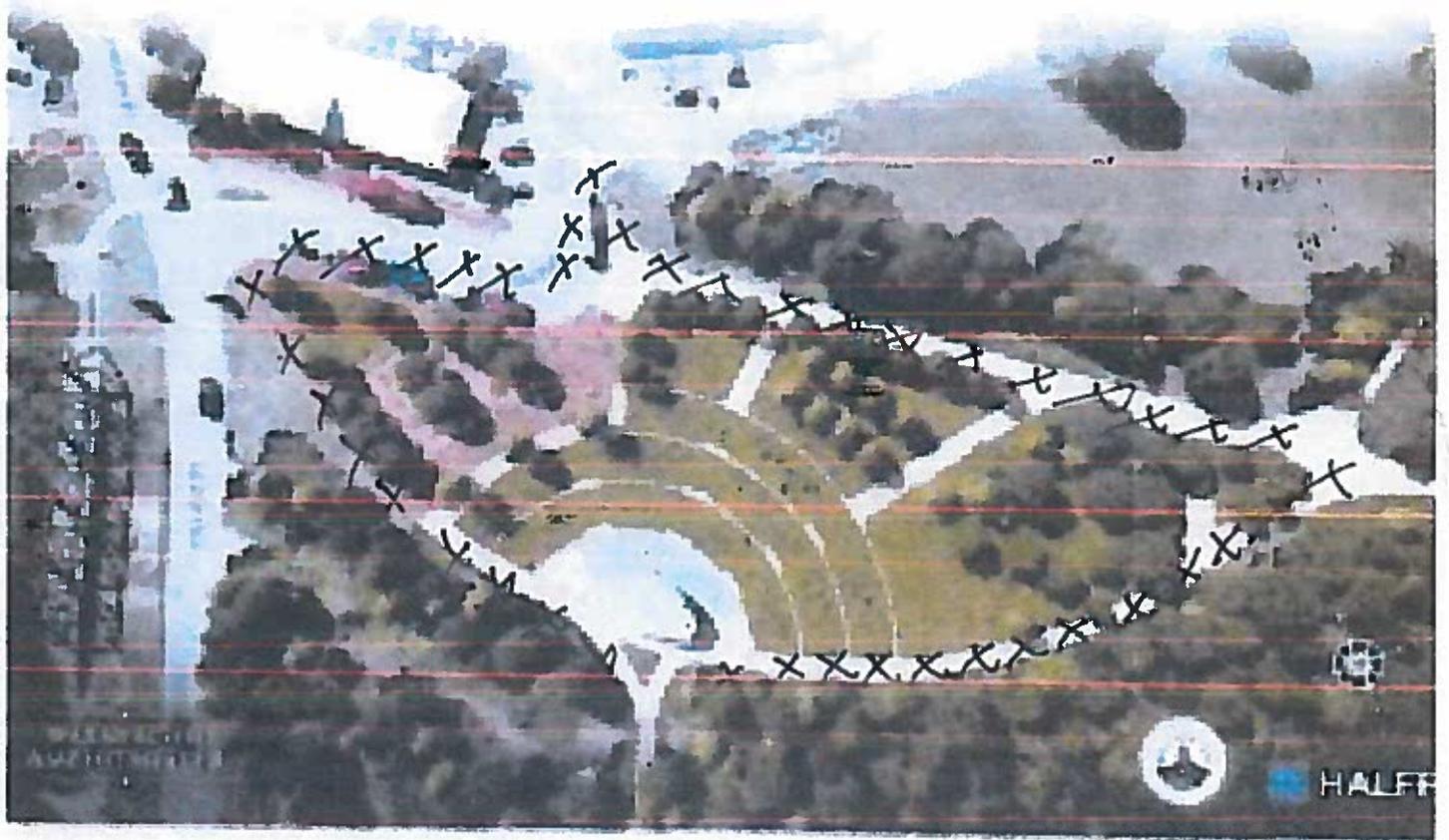
12-10-2020

Date

\* Please note that approval of this permit does not replace/modify compliance with all applicable state laws as specified by the Texas Alcoholic Beverage Commission (TABC).

(50)

Waxaaqacii Iyaxithaxter - 2020 Waxaafaaq



(5e)

**Villarreal, Amber**

**From:** Simpson, Anita  
**Sent:** Thursday, December 10, 2020 4:01 PM  
**To:** Villarreal, Amber; Ricky Boyd; Wade Goolsbey; Martinez, Gumaro; Drewry, Michaela; Griffith, Thomas; David Hill; Mosley, Laurie; Skistimas, Kelly; Martinez, Jose; Me'Lony Jordan  
**Cc:** Cartwright, Lori; Crocker, Clarice; Scott, Michael; Lawrence, Albert; Ludwig, Tommy  
**Subject:** RE: Event Permit and Gathering Application - Waxajam - April 10, 2021

What do the X's on the map mean? It doesn't look like they are closing any streets. Is that correct?

If everything is contained in the amphitheater area I don't see any issues with it. What are the dates of the film festival?



**Anita Simpson**  
 Director of  
 Downtown Development  
 Heritage Preservation Officer

City of Waxahachie  
 401 S. Rogers  
 P.O. Box 757  
 Waxahachie, Texas 75165

Office 469-309-4111  
 Cell 972-672-3035  
 Fax 469-309-4003  
 asimpson@waxahachie.com

**From:** Villarreal, Amber <avillarreal@waxahachie.com>  
**Sent:** Thursday, December 10, 2020 3:54 PM  
**To:** Ricky Boyd <rboyd@waxahachiefire.org>; Wade Goolsbey <wgoolsby@waxahachiepd.org>; Martinez, Gumaro <gmartinez@waxahachie.com>; Drewry, Michaela <michaela.drewry@waxahachie.com>; Griffith, Thomas <john.griffith@waxahachie.com>; David Hill <dhill@waxahachie.com>; Mosley, Laurie <lmosley@waxahachiecvb.com>; Skistimas, Kelly <kelly.skistimas@waxahachie.com>; Simpson, Anita <asimpson@waxahachie.com>; Martinez, Jose <jose.martinez@waxahachie.com>; Me'Lony Jordan <mjordan@waxahachie.com>  
**Cc:** Cartwright, Lori <lcartwright@waxahachie.com>; Crocker, Clarice <ccrocker@waxahachie.com>; Scott, Michael <msscott@waxahachie.com>; Lawrence, Albert <alawrence@waxahachie.com>; Ludwig, Tommy <tludwig@waxahachie.com>  
**Subject:** FW: Event Permit and Gathering Application - Waxajam - April 10, 2021

For your review/comments.

Thank you,

**Amber Villarreal, TRMC, CMC**  
 Assistant City Secretary  
 City of Waxahachie  
 Direct (469) 309-4006 | Fax (469) 309-4003 | PO Box 757, Waxahachie, Texas 75168  
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(50)

**Villarreal, Amber**

---

**From:** Villarreal, Amber  
**Sent:** Thursday, December 10, 2020 4:10 PM  
**To:** Simpson, Anita; Ricky Boyd; Wade Goolsbey; Martinez, Gumaro; Drewry, Michaela; Griffith, Thomas; David Hill; Mosley, Laurie; Skistimas, Kelly; Martinez, Jose; Me'Lony Jordan  
**Cc:** Cartwright, Lori; Crocker, Clarice; Scott, Michael; Lawrence, Albert; Ludwig, Tommy  
**Subject:** RE: Event Permit and Gathering Application - Waxajam - April 10, 2021

Film Festival is 4/22-4/24. From our understanding with his original request, the X's mean the event is contained within the park. Kelly or Laurie might offer additional input.

**Amber Villarreal, TRMC, CMC**  
**Assistant City Secretary**  
**City of Waxahachie**  
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**Sent:** Thursday, December 10, 2020 4:01 PM  
**To:** Villarreal, Amber <avillarreal@waxahachie.com>; Ricky Boyd <rboyd@waxahachiefire.org>; Wade Goolsbey <wgoolsby@waxahachiepd.org>; Martinez, Gumaro <gmartinez@waxahachie.com>; Drewry, Michaela <michaela.drewry@waxahachie.com>; Griffith, Thomas <john.griffith@waxahachie.com>; David Hill <dhill@waxahachie.com>; Mosley, Laurie <lmosley@waxahachiecvb.com>; Skistimas, Kelly <kelly.skistimas@waxahachie.com>; Martinez, Jose <jose.martinez@waxahachie.com>; Me'Lony Jordan <mjordan@waxahachie.com>  
**Cc:** Cartwright, Lori <lcartwright@waxahachie.com>; Crocker, Clarice <ccrocker@waxahachie.com>; Scott, Michael <msscott@waxahachie.com>; Lawrence, Albert <alawrence@waxahachie.com>; Ludwig, Tommy <tludwig@waxahachie.com>  
**Subject:** RE: Event Permit and Gathering Application - Waxajam - April 10, 2021

What do the X's on the map mean? It doesn't look like they are closing any streets. Is that correct?

If everything is contained in the amphitheater area I don't see any issues with it. What are the dates of the film festival?

(5e)

**Villarreal, Amber**

---

**From:** Boyd, Ricky <RBoyd@waxahachiefire.org>  
**Sent:** Thursday, December 10, 2020 4:17 PM  
**To:** Villarreal, Amber  
**Subject:** RE: Event Permit and Gathering Application - Waxajam - April 10, 2021

I have no concerns other than what the Covid situation at the time of the event.

**Ricky Boyd, Fire Chief**

**Waxahachie Fire-Rescue**  
**214-463-9335**

---

**From:** Villarreal, Amber [mailto:avillarreal@waxahachie.com]  
**Sent:** Thursday, December 10, 2020 3:54 PM  
**To:** Boyd, Ricky <RBoyd@waxahachiefire.org>; Wade Goolsbey <wgoolsby@waxahachiepd.org>; Martinez, Gumaro <gmartinez@waxahachie.com>; Drewry, Michaela <michaela.drewry@waxahachie.com>; Griffith, Thomas <john.griffith@waxahachie.com>; David Hill <dhill@waxahachie.com>; Mosley, Laurie <lmosley@waxahachiecvb.com>; Skistimas, Kelly <kelly.skistimas@waxahachie.com>; Simpson, Anita <asimpson@waxahachie.com>; Martinez, Jose <jose.martinez@waxahachie.com>; Me'Lony Jordan <mjordan@waxahachie.com>  
**Cc:** Cartwright, Lori <lcartwright@waxahachie.com>; Crocker, Clarice <ccrocker@waxahachie.com>; Scott, Michael <msscott@waxahachie.com>; Lawrence, Albert <alawrence@waxahachie.com>; Ludwig, Tommy <tludwig@waxahachie.com>  
**Subject:** FW: Event Permit and Gathering Application - Waxajam - April 10, 2021

For your review/comments.

Thank you,

**Amber Villarreal, TRMC, CMC**  
**Assistant City Secretary**  
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**From:** Skistimas, Kelly <[kelly.skistimas@waxahachie.com](mailto:kelly.skistimas@waxahachie.com)>  
**Sent:** Thursday, December 10, 2020 3:43 PM  
**To:** Cartwright, Lori <[lcartwright@waxahachie.com](mailto:lcartwright@waxahachie.com)>  
**Cc:** Villarreal, Amber <[avillarreal@waxahachie.com](mailto:avillarreal@waxahachie.com)>; Mosley, Laurie <[lmosley@waxahachiecvb.com](mailto:lmosley@waxahachiecvb.com)>  
**Subject:** Event Permit and Gathering Application - Waxajam - April 10, 2021

Hi there,

Please see attached event permit and gathering application.

(se)

**Villarreal, Amber**

---

**From:** Martinez, Gumaro  
**Sent:** Friday, December 11, 2020 8:09 AM  
**To:** Skistimas, Kelly; Villarreal, Amber; Simpson, Anita; Ricky Boyd; Wade Goolsbey; Drewry, Michaela; Griffith, Thomas; David Hill; Mosley, Laurie; Martinez, Jose; Me'Lony Jordan  
**Cc:** Cartwright, Lori; Crocker, Clarice; Scott, Michael; Lawrence, Albert; Ludwig, Tommy  
**Subject:** RE: Event Permit and Gathering Application - Waxajam - April 10, 2021

Kelly correct me if I am wrong, but I thought we discussed closing streets at S. College at the cross walk between Fresh and Boyce Feed. Also at Rogers St. and College at the stop sign by the railcar to prevent traffic to flow through there during an event.

(5)

**Villarreal, Amber**

---

**From:** Skistimas, Kelly  
**Sent:** Friday, December 11, 2020 8:31 AM  
**To:** Martinez, Gumaro; Villarreal, Amber; Simpson, Anita; Ricky Boyd; Wade Goolsbey; Drewry, Michaela; Griffith, Thomas; David Hill; Mosley, Laurie; Martinez, Jose; Me'Lony Jordan  
**Cc:** Cartwright, Lori; Crocker, Clarice; Scott, Michael; Lawrence, Albert; Ludwig, Tommy  
**Subject:** RE: Event Permit and Gathering Application - Waxajam - April 10, 2021

We had talked about closing that section of street for Smithfield and 4<sup>th</sup> of July, and that is probably a good idea to do for any event that has a potential larger audience.

At this point, people might be eager to get out and hear live music by April, so the audience potential is larger. For safety, we should plan to close it at those points. Thank you for mentioning that, Gumaro.

Kelly Skistimas  
Cultural Arts and Programming Manager  
City of Waxahachie  
Office: 469.309.4051  
Cell: 214.463.7815



---

**From:** Martinez, Gumaro <gmartinez@waxahachie.com>  
**Sent:** Friday, December 11, 2020 8:09 AM  
**To:** Skistimas, Kelly <kelly.skistimas@waxahachie.com>; Villarreal, Amber <avillarreal@waxahachie.com>; Simpson, Anita <asimpson@waxahachie.com>; Ricky Boyd <rboyd@waxahachiefire.org>; Wade Goolsbey <wgoolsby@waxahachiepd.org>; Drewry, Michaela <michaela.drewry@waxahachie.com>; Griffith, Thomas <john.griffith@waxahachie.com>; David Hill <dhill@waxahachie.com>; Mosley, Laurie <lmosley@waxahachiecvb.com>; Martinez, Jose <jose.martinez@waxahachie.com>; Me'Lony Jordan <mjordan@waxahachie.com>  
**Cc:** Cartwright, Lori <lcartwright@waxahachie.com>; Crocker, Clarice <ccrocker@waxahachie.com>; Scott, Michael <msscott@waxahachie.com>; Lawrence, Albert <alawrence@waxahachie.com>; Ludwig, Tommy <tludwig@waxahachie.com>  
**Subject:** RE: Event Permit and Gathering Application - Waxajam - April 10, 2021

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(52)

**Villarreal, Amber**

---

**From:** Mosley, Laurie  
**Sent:** Friday, December 11, 2020 9:22 AM  
**To:** Simpson, Anita; Skistimas, Kelly; Martinez, Gumaro; Villarreal, Amber; Ricky Boyd; Wade Goolsbey; Drewry, Michaela; Griffith, Thomas; David Hill; Martinez, Jose; Me'Lony Jordan  
**Cc:** Cartwright, Lori; Crocker, Clarice; Scott, Michael; Lawrence, Albert; Ludwig, Tommy  
**Subject:** RE: Event Permit and Gathering Application - Waxajam - April 10, 2021

I agree with Anita! We can have barricades handy, and if it looks there's a public safety concern, then put them into place.

If I remember correctly from past conversations with superiors, we are allowed to block that section of the street anytime deemed appropriate without additional approval because we aren't blocking off any business or causing traffic concerns.

Railyard Park owns two 8 foot barricades that we can use and will coordinate with the streets department if we need additional ones.

Thank you all! Here's to a great 2021 – get ready 😊.

Laurie

---

**From:** Simpson, Anita <asimpson@waxahachie.com>  
**Sent:** Friday, December 11, 2020 9:06 AM  
**To:** Skistimas, Kelly <kelly.skistimas@waxahachie.com>; Martinez, Gumaro <gmartinez@waxahachie.com>; Villarreal, Amber <avillarreal@waxahachie.com>; Ricky Boyd <rboyd@waxahachiefire.org>; Wade Goolsbey <wgoolsby@waxahachiepd.org>; Drewry, Michaela <michaela.drewry@waxahachie.com>; Griffith, Thomas <john.griffith@waxahachie.com>; David Hill <dhill@waxahachie.com>; Mosley, Laurie <lmosley@waxahachiecvb.com>; Martinez, Jose <jose.martinez@waxahachie.com>; Me'Lony Jordan <mjordan@waxahachie.com>  
**Cc:** Cartwright, Lori <lcartwright@waxahachie.com>; Crocker, Clarice <ccrocker@waxahachie.com>; Scott, Michael <msscott@waxahachie.com>; Lawrence, Albert <alawrence@waxahachie.com>; Ludwig, Tommy <tludwig@waxahachie.com>  
**Subject:** RE: Event Permit and Gathering Application - Waxajam - April 10, 2021

Their application says they are expecting 250 people to attend and that is over the course of the day. Having that many there at any given time may be doubtful. I think closing those streets for that amount of people may be a hard sell to the businesses that are going to be affected by them.

It may be more prudent to have barricades handy and if huge crowds show up set them out at that point instead of closing them at the start and it not being warranted. There should not be parking along the curb allowed at any rate.

(52)

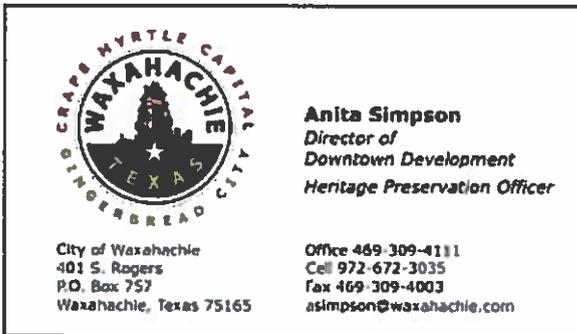
**Villarreal, Amber**

---

**From:** Simpson, Anita  
**Sent:** Friday, December 11, 2020 9:06 AM  
**To:** Skistimas, Kelly; Martinez, Gumaro; Villarreal, Amber; Ricky Boyd; Wade Goolsbey; Drewry, Michaela; Griffith, Thomas; David Hill; Mosley, Laurie; Martinez, Jose; Me'Lony Jordan  
**Cc:** Cartwright, Lori; Crocker, Clarice; Scott, Michael; Lawrence, Albert; Ludwig, Tommy  
**Subject:** RE: Event Permit and Gathering Application - Waxajam - April 10, 2021

Their application says they are expecting 250 people to attend and that is over the course of the day. Having that many there at any given time may be doubtful. I think closing those streets for that amount of people may be a hard sell to the businesses that are going to be affected by them.

It may be more prudent to have barricades handy and if huge crowds show up set them out at that point instead of closing them at the start and it not being warranted. There should not be parking along the curb allowed at any rate.



---

**From:** Skistimas, Kelly <kelly.skistimas@waxahachie.com>  
**Sent:** Friday, December 11, 2020 8:31 AM  
**To:** Martinez, Gumaro <gmartinez@waxahachie.com>; Villarreal, Amber <avillarreal@waxahachie.com>; Simpson, Anita <asimpson@waxahachie.com>; Ricky Boyd <rboyd@waxahachiefire.org>; Wade Goolsbey <wgoolsby@waxahachiepd.org>; Drewry, Michaela <michaela.drewry@waxahachie.com>; Griffith, Thomas <john.griffith@waxahachie.com>; David Hill <dhill@waxahachie.com>; Mosley, Laurie <lmosley@waxahachiecvb.com>; Martinez, Jose <jose.martinez@waxahachie.com>; Me'Lony Jordan <mjordan@waxahachie.com>  
**Cc:** Cartwright, Lori <lcartwright@waxahachie.com>; Crocker, Clarice <ccrocker@waxahachie.com>; Scott, Michael <msscott@waxahachie.com>; Lawrence, Albert <alawrence@waxahachie.com>; Ludwig, Tommy <tludwig@waxahachie.com>  
**Subject:** RE: Event Permit and Gathering Application - Waxajam - April 10, 2021

We had talked about closing that section of street for Smithfield and 4<sup>th</sup> of July, and that is probably a good idea to do for any event that has a potential larger audience.

At this point, people might be eager to get out and hear live music by April, so the audience potential is larger. For safety, we should plan to close it at those points. Thank you for mentioning that, Gumaro.

Kelly Skistimas  
Cultural Arts and Programming Manager  
City of Waxahachie  
Office: 469.309.4051  
Cell: 214.463.7815

(5e)

**Villarreal, Amber**

---

**From:** Wade Goolsby <wgoalsby@waxahachiepd.org>  
**Sent:** Monday, December 14, 2020 2:17 PM  
**To:** Villarreal, Amber  
**Subject:** RE: Event Permit and Gathering Application - Waxajam - April 10, 2021

I don't have any issues.

**Wade G. Goolsby**  
Chief of Police  
Waxahachie Police Department  
630 Farley St.  
Waxahachie, TX 75165  
469-309-4414

---

**From:** Villarreal, Amber <avillarreal@waxahachie.com>  
**Sent:** Thursday, December 10, 2020 3:54 PM  
**To:** Ricky Boyd <rboyd@waxahachiefire.org>; Wade Goolsby <wgoalsby@waxahachiepd.org>; Gumaro Martinez <gmartinez@waxahachie.com>; Drewry, Michaela <michaela.drewry@waxahachie.com>; Griffith, Thomas <john.griffith@waxahachie.com>; David Hill <dhill@waxahachie.com>; Mosley, Laurie <lmosley@waxahachiecvb.com>; Skistimas, Kelly <kelly.skistimas@waxahachie.com>; Simpson, Anita <asimpson@waxahachie.com>; Martinez, Jose <jose.martinez@waxahachie.com>; Me'Lony Jordan <mjordan@waxahachie.com>  
**Cc:** Cartwright, Lori <lcartwright@waxahachie.com>; Crocker, Clarice <ccrocker@waxahachie.com>; Michael Scott <msscott@waxahachie.com>; Albert Lawrence <alawrence@waxahachie.com>; Tommy Ludwig <tludwig@waxahachie.com>  
**Subject:** FW: Event Permit and Gathering Application - Waxajam - April 10, 2021

For your review/comments.

Thank you,

**Amber Villarreal, TRMC, CMC**  
Assistant City Secretary  
City of Waxahachie  
Direct (469) 309-4006 | Fax (469) 309-4003 | PO Box 757, Waxahachie, Texas 75168  
[www.waxahachie.com](http://www.waxahachie.com)

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**From:** Skistimas, Kelly <[kelly.skistimas@waxahachie.com](mailto:kelly.skistimas@waxahachie.com)>  
**Sent:** Thursday, December 10, 2020 3:43 PM



(5f)

### Application for a Festival or Event Permit

Event Name and Description: Crossroads of Texas  
Film & Music Festival 2021 -  
\* 7th Annual \*

#### Applicant Information

Name: Amy Borders  
Address: 401 S. Rogers  
City, State, Zip: Waxahachie TX 75165 Phone: 469-309-4012  
E-mail Address: aborders@waxahachie.com

#### Organization Information

Organization Name: Crossroads of Texas Film & Music Festival  
Address: 401 S Rogers  
Authorized Head of Organization: Amy Borders & Laurie Mosley  
Phone: 469-309-4012 E-mail Address: aborders@waxahachie.com

#### Event Chairperson/Contact

Name: Amy Borders / Laurie Mosley  
Address: 401 S Rogers  
City, State, Zip: Waxahachie TX 75165 Phone: 469-309-4012  
E-mail Address: aborders@waxahachie.com

#### Event Information

Event Location/Address: 400 S Grand (Chautauque Auditorium & Getzendaner Park)  
Purpose: Annual Celebration of Texas Film & Music  
Event Start Date and Time: Thursday, April 22, 2021 @ 3pm  
to  
Saturday, April 24, 2021 @ 11 pm

Event End Date and Time: (sf) Saturday, April 24 @ 11pm

Approximate Number of Persons Attending Event Per Day: 500

Site Preparation and Set-Up Date and Time: Monday April 19, 2021 until start

Clean-Up Completion Date and Time: Monday April 26, 2021

List all activities that will be conducted as a part of this event including street closures, traffic control, vendor booths, etc. Include any requests for city services.

No street closures - most events will take place in Chautauqua. Event will include annual Crossroads Cowgirl Campout (vintage trailers in park), however park will remain open as in previous festivals.

Will food and/or beverages be available and/or sold?  YES/ NO

\*Will alcohol be available and/or sold?  YES/ NO

If yes, will the event be in the Historic Overlay District?  YES/ NO

If food will be prepared on-site, a Temporary Food Permit must be obtained by the Environmental Health Department.

Will dumpsters be needed? yes - already arranged w/ Parks Department

Will an Unmanned Aircraft Systems Unit (drone) be used?  YES/ NO If so, provide a copy of the current FAA License.

**Please submit a site plan showing the layout of the event including equipment, stages, and street locations.**

I, THE UNDERSIGNED APPLICANT, AGREE TO INDEMNIFY AND HOLD HARMLESS THE CITY OF WAXAHACHIE, ITS OFFICERS, EMPLOYEES, AGENTS, AND REPRESENTATIVES AGAINST ALL CLAIMS OF LIABILITY AND CAUSES OF ACTION RESULTING FROM INJURY OR DAMAGE TO PERSONS OR PROPERTY ARISING OUT OF THE SPECIAL EVENT. DUE TO COVID-19, I ALSO UNDERSTAND APPROVAL OF MY EVENT IS SUBJECT TO THE THEN CURRENT NECESSARY PRECAUTIONS RESULTING FROM COVID CASE TRENDS AS WELL AS ANY CHANGE IN ACCORDANCE WITH FEDERAL, STATE, OR LOCAL ORDERS.

J. Borders  
Signature of Applicant

12-4-2020  
Date

\* Please note that approval of this permit does not replace/modify compliance with all applicable state laws as specified by the Texas Alcoholic Beverage Commission (TABC).

(SF)

**Villarreal, Amber**

---

**From:** Boyd, Ricky <RBoyd@waxahachiefire.org>  
**Sent:** Friday, December 04, 2020 1:45 PM  
**To:** Villarreal, Amber  
**Subject:** RE: Event Application-Crossroads of Texas Film Festival

Pending Covid conditions at the time of the event, I have no issues with this request.

**Ricky Boyd, Fire Chief**

**Waxahachie Fire-Rescue**  
**214-463-9335**

---

**From:** Villarreal, Amber [mailto:avillarreal@waxahachie.com]  
**Sent:** Friday, December 4, 2020 1:19 PM  
**To:** Boyd, Ricky <RBoyd@waxahachiefire.org>; Wade Goolsbey <wgoolsby@waxahachiepd.org>; Martinez, Gumaro <gmartinez@waxahachie.com>; Drewry, Michaela <michaela.drewry@waxahachie.com>; Griffith, Thomas <john.griffith@waxahachie.com>; Mosley, Laurie <lmosley@waxahachiecvb.com>  
**Cc:** Scott, Michael <msscott@waxahachie.com>; Lawrence, Albert <alawrence@waxahachie.com>; Ludwig, Tommy <tludwig@waxahachie.com>; Cartwright, Lori <lcartwright@waxahachie.com>; Crocker, Clarice <ccrocker@waxahachie.com>  
**Subject:** Event Application-Crossroads of Texas Film Festival

For your review/comments.

Thank you,

**Amber Villarreal, TRMC, CMC**  
**Assistant City Secretary**  
**City of Waxahachie**  
Direct (469) 309-4006 | Fax (469) 309-4003 | PO Box 757, Waxahachie, Texas 75168  
[www.waxahachie.com](http://www.waxahachie.com)

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**Attention Public Officials: A "Reply to All" of this email message could lead to violations of the Texas Open Meetings Act. If replying, please reply only to the sender.**

(SA)

**Villarreal, Amber**

---

**From:** Me'Lony Jordan  
**Sent:** Friday, December 04, 2020 6:06 PM  
**To:** Villarreal, Amber  
**Subject:** Fwd: Event Application-Crossroads of Texas Film Festival

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---

**From:** Me'Lony Jordan <mjordan@waxahachie.com>  
**Sent:** Friday, December 4, 2020 6:05 PM  
**To:** Ludwig, Tommy  
**Cc:** Martinez, Jose; Carrillo, Michael  
**Subject:** Re: Event Application-Crossroads of Texas Film Festival

Yes, I will.

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---

**From:** Ludwig, Tommy <tludwig@waxahachie.com>  
**Sent:** Friday, December 4, 2020 6:03:42 PM  
**To:** Me'Lony Jordan <mjordan@waxahachie.com>  
**Cc:** Martinez, Jose <jose.martinez@waxahachie.com>; Carrillo, Michael <mcarrillo@waxahachie.com>  
**Subject:** Re: Event Application-Crossroads of Texas Film Festival

Could you please share this information with Amber? Thank you!

Sent from my iPhone

On Dec 4, 2020, at 4:56 PM, Me'Lony Jordan <mjordan@waxahachie.com> wrote:

All vendors planning to provide any items for human consumption are required to apply for a Temporary food permit. Vendors must be permitted mobile units, Licensed manufactures, Catering can be operated at a designated fixed location with proof of a commissary kitchen in association or fall under cottage law. All vendors must provide proof of certifications and follow temporary food establishment guidelines. Applications, requirements and fees should be made at least 48 hours prior to the event.

<image003.jpg>

---

**From:** Ludwig, Tommy  
**Sent:** Friday, December 4, 2020 4:30 PM  
**To:** Martinez, Jose <jose.martinez@waxahachie.com>; Carrillo, Michael <mcarrillo@waxahachie.com>; Me'Lony Jordan <mjordan@waxahachie.com>  
**Subject:** FW: Event Application-Crossroads of Texas Film Festival

**FYI – could you please review and provide comments from a Health perspective?**



## Memorandum

To: Honorable Mayor and City Council

From: Tommy Ludwig, Assistant City Manager

Thru: Michael Scott, City Manager

Date: December 31, 2020

Re: Chapter 14 Code of Ordinances Update – Garbage and Trash

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On Monday January 4, 2021 an item will appear before City Council to consider revisions to portions of Chapter 14, Garbage and Trash, of the City's Code of Ordinances. Revisions to Chapter 14 are necessary to reflect service delivery modifications associated with the City's new trash and recycling contract with Waste Connections, which will go into effect on April 1, 2021. In addition to the changes associated with solid waste services, staff is recommending to update portions of Chapter 14 related to the City's Convenience Station, based on recommended operational changes at the facility. Below is a brief summary of proposed changes to the ordinance:

- **Basic Solid Waste Services:** Revisions reflect the establishment of weekly polycart trash collection, every other week polycart recycling collection, weekly household hazardous waste collection, and weekly brush and bulk collection.
- **Special Collection Services:** Rates for additional bags that cannot be contained in the general polycart trash collection (pink tags) are established. Unusual accumulation rates are also established for trash that exceeds brush, bulk, or pink tag limitations.
- **Polycart Placement:** Storage requirements are established for residential, commercial, and industrial polycart collection. Screening of polycarts is not required for residences, and polycarts may be stored on the side of a residential unit behind the front build line, in a backyard, garage, carport, or other similar outbuilding.

(4)

Polycarts for small commercial and industrial businesses must not be visible from the right of way, or must be screened by fencing material or landscaping acceptable by the City's zoning ordinance. Times are established for the placement of polycarts. Polycarts may be placed no later than 6:45am on the day of the scheduled collection, or no earlier than 9:00pm the night before the scheduled collection for residences. Polycarts may be placed no later than 4:45am on the day of the scheduled collection, or no earlier than 9:00pm the night before the scheduled collection for small commercial and industrial businesses. Polycarts for residential, commercial, and industrial customers must be collected from their prescribed pickup location no later than 9:00pm on the day of the scheduled collection.

- Polycart Maintenance: Polycart maintenance responsibilities are delineated between the City's contracted agent and the customer. In general, the City's contracted agent is responsible for ongoing maintenance to ensure the polycarts function properly. Any damaged caused to a polycart, beyond that caused by general wear and tear, is the responsibility of the customer.
- Senior Citizens Discount: The senior citizen's discount is modified to reflect a flat 10% discount on the contracted agent's rate, rather than the fixed rate of \$2.10 prescribed in the existing ordinance. The current sanitation rate is \$15.30 a month per residential customers, and \$13.20 when the senior discount is applied. The sanitation rate under the new service contract will be approximately \$12.37 per residential customer a month and \$11.69 when the senior discount is applied.
- Convenience Station: Operational changes are made regarding the collection of construction materials. Non-residents and commercial businesses may no longer dispose of construction materials at the convenience station. The cubic yard restriction on the residential disposal of construction materials is removed. Modifications are also made to the fee structure for the facility, as the existing fee structure has remained unchanged since 2008.

While an item will appear before City Council on January 4<sup>th</sup> to consider adopting the proposed changes to Chapter 14, immediate action is not necessary. Staff recommends that the City Council approve revisions to Chapter 14 no later than the beginning of February, and in advance of outreach materials being distributed to customers regarding solid waste service delivery changes. Staff recommends that, upon approval, the ordinance go into effect on April 1, 2021 to coincide with the new solid waste services contract.

I am available at your convenience should you need additional information.

Tommy Ludwig

(4)

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

**AN ORDINANCE AUTHORIZING AMENDMENTS TO SOLID WASTE, RECYCLING, AND CONVENIENCE STATION PROVISIONS, BY AMENDING SECTIONS 14-1 THROUGH 14-43 OF THE CODE OF ORDINANCES, CITY OF WAXAHACHIE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND SETTING AN EFFECTIVE DATE**

**WHEREAS**, the City Council of the City of Waxahachie ("City Council") has authorized a third party contractor to provide solid waste and recycling services to residential, commercial and industrial customers within the corporate limits of the City; and

**WHEREAS**, the City Council has approved a new contract for solid waste and recycling services, which provides residential, commercial, and industrial customers with enhanced operational service delivery; and

**WHEREAS**, the enhanced services necessitate amendments to Chapter 14 of the City of Waxahachie Code of Ordinances; and

**WHEREAS**, the City operates a citizen's convenience station to provide residents and non-residents, based on availability of space, an alternative location to dispose of solid waste, recyclable, and other acceptable materials; and

**WHEREAS**, operational changes at the convenience station necessitate amendments to Chapter 14 of the City of Waxahachie Code of Ordinances.

**NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS:**

**Section 1.** The City Council finds that the recitals set forth above are true and correct, and said recitals are incorporated into this ordinance as if set forth in full.

**Section 2.** That if any section, article, paragraph, sentence, clause, phrase or word in this ordinance, or application thereto any person or circumstances is held invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this ordinance; and the City Council hereby declares it would have passed such remaining portions of the ordinance despite such invalidity, which remaining portions shall remain in full force and effect. All ordinances of the City in conflict with the provisions of this ordinance are repealed to the extent of that conflict.

**Section 3.** This ordinance shall become effective on April 1, 2021.

Chapter 14 - GARBAGE AND TRASH

ARTICLE I. - IN GENERAL

Sec. 14-1. - Definitions.

The following words and phrases shall, for the purposes of this chapter, have the meanings respectively ascribed to them:

(6)

City, City employees, or the city's contracted or authorized agent.

**Construction wastes.** Waste building materials resulting from construction, remodeling, repair, or demolition operations that are directly or indirectly the by-products of construction work or that result from the demolition of buildings or other structures, but specifically excluding inert debris, land-clearing debris, yard debris, or used asphalt, asphalt mixed with dirt, sand, gravel, rock, concrete, or similar materials.

**Class I nonhazardous solid waste.** Any industrial solid waste designated as class I by the executive director of the Texas Commission on Environmental Quality (TCEQ) as any industrial solid waste or mixture of industrial solid wastes which because of its concentration or physical or chemical characteristics are toxic, corrosive, flammable, a strong sensitizer or irritant, a generator of sudden pressure by decomposition, heat, or other means and/or may pose a substantial present or potential danger to human health or the environment when improperly processed, stored, transported, or otherwise managed, including hazardous industrial wastes.

**Garbage. Municipal Solid Waste (MSW)** consisting of putrescible or animal and vegetable waste materials resulting from the handling, preparation, cooking, and consumption of food, including waste materials from markets, storage facilities, handling and sale of produce and other food products, and all Dead Animals of less than ten pounds (10 lbs.) in weight, except those slaughtered for human consumption.

**Hazardous wastes.** Any solid waste identified or listed as a hazardous waste by the administrator of the United States Environmental Protection Agency (EPA) pursuant to the Federal Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act. 42 U.S.C. 6901 et seq., as amended.

**Household Hazardous Waste (HHW):** items which have been segregated from residential garbage and are designated as hazardous by the United States Environmental Protection Agency or the State of Texas and shall include, but not be limited to, outdoor insecticides and fertilizers, automotive products, household insecticides and maintenance chemicals, paint products and other items including electronics, small batteries, vehicle batteries, and lamps.

**Industrial wastes.** Solid waste resulting from or incidental to any process of industry or manufacturing, or mining or agricultural operations.

**Recycled materials or recyclables.** A material that has been recovered or diverted from the non-hazardous waste stream for purposes of reuse, recycling, or reclamation, a substantial portion of which is consistently used in the manufacture of products that may otherwise be produced using raw or virgin materials. Recyclable Material is not Solid Waste. However, Recyclable Material may become Solid Waste at such time, if any, as it is abandoned or disposed of rather than recycled, whereupon it will be Solid Waste, concerning the party abandoning or disposing of such material. Residential Recyclables include juice boxes, glass containers (clear, brown, green), tin-steel cans, paper board, cardboard, magazines, aluminum cans, newspapers, junk mail, phone books, office paper, and plastics all codes (#1 through #7, except for # 6, which is Styrofoam products).

**Refuse. Non-putrescible Solid Waste (excluding ashes),** consisting of both combustible and noncombustible waste materials. Combustible rubbish includes paper, rags, cartons, wood, excelsior, furniture, rubber, plastics, yard trimmings, leaves, or similar materials;

(6)

noncombustible rubbish includes glass, crockery, tin cans, aluminum cans, metal furniture, and similar materials that will not burn at ordinary incinerator temperatures (1,600 degrees Fahrenheit to 1,800 degrees Fahrenheit).

Rubbish. Same as refuse.

Solid waste. Waste consisting of everyday items such as product packaging, grass clippings, furniture, clothing, bottles and cans, food scraps, newspapers, appliances, consumer electronics, and batteries. These wastes come from homes; institutions such as schools and hospitals; and commercial sources such as restaurants and small businesses. Municipal Solid Waste does not include municipal wastewater treatment sludges, industrial process wastes, automobile bodies, combustion ash, or construction and demolition debris. The term does not include source-separated recyclable materials.

Special waste. Waste that requires special handling and management due to the nature of the waste, including, but not limited to, the following: (A) containerized waste (e.g. a drum, barrel, portable tank, box, pail, etc.), (B) waste transported in bulk tanker, (C) liquid waste, (D) sludge waste, (E) waste from an industrial process, (F) waste from a pollution control process, (G) Residue and debris from the cleanup of a spill or release of chemical, or (H) any other waste defined by Texas law, rule or regulation as "Special Waste".

Yard waste. Accumulations of lawn, grass, or shrubbery cuttings or clippings, and dry leaf rakings, small tree branches (not to exceed 4 feet in length, nor 4 inches in diameter), bushes or shrubs, green leaf cuttings, fruits, or other matter usually created by refuse in the care of lawns and yards, except large branches, trees, bulky or non-combustible materials not susceptible to normal loading and collection in "load packer" type sanitation equipment used for regular collections from domestic households. No stacks, bags, bundles or containers shall exceed forty (40) pounds in total weight.

#### Sec. 14-2. - Littering prohibited—Generally.

- (a) It shall be unlawful for any person to throw, drop, cast or deposit upon any street, alley, sidewalk or any yard or premises, public or private, any filth of any kind, or cans, paper, trash, paper containers, rubbish, bottles or any other form of litter or waste matter.
- (b) It shall be unlawful for any person to throw, drop, cast or place any yard waste matter upon any street, street gutter or alley.

#### Sec. 14-3. - Duty of business owners, occupants.

- (a) The owner or occupant of any store or other place of business situated within the city shall exercise reasonable diligence at all times to keep his premises clean of wastepaper, wrapping paper, paper napkins, cartons, package containers and other used or waste materials thrown or left on the premises by its customers, and to take reasonable measures to prevent same from drifting or blowing to adjoining premises.

(6)

- (b) Receptacles. Receptacles of sufficient size and number shall be placed on the premises accessible to the customers of such business for the disposition of articles of waste referred to above.
- (c) Signs. Each and every business establishment shall place upon its premises in conspicuous places in close proximity to the receptacles as above referred to, above signs which shall, in essence, convey to its customers a request that they use such receptacles for the disposal of waste material.

**Sec. 14-4. - Duty of customer.**

It shall be unlawful for any customer going upon the premises of another to in any manner dispose of wastepaper, wrapping paper, paper napkins, cartons, package containers and other used or waste materials except in receptacles provided for such purposes.

**Sec. 14-5. - Litter control.**

- (a) Definitions. For purposes of this section:

Containers are city manager approved metal, heavy-duty paper or plastic receptacles used for the disposal and storage of solid waste.

Litter is any quantity of paper, metal, plastic, glass or miscellaneous solid waste which may be classified as trash, debris, rubbish, refuse, garbage, junk, or yard waste matter that is not confined to a container.

Private property includes, but is not limited to, the following exterior locations owned by private individuals, firms, corporations, institutions or organizations: Yards, grounds, driveways, entranceways, passageways, parking areas, working areas, storage areas, vacant lots and recreation facilities.

Public property includes, but is not limited to, the following exterior locations: Streets, street medians, roads, road medians, catch basins, railroad rights-of-way, sidewalks, lanes, alleys, public rights-of-way, public parking lots, school grounds, municipal housing project grounds, municipal vacant lots, parks, beaches, playgrounds, other publicly-owned recreation facilities, and municipal waterways and bodies of water.

- (b) Regulations.

- (1) Pedestrians and motorists:

- a. It shall be unlawful for any person to throw, discard, place or deposit litter in any manner or amount on any public or private property within the corporate limits of the city, except in containers or areas lawfully provided therefore;
- b. In the prosecution charging a violation of subsection (b)(1)a. from a motor vehicle, proof that the particular vehicle described in the complaint was the origin of the litter, together with proof that the defendant named in the complaint was at the time

(10)

of such violation the registered owner of said vehicle, shall constitute in evidence a presumption that the registered owner was the person who committed the violation;

- c. It shall be the duty of every person distributing commercial handbills, leaflets, flyers or any other advertising and information material to take whatever measures that may be necessary to keep such materials from littering public or private property;
  - d. It shall be unlawful for any person to dispose of garbage, refuse, solid waste, and/or special wastes in a city-owned waste container other than one under the users control or ownership without permission from the person, business, institution or organization leasing the container;
- (2) Vehicles transporting loose materials:
- a. It shall be unlawful for any person, firm, corporation, institution or organization to transport any loose cargo by truck or other motor vehicle within the corporate limits of the city unless said cargo is covered and secured in such manner as to prevent depositing of litter on public and private property;
  - b. The duty and responsibility imposed by subsection (b)(2)a. shall be applicable alike to the owner of the truck or other vehicle, the operator thereof, and person, firm, corporation, institution or organization from whose residence or establishment the cargo originated.
  - c. In the prosecution charging a violation of subsection (b)(2)a. lack of adequate covering and securing shall in itself constitute proof a violation has been committed;
- (3) Loading and unloading operations:
- a. Any owner or occupant of an establishment or institution at which litter is attendant to the packing and unpacking and loading and unloading of materials at exterior locations shall provide suitable containers there for the disposal and storage of such litter and shall make appropriate arrangements for the collection thereof;
  - b. Further, it shall be the duty of the owner or occupant to remove at the end of each working day any litter that has not been containerized at these locations;
- (4) Construction/demolition projects:
- a. It shall be unlawful for the owner, agent or contractor in charge of any construction or demolition site to cause, maintain, permit or allow to be caused, maintained or permitted the accumulation of any litter on the site before, during or after completion of the construction or demolition project;
  - b. It shall be the duty of the owner, agent or contractor to have on the site adequate containers for the disposal of litter;
  - c. The owner, agent or contractor may be required at any time to show proof of appropriate collection or, if transported by himself, of final disposition at an authorized facility;

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- (5) Provision for solid waste disposal and storage facilities at new buildings:
- a. Before building permits shall be issued for construction of commercial buildings and multiple-dwelling units, a plan for the adequacy, location and accessibility of solid waste containerization and storage facilities must be approved by the Department of Building and Community Services
  - b. No certificate of occupancy shall be issued for said premises until the department's approval of these facilities has been obtained;
- (6) Keeping property clean:
- a. It shall be the duty of the owner, agent, occupant or lessee to keep exterior private property free of litter. This requirement applies not only to removal of loose litter, but to materials that already are, or become, trapped at such locations as fence and wall bases, grassy and planted areas, borders, embankments and other lodging points;
  - b. Owners, agents, occupants or lessees whose properties face on municipal sidewalks and strips between streets and sidewalks or abutting alleys shall be responsible for keeping those sidewalks, alleys and strips free of litter;
  - c. It shall be unlawful to sweep or push litter from sidewalks and strips into streets. Sidewalk and strip sweepings must be picked up and put into household or commercial solid waste containers;
  - d. It shall be unlawful for the owner, agent, occupant or lessee of private property to cause, maintain, permit or allow to be caused, maintained or permitted the accumulation of any litter on the exterior of private property.

Secs. 14-6—14-14. - Reserved.

## Article II. RESIDENTIAL, COMMERCIAL, AND INDUSTRIAL WASTE AND RECYCLING COLLECTION

### Sec. 14-15. Exclusive Franchise Agreement

The city's contracted agent shall have the sole and exclusive franchise, license and privilege to provide residential, commercial, industrial, and construction garbage, refuse, rubbish, and solid waste collection, removal, and disposal services. The city's contracted agent shall also have the sole and exclusive franchise, license and privilege to provide residential collection, removal, and disposal services of recyclables within the corporate limits of the city, with the following exceptions:

- (a) A person may haul garbage, refuse, or recyclables, originating within his personal family dwelling unit to an approved disposal facility, providing his means of conveyance is approved by the Department of Building and Community Services as being sanitary and of a type that will prevent the spilling or leakage of its contents, littering, and the emanation of disagreeable odors.

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- (b) The City may authorize the collection, removal, and disposal of all solid waste under such terms, conditions, and limitations deemed necessary in the interest of public health, safety, and welfare.

The city shall take any action necessary and appropriate to protect and enforce the contracted agent's exclusive franchise, license, and privileges from infringement by any vendor including but not limited to, civil suit and injunction against such parties.

#### Sec. 14-16. Base Residential Services

The city's contracted agent shall provide the following services to all residential units within the city limits. The following services are included in the base residential sanitation rate:

- (a) **Solid Waste Collection:** The city's contracted agent shall collect garbage, refuse, rubbish, and/or solid waste once a week. Materials must be placed, bagged or bundled, in a polycart, provided by the city's contracted agent, in such a manner that the polycart lid may be securely closed prior to collection. Yard waste is accepted in the general solid waste collection, however yard waste must be bagged or bundled, and must meet the definition of yard waste herein. Yard waste that cannot be placed inside the polycart may be collected with Brush and Bulk collection, provided the materials are bundled per the brush collection requirements and meet the requirements herein. Yard waste that cannot be placed bagged or bundled in a polycart or bungled as brush collection, may be bagged and placed outside of a polycart with a pink tag. The weight of a polycart and its contents shall not exceed approximately 170 lbs.
- (b) **Recyclable Collection:** The city's contracted agent shall collect recyclable materials every other week. Materials must be placed loose in a polycart, provided by the city's contracted agent, in such a manner that the polycart lid may be securely closed prior to collection. The weight of a polycart and its contents shall not exceed approximately 170 lbs.
- (c) **Household Hazardous Waste:** The city's contracted agent will collect household hazardous waste weekly, on a call in basis.
- (d) **Brush and Bulk Collection:** The city's contracted agent shall collect up to three combined cubic yards of brush and bulk weekly.
- (e) **Special Accommodations:** Individuals who are unable to place their solid waste and/or recyclable polycart(s) at their designated collection location, including but not necessarily limited to senior citizens or individuals with special needs, may make arrangements with the city's contracted agent for special collection accommodations. When such accommodations are made, the city's contracted agent will: 1) collect solid waste and/or recyclable polycart(s) that are easily accessible and stored at the side of a home behind the front build line; 2) empty the respective polycart(s) on the designated collection day; 3) and return the polycart(s) to the polycart(s) to their designated storage areas.

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#### Sec. 14-17. Special Residential Services

The city's contracted agent shall provide the following services to all residential units within the city limits. Services are provided for an additional fee, at the then prevailing rate of the contacted agent's agreement with the city, above and beyond the base residential services rate:

- (a) **Pink Tags:** All solid waste and recyclables must be contained within their respective polycarts. Polycarts may not be overloaded, preventing lids from properly fitting and closing. It shall be unlawful to pile or stack loose, bundled, or bagged garbage, refuse, rubbish, and/or solid waste outside of a polycart without a Pink Tag. Residential units may purchase Pink Tags from the city's contracted agent for an additional fee beyond the base sanitation rate. Pink Tags must be placed on each bundle or bag of garbage, refuse, rubbish, and/or solid waste. Pink Tags may not be purchased for recyclable materials.
- (b) **Unusual Accumulation:** A special collection may be arranged by a residential unit with the city's contracted agent for an unusual accumulation of waste. A special collection of unusual accumulation may be collected by the city's contracted agent, for an additional fee beyond the base sanitation rate, after an inspection of the unusual accumulation is made by the city's contracted agent. The residential unit must contact the city's contracted agent to arrange an inspection date and time before the materials are placed at their designated collection location. It shall be unlawful for any customer to place any unusual accumulation at the designated collection location prior to 9:00 p.m. the day before the scheduled inspection.
- (c) **Additional Solid Waste and/or Recyclable Polycart(s):** Residential units may request additional solid waste and/or recyclable polycart(s) from the city's contracted agent. The city's contracted agent shall provide the residential unit with the additional polycart(s) for an additional fee beyond the base sanitation rate.

#### Sec. 14.18. Base Commercial and Industrial Services

The city's contracted agent shall collect garbage, refuse, rubbish, and/or solid waste from all commercial and industrial entities within the city limits. Small commercial entities may elect to have materials collected in either a polycart or a front load container. Large commercial and industrial entities must have their materials collected in front load or roll off containers. The frequency of collection and container size will be established by the entity based on need. Restaurants are required to arrange for collection at minimum three times per week.

#### Sec. 14.19. Hours of Operation

- (a) The city's contracted agent shall collect residential solid waste and recycling materials Monday through Friday between the hours of 7:00 a.m. and 7:00 p.m. In the event that a holiday falls on a Friday or there is a missed collection, the city's contracted agent will be authorized to collection residential solid waste and recycling materials on a Saturday between the hours of 7:00 a.m. and 7:00 p.m.

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- (b) The city's contracted agent shall collect commercial and industrial solid waste materials Monday through Saturday between the hours of 5:00 a.m. and 7:00 p.m. If a commercial or industrial entity is within 500 feet of a residence, the city's contracted agent shall collect the solid waste materials Monday through Saturday between the hours of 7:00 a.m. and 7:00 p.m.

#### Sec. 14.20. Duty to Provide Containers

- (a) The city's contracted agent shall provide a single 95 gallon polycart for solid waste collection, and a single 95 gallon polycart for recyclable collection for all residential units within the city limits. The cost associated with the polycarts will be reflected in the base residential services fee. An additional 95 gallon solid waste or recyclable polycart(s) may be provided for a residential unit for an additional monthly fee upon request. Residential polycarts shall remain at the location of the residential unit. If a polycart is lost, stolen, or damaged beyond repair, other than through general wear and tear, the resident will be assessed a \$70.00 replacement fee per polycart.
- (b) The city's contracted agent shall provide 95 gallon polycart(s) or front load containers of varying size for small commercial businesses, based on need. The cost associated with the polycarts or front load containers will be built into the base commercial and industrial services rates for small commercial businesses, based on the frequency of collection and container size. The city's contracted agent shall provide front load or roll off containers of varying size for large commercial or industrial businesses, based on need. The cost associated with the front load or roll off containers will be built into the base commercial and industrial services rates for large commercial or industrial businesses, based on the frequency of collection and container size.

#### Sec. 14-21. Placement, Storage, and Maintenance of Residential Containers

- (a) Where streets are used by collection trucks, solid waste and recycling polycarts shall be placed adjacent to and back of the curb or adjacent to and back of the ditch if there is not a curb.
- (b) Where alleys are used by collection trucks, solid waste and recycling polycarts shall be placed on the alley line and must not be so placed as to intrude upon the traveled portion of the alley.
- (c) All solid waste and recycling polycarts shall be placed at the herein prescribed locations not later than 6:45 a.m. on the day of their scheduled collection. It shall be unlawful for any customer to place any solid waste or recycling polycarts at the prescribed location prior to 9:00 p.m. the day before the scheduled collection. All polycarts shall be collected from their prescribed location no later than 9:00 p.m. of the day of collection.

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- (d) All solid waste and recyclables must be contained within their respective polycarts. Polycarts may not be overloaded to prevent the lid from properly fitting and closing. It shall be unlawful to pile or stack solid waste outside of a polycart without a pink tag.
- (e) Solid waste and recycling polycarts may be stored in a garage, carport, outbuilding, backyard, or on the side of a residential unit behind the front build line. For the purpose of this ordinance the front build line is defined as the side of the residential unit on which the polycarts are being stored, closest to the street. Special screening is not required for polycarts, regardless of where they are stored.
- (f) Solid waste and recycling polycarts should be maintained, by the owner, agent, occupant, and/or lessee of a residential unit, in as sanitary a condition as possible. Such maintenance shall include, but will not be limited, to thoroughly washing, scalding, and/or disinfecting the polycarts.
- (g) The city's contracted agent shall be responsible for providing physical maintenance to ensure the proper function of all solid waste and recycling polycarts.

#### Sec. 14.22. Placement, Storage, and Maintenance of Commercial and Industrial Containers

- (a) Commercial and industrial solid waste dumpster, roll off and similarly sized containers must be placed on private property, may not obtrude or protrude into the city's right of way, must not be placed in the visibility triangle, and must be screened if required and as required by the city's zoning ordinance.
- (b) Commercial and industrial polycart containers must be stored in an area that is not visible from the right of way or must be screened to prevent visibility from the right of way by fencing material or landscaping acceptable by the city's zoning ordinance.
  - a. Polycarts shall be placed in a location that is accessible for the city's contracted agent to collect the containers. Polycarts may not be in a location that result in traffic congestion or that would result in a public safety concern through their collection by the city's contracted agent.
  - b. Polycarts shall be placed at the herein prescribed locations not later than 4:45 a.m. on the day of their scheduled collection. It shall be unlawful for any customer to place any polycarts at the prescribed location prior to 9:00 p.m. the day before the scheduled collection. All polycarts shall be collected from their prescribed location no later than 9:00 p.m. of the day of collection.
- (c) Commercial and industrial containers shall be maintained, by the owner, agent, occupant, and/or lessee of the commercial or industrial entity, in as sanitary condition as possible. Such maintenance shall include, but will not be limited, to thoroughly washing, scalding, and/or disinfecting the containers.
- (d) Commercial and industrial customers shall contact the city's contracted agent regarding the maintenance or replacement of any container that has deteriorated or that has jagged

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edges capable of causing injuries to those whose duty it is to handle the container or those who may come in contact with the container. It shall be the responsibility of the city's contracted agent to repair or replace such damaged containers.

#### Sec. 14.23. Placement of Residential Brush and Bulk

- (a) Brush and bulk items shall be placed at the curb to facilitate removal of the same. Brush and bulk items will not be collected from an alley, regardless if solid waste and recycling materials are collected from the alley.
- (b) Brush and bulk items shall be limited to a total of three combined cubic yards.
- (c) Brush may include any cuttings or trimmings from trees, shrubs, or lawns, including green waste. Limbs must not exceed four (4) feet in length and not exceed four (4) inches in diameter. All Brush must be bagged or bundled and may be stacked in such a way as to allow safe lifting by the employee into the collection vehicle. No stacks, bags, bundles or containers shall exceed forty (40) pounds in total weight.
- (d) All appliances containing refrigerants must be tagged certifying that all refrigerants have been removed by a certified refrigerant technician before their placement for collection.

#### Sec. 14.24. Placement of Residential Pink Tagged Materials

- (a) A pink tag must be placed on every bundle or bag of garbage, refuse, rubbish, or solid waste placed outside of the solid waste polycart that is not a brush or bulk item or a special accumulation collection.
- (b) An individual pink tag is required for each individual bundle or bag of garbage, refuse, rubbish, or solid waste placed outside of a polycart.
- (c) Where streets are used by collection trucks, bundles or bags of garbage, refuse, rubbish, or solid waste with an accompanying pink tag, shall be placed adjacent to and back of the curb or adjacent to and back of the ditch if there is not a curb. Pink tagged items must be placed out on the residential unit's regularly scheduled solid waste collection day.
- (d) Where alleys are used by collection trucks, bundles or bags of garbage, refuse, rubbish, or solid waste with an accompanying pink tag, shall be placed on the alley line and must not be so placed as to intrude upon the traveled portion of the alley. Pink tagged items must be placed out on the residential units regularly scheduled solid waste collection day.

#### Sec. 14.25. Placement of Residential Unusual Accumulation

- (a) Unusual accumulation of waste materials shall be placed adjacent to and back of the curb or adjacent to and back of the ditch if there is not a curb. Unusual accumulation will not be collected from an alley, regardless if solid waste and recycling materials are collected from the alley.

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- (b) Unusual accumulations of waste must be bundled or bagged, unless the materials are a bulk item or items.
- (c) Unusual accumulations of waste are not required to be placed out on the residential unit's regularly scheduled solid waste collection day.

#### Sec. 14.26. Placement of Residential Household Hazardous Waste

- (a) Household hazardous waste may be placed at either the front porch of the residential unit or placed adjacent to and back of the curb or adjacent to and back of the ditch if there is not a curb. Household hazardous waste will not be collected from an alley, regardless if solid waste and recycling materials are collected from the alley.
- (b) Household hazardous waste left at the front porch of a residential unit may be left loose, if not at risk for being blown away, or placed in an open container or clear plastic bag.
- (c) Household hazardous waste left adjacent to and back of the curb or adjacent to and back of the ditch shall be placed in an open container or clear plastic bag and may not be left loose.
- (d) Household hazardous waste shall be placed at the herein prescribed locations not later than 7:45 a.m. on the regularly scheduled collection date. It shall be unlawful for any customer to place any household hazardous waste at the prescribed location prior to 9:00 p.m. the day before the scheduled collection.

#### Sec. 14.27. Dead Animals

Small dead animals, of a weight less than 10 pounds, may be placed in the standard solid waste collection. Dead animals 10 pounds or greater may not be placed in the standard solid waste collection. The person owning or in possession of dead animals 10 pounds or greater shall be responsible for their prompt disposal in such manner as the Animal Services Department may direct. Any person having knowledge of the existence of a dead animal should telephone or otherwise immediately notify the Animal Services Department.

#### Sec. 14.28. Fees

The fees to be charged by the city for the collection, removal and disposal of solid waste, garbage, rubbish, refuse, and residential curbside recycling shall be as determined by the city council based on the contracted rate provided by the contractor to the city and increased annually according to the Consumer Price Index (CPI) for all Urban Consumers (published by the United States Bureau of Labor Statistics, Consumer Price Index, U.S. City Average, All Urban Consumers, Garbage and Trash Collection). A listing of these rates and fees will be held on file with the Department of Building and Community Services and on file in the office of the City Secretary. Residential dwelling units which are served with city water service shall be

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responsible for the billing, charges for garbage, trash, and recycling and shall be billed with the monthly water bill for such services. Those residential dwelling units who are not served with city water service, but are located within the jurisdictional city limits shall be billed separately for garbage, trash, and recycling service.

- (a) Residential Rates: Base service fees include once per week solid waste collection, every other week recycling collection, weekly household hazardous waste collection, and weekly brush and bulk collection (limited to 3 cubic yards collectively). The charge shall be mandatory.
- (b) Multiple Unit Rates: Residential customers occupying multiple residential units on one (1) water meter (such as duplexes, triplexes, etc.) will be charged per unit. The charge shall be mandatory.
- (c) Commercial and Industrial Rates: Base service fees include solid waste collection, with varying collection frequencies and container sizes, based on the needs of the commercial or industrial entity. Base service fees do not include recyclable collection. The charge shall be mandatory.
- (d) Senior Citizens Discount: Each resident who is age sixty-five (65) or older qualifies for a 10% discount on their monthly bill. The resident must show a valid photo ID that states their date of birth.

#### Sec. 14.29. Penalty for Violations

Any person violating any of the provisions of this article shall be deemed guilty of a misdemeanor and upon conviction shall be fined an amount not to exceed two thousand dollars (\$2,000.00). Each and every day the violation exists shall constitute a separate offense.

Secs. 14-309—14-37. - Reserved.

### ARTICLE III. - CITIZEN'S CONVENIENCE STATION

Sec. 14-38. - Access restricted.

- (a) The main purpose of the citizen's convenience station is to provide the city's residents a place to dispose of solid waste and recyclable materials that cannot be collected by their curbside or alley service. Non-residents, commercial service companies, and/or businesses may utilize the citizen's convenience station as space dictates. Availability of space will be determined by the convenience station attendant. During times of limited space, access may be denied in order to provide available space to the city's residents.
- (b) Construction waste will be accepted from city residents. Construction waste from non-city residents will not be accepted. Construction waste originating from materials hauled from commercial establishments, multi-family residential property, or other similar sites will not be accepted. Construction waste not accepted includes but not limited to inert debris,

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land-clearing debris, yard debris, or used asphalt, asphalt mixed with dirt, sand, gravel, rock, concrete, or similar materials. Wood fencing, free of concrete or other similar base material, will be accepted limited to 50 feet per visit.

(c) The convenience station may be closed during times of inclement weather and during all observed city holidays.

Sec. 14-39. - Fees.

- (a) Service fees for the handling, compaction, disposal, or otherwise processing of refuse brought to the city's convenience station shall be charged for according to the bulk, nature of refuse, and difficulty of handling, compaction, or disposal based on the fee chart below. General refuse shall include solid waste and other materials that can be readily compacted and reduced in size without special handling with the exception of Class I nonhazardous waste, hazardous waste, and special waste.
- (b) Tree limbs, brush, and hedge trimming disposal. City residents may dispose of tree limbs, brush, and hedge trimmings for free as long as no solid waste of any kind is mixed in with the load. Individuals and/or businesses who operate a tree trimming service are not allowed this free service.
- (c) Tree limbs, brush, hedge trimmings brought to the convenience station by tree trimming businesses or non-residents shall be charged based on the fee chart below. Loads mixed with solid waste will not be accepted.

	Residents	Non-residents, Commercial Service Companies, and/or Businesses
30-gallon plastic bags, bagged	No Charge (limit 10 bags per week)	\$2.00 per bag (limit 10 bags per week)
General refuse	\$5.00 per cubic yard	\$15.00 per cubic yard
Tree limbs, brush, and hedge trimmings	Free (no-limit)	\$10.00 per cubic yard (minimum charge of \$20.00)
Construction waste	\$10.00 per cubic yard	Not accepted
Kitchen ranges, washers, water heaters, box springs, mattresses, dryers	\$10.00 per unit	\$20.00 per unit

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Recycling items	(one cubic yard free) \$1.00 per additional cubic yard	Not accepted
Automobile or truck tires	3.00 (\$6.00 with rim)	
Tractor truck tires	\$20.00 (\$30.00 with rim)	

#### ARTICLE IV. - PRIVATE COMMERCIAL AND INDUSTRIAL REFUSE SERVICE

##### Sec. 14-40. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

**Commercial or industrial recyclables.** Materials diverted or removed from the waste stream which can be sold in a spot or future market and that may be reused, and a substantial amount of the materials is consistently utilized to manufacture a product which otherwise would have been produced using virgin materials. Recyclables include but are not limited to, newsprint, magazines, plastic bottles, glass containers, aluminum and other metals. Where commercial and industrial recyclables are mixed with solid waste in containers intended for disposal, for purpose of this agreement such combined materials shall be considered solid waste.

**Commercial/industrial solid waste service.** Any service provided by any person to collect, for a fee, refuse, garbage, trash, solid waste, junk, building waste, Class I nonhazardous solid waste, industrial waste, hazardous waste, special waste, and/or yard waste from commercial or industrial businesses.

**Person.** Any person, firm, partnership, association, corporation, company, or organization of any kind.

**Private waste hauler.** A person, firm, partnership, association, corporation, company, or organization that engages in the collection and/or disposal of solid waste for a fee.

**Solid waste.** All waste generated by any producer of residential, commercial, industrial, or construction solid waste resulting from either household waste or incidental to any process of industry, manufacturing, construction, mining, or agricultural operations, excluding hazardous waste.

##### Sec. 14-41. - City responsible for regulating proper collection and disposal of all commercial/industrial solid waste service.

The director of Building and Community Services shall have the responsibility to oversee the proper collection, removal, and disposal of all solid waste and commercial or industrial

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recyclables generated by a business (including commercial and industrial) in the city to ensure the health and safety of all citizens, employees, and/or persons. The director may require registration of commercial or industrial recyclables.

Sec. 14-42. - Requirements of businesses (commercial and/or industrial).

- (1) Any business, firm, partnership, association, corporation, company, and/or organization shall be required to provide the department of Building and Community Services any information necessary concerning the collection, handling and disposal of their solid waste and commercial or industrial recyclables, including but not limited to the following information:
  - (a) Amounts and types of solid waste generated, handled and/or serviced.
  - (b) The types and amounts of commercial or industrial recyclables to be generated.
  - (c) Where the solid waste and commercial or industrial recyclables are to be disposed of on the premises.
  - (d) And any other information the Department of Building and Community Services deems necessary to insure proper collection, handling, and/or disposal of solid waste.
- (2) Commercial and industrial businesses shall separate solid waste from commercial or industrial recyclables for purposes of disposal. Materials intended for disposal shall be placed in separate containers, which in the case of solid waste shall be provided by the city's contract agent.

Sec. 14-43. - Penalty for violation.

Any person violating any of the provisions of this article shall be deemed guilty of a misdemeanor and upon conviction shall be fined an amount not to exceed two thousand dollars (\$2,000.00). Each and every day the violation exists shall constitute a separate offense.

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS, ON THIS THE 4<sup>th</sup> DAY OF JANUARY, 2021.**

\_\_\_\_\_  
David Hill, Mayor

**ATTEST:**

\_\_\_\_\_  
Lori Cartwright, City Secretary

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## Memorandum

To: Honorable Mayor and City Council  
From: Tommy Ludwig, Assistant City Manager  
Thru: Michael Scott, City Manager  
Date: December 31, 2021  
Re: Master Agreement - Miscellaneous Concrete Services

On Monday January 4, 2020 a two year Citywide master agreement, with three one year renewal options, with G.A.W. Construction Services LLC for miscellaneous concrete installation and repair services will appear before City Council for consideration in the amount of \$1,225,000. A master agreement does not appropriate or obligate the City to expend funds. Rather it provides fixed pricing for a defined period of time, up to the authorized agreement amount. Master agreements allow staff to respond more quickly to service requests, as scopes of work do not have to be individually bid for services authorized under the agreement. In addition, master agreements allow municipalities to better leverage their buying power to obtain lower unit pricing, and the fixed costs within the agreement enables staff to more accurately forecast expenses.

Staff is recommending to enter into the proposed master agreement with G.A.W. Construction Services LLC through an Interlocal Agreement with the City of Midlothian. Midlothian competitively bid miscellaneous concrete installation and repair services in May 2020, and G.A.W. Construction Services LLC was determined to be the lowest responsive bidder. The City of Midlothian is very pleased with the work performed under this contract, and has given a strong reference for G.A.W. Construction Services LLC.

Specifically, services under this agreement include, but are not limited to: removal and installation of concrete pavement, removal and installation of curbs and gutters, and removal and installation of sidewalk. This master agreement will be non-exclusive as the

(17)

City retains the right to bid and award services authorized under this agreement to contractors other than G.A.W. Construction LLC, whenever it is deemed to be in the best interest of the City.

City staff believes that this agreement will assist the City in its efforts to complete infrastructure projects in the most efficient and effective manner possible, and recommends its approval to City Council.

I am available at your convenience should you need additional information.

Tommy Ludwig

(8)

TAXING UNIT: CITY OF WAXAHACHIE

RESOLUTION NO. \_\_\_\_\_

RESOLUTION OF CANDIDATE NOMINATION FOR THE ELLIS APPRAISAL DISTRICT BOARD OF DIRECTORS VACANY FOR THE YEAR 2021

WHEREAS, Section 6.03 (l) of the Texas Property Tax Code, requires that each taxing unit entitled to vote may nominate by Resolution one candidate to fill the vacancy and submit those nominations to the Chief Appraiser of the Ellis Appraisal District by Monday, January 18<sup>th</sup>, 2021.

THEREFORE, the City of Waxahachie submits the following nomination for the vacancy on the Board of Directors of the Ellis Appraisal District for 2021:

ACTION TAKEN this 4<sup>th</sup> day of January, 2021, in Regular Session of the governing body of the above mentioned taxing unit; as authorized under Section 6.03 of the Texas Property Tax Code, for the purpose of nominating candidates to the Board of Directors of the Ellis Appraisal District.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY SECRETARY

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## Memorandum

To: Honorable Mayor and Council  
Thru: Michael Scott, City Manager  
From: Wade G. Goolsby, Chief of Police  
Date: December 31, 2020  
Re: Sex Offender Exemption

Recently, I received a request from a Ms. Tara Newsom to allow her son, a registered sex offender, to reside at her residence located at 335 Leisure Lane in violation of our sex offender ordinance.

The question brought up by Ms. Newsom is whether her son would be "grandfathered" and thus, exempt from the ordinance. According to Ms. Newsom, her son committed the offense when he was seventeen (17 years of age), which would make him an adult under criminal law. He is scheduled to be released from prison now at the age of 22.

Based on information from one of my investigators, the criminal charge stems from an incident of inappropriate sexual activities with a 13-year-old female when he was 17 years old resulting in being charged with Aggravated Sexual Assault of a Child. The criminal case was filed by a different law enforcement agency, so I do not have the details of the offense.

Our Ordinance states in part:

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*(1) It shall be unlawful for a registered sex offender to establish a permanent residence or a temporary residence within one thousand (1,000) feet of any child safety zone in the city.*

However, the ordinance also identifies some exceptions to the ordinance:

*(g) Exceptions. Nothing in this article shall be interpreted to modify or reduce the state's child safety ban. A registered sex offender residing within one thousand (1,000) feet of a child safety zone will not be in violation of this article if:*

- (1) The person established the permanent or temporary residence and has complied with all of the sex offender registration laws of the state, prior to the date of the adoption of this article;*
- (2) The person was a minor when he or she committed the offense and was not convicted as an adult;*
- (3) The person is a minor or a ward under guardianship;*
- (4) The child safety zone within one thousand (1,000) feet of the person's permanent or temporary residence became a child safety zone after the person established the permanent or temporary residence and complied with all sex offender registration laws of the state;*

Due to the proximity to a city park, residing as a Registered Sex Offender at 335 Leisure Lane would be in violation of our ordinance. Based on this, I denied Ms. Newsom's request for an exemption.

The question is whether Ms. Newsom's son is eligible to return to the residence at 335 Leisure Lane since he resided there as a dependent with his parent(s) at the time of his arrest. Since he is now 22 years of age, is he entitled to move back to that location or is he required to find a residence that would comply with our sex offender ordinance?

My decision was based on my opinion that the residence at 335 Leisure Lane is the legal residence of the parents and not the son. In my opinion, at the age of 22, he is no longer a dependent and must find a residence of his own. However, I understand that this is a matter of legal interpretation of the law and will support any decision made by Council on this matter.

(9)

**Cartwright, Lori**

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**From:** tara newsom  
**Sent:** Monday, December 28, 2020 1:54 PM  
**To:** Cartwright, Lori  
**Subject:** Appeal for exemption

Hello,

I am trying to appeal a decision for exemption to the registered sex offender ordinance for my son Gavin Newsom. He will be released on Dec 30th.

Until he was sent to prison he resided with us at 335 Leisure Lane since 2006. So he should qualify to be grandfathered in. According to Texas ordinance his residence was not changed due to being in prison.

Texas law says a prison cell is not a residence:

“‘[R]esidence’ means domicile, that is, one’s home and fixed place of habitation to which one intends to return after any temporary absence.... A person who is an inmate in a penal institution... does not, while an inmate, acquire residence at the place where the institution is located.” (Texas Annotated Code §1.015(e).)

He was a minor 17 when the crime was committed and 18 when sentenced.

According to the article and interview in the Daily Light by Chief Goolsby he said that this ordinance was put into place to keep more people on the registry from moving to Waxahachie and not to displace people who already resided here.

Waxahachie City Council approves residency restrictions for registered sex offenders - News - Waxahachie Daily Light - Waxahachie, TX

<https://www.waxahachietx.com/news/20190220/waxahachie-city-council-approves-residency-restrictions-for-registered-sex-offenders>

His Texas state ID also lists this address as his residence.

He is not a high risk offender.

Because he was so young when going to prison he has never lived on his own. We do not have the resources to move or to rent him an apartment while he looks for work. The goal is for him to get a job save some money and then move out on his own as soon as he is able to. As you know it will most likely be hard for him to find gainful employment and he will need a little time to be able to do that.

We are trying to get him set up for success even with so much stacked against him and he needs his family right now. It is unfair to keep him from his family.

Thank you for your consideration in this matter and God Bless you.

Sincerely,  
Tara Newsom



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## WAXAHACHIE POLICE DEPARTMENT

A Recognized "Best Practices" Agency



630 Farley Street, Waxahachie, TX 75165  
Phone: 469-309-4400 Fax: 469-309-4420

December 22, 2020

Ms. Tara Newsom  
335 Leisure Lane  
Waxahachie, TX 75165

Dear Ms. Newsom,

It is my understanding that you would like for an exemption to the registered sex offender ordinance to allow your son to reside with you. It is also my understanding that your son was 18 years of age when convicted and is now scheduled to be released from prison at the age of 22. In reviewing the ordinance, I do not find adequate cause to grant an exemption to the ordinance.

The ordinance states,

*(1) It shall be unlawful for a registered sex offender to establish a permanent residence or a temporary residence within one thousand (1,000) feet of any child safety zone in the city.*

However, the ordinance also identifies some exceptions to the ordinance.

*(g) Exceptions. Nothing in this article shall be interpreted to modify or reduce the state's child safety ban. A registered sex offender residing within one thousand (1,000) feet of a child safety zone will not be in violation of this article if:*

*(1) The person established the permanent or temporary residence and has complied with all of the sex offender registration laws of the state, prior to the date of the adoption of this article;*

*(2) The person was a minor when he or she committed the offense and was not convicted as an adult;*

*(3) The person is a minor or a ward under guardianship;*

*(4) The child safety zone within one thousand (1,000) feet of the person's permanent or*

**H.E.A.R.T.**

*Honor Ethics Accountability Respect Transparency*

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*temporary residence became a child safety zone after the person established the permanent or temporary residence and complied with all sex offender registration laws of the state:*

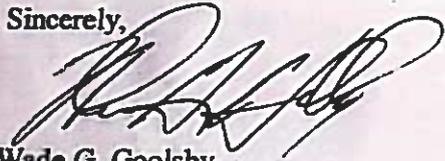
The question in your situation is whether your son (who lived with you when he was arrested and sentenced) can return to your residence after being convicted of a crime that will result in his registration as a sex offender.

I do not believe that he is entitled to return to your home as his residence due to his current age and the fact that the location of your residence would place him in violation of the ordinance. Therefore, your request for an exemption is DENIED.

If you do not agree with my decision and wish to appeal that decision, you may do so. The ordinance further states;

*Any person who is denied an exemption under this article may appeal the decision to the city council. Any request for an appeal must be submitted to the city secretary within ten (10) days of the date that the notice of denial is sent by the chief of police.*

Sincerely,



Wade G. Goolsby  
Chief of Police  
Waxahachie Police Department

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**ORDINANCE NO. 3096**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS, ADDING ARTICLE XV, "REGISTERED SEX OFFENDERS," TO CHAPTER 21, "OFFENSES AND MISCELLANEOUS PROVISIONS," OF THE WAXAHACHIE CODE OF ORDINANCES; PROHIBITING REGISTERED SEX OFFENDERS FROM RESIDING OR GOING IN, ON, OR WITHIN 1,000 FEET OF A CHILD SAFETY ZONE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALING CLAUSE; PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED FIVE HUNDRED DOLLARS (\$500) FOR EACH OFFENSE; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS, the City Council of the City of Waxahachie ("City Council") has determined that sex offenders pose a legitimate and serious threat to the public health, safety and welfare of the City of Waxahachie, Texas ("City"), and its children; and**

**WHEREAS, the City has the authority and deems it necessary to adopt rules for safeguarding the public health, safety and welfare, and further finds that the adoption of this Ordinance best serves the public health, safety and welfare of the City and its children by enacting reasonable restrictions on the locations where registered sex offenders can reside within the City; and**

**WHEREAS, the City Council has determined that the dangers of child sex offenses and the costs to society imposed by them are devastating and detrimental to public health, safety and welfare of the City; and**

**WHEREAS, it is the intent of this Ordinance to meet the City's compelling interest to promote, protect, and improve the public health, safety and welfare of the City.**

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS:**

**SECTION 1. The above and foregoing premises are true and correct and are incorporated herein and made a part hereof for all purposes.**

**SECTION 2. That Article XV, "Registered Sex Offenders," is hereby added to Chapter 21, "Offenses and Miscellaneous Provisions," of the Waxahachie Code of Ordinances, to read as follows:**

**"ARTICLE XV. – REGISTERED SEX OFFENDERS**

**Sec. 21-226. REGISTERED SEX OFFENDERS.**

**(a) Definitions.**

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For the purposes of this article, the following terms, words, and the derivations thereof shall have the meanings given herein.

- (1) **Child safety zone** – Premises where children commonly gather. The term includes a school, day-care center, playground, public or private youth center, public swimming pool, video arcade facility, or other facility that regularly holds events primarily for children. The term does not include a church, as defined by Section 552.241 of the Texas Insurance Code.
- (2) **City** – The City of Waxahachie, Texas.
- (3) **Database** – The designated repository of sex offender registration information within the State of Texas maintained by the Texas Department of Public Safety.
- (4) **Minor** – A person younger than eighteen (18) years of age.
- (5) **Permanent residence** – A place where a person abides, lodges, or resides for fourteen (14) or more consecutive days.
- (6) **Playground** – Any outdoor facility that is not on the premises of a school and that:
  - (i) is intended for recreation;
  - (ii) is open to the public; and
  - (iii) contains any type of sports fields or two or more separate apparatus intended for the recreation of children, such as slides, swing sets, and teeterboards.
- (7) **Premises** – Real property and all buildings and appurtenances pertaining to the real property.
- (8) **Registered sex offender** – An individual who is required to register as a sex offender under Chapter 62 of the Texas Code of Criminal Procedure.
- (9) **School** – A private or public elementary or secondary school or a day-care center, as defined by Section 42.002 of the Texas Human Resources Code.
- (10) **Temporary residence** – A place where a person abides, lodges, or resides for a period of fourteen (14) or more days in the aggregate during any calendar year and which is not the person's permanent address, or a place where a person routinely abides, resides, or lodges for a period of four (4) or more consecutive or nonconsecutive days in any month and which is not the person's permanent residence.
- (11) **Youth center** – Any recreational facility or gymnasium that:

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- (i) is intended primarily for use by minors; and
- (ii) regularly provides athletic, civic, or cultural activities.

(b) **Offenses**

- (1) It shall be unlawful for a registered sex offender to establish a permanent residence or a temporary residence within 1,000 feet of any child safety zone in the city.
- (2) It shall be unlawful for a registered sex offender to go in, on, or within 1,000 feet of a child safety zone in the city.

(c) **Evidentiary Matters, Measurements**

- (1) It shall be prima facie evidence that this article applies to a person that is a registered sex offender, as defined in this article.
- (2) For purposes of determining the minimum distance separation, the 1,000-foot requirement shall be measured by following a straight line from the outer property lot line of the permanent or temporary residence to the nearest property lot line of the child safety zone, or in the case of multiple residences on one property, measuring from the nearest property lot line of the property where the multiple residences are situated to the nearest property lot line of the child safety zone.
- (3) A map depicting the prohibited areas shall be maintained by the city. The map will be made available to the public for inspection at the Waxahachie Police Department. The city shall review the map at least annually for changes, but the map shall be for general information purposes only. Actual compliance with this article shall be determined by measurements taken in accordance with this article.

(d) **Culpable Mental State Not Required**

Neither allegation nor evidence of a culpable mental state is required to be alleged or proven as an element of an offense under this article, and any offense shall be considered a strict liability offense.

(e) **Property Owners Prohibited from Renting Real Property to Sexual Offenders**

- (1) It shall be unlawful for the owner, lessee, or occupant (collectively, the "lessor") of any place, residence, structure, or dwelling in the city, to rent or lease the same, or any part thereof, to a registered sex offender, with the knowledge that it will be used as a permanent residence or temporary residence by such person, if such place, residence, structure, or dwelling is located within 1,000 feet of a child safety zone, as determined in accordance with this article.

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- (2) The lessor, as described herein, shall be deemed to have knowledge that such person is a registered sex offender if the person's information appears on the database.

(f) **Affirmative Defense**

It is an affirmative defense to prosecution of an offense under this article that the registered sex offender was in, on, or within 1,000 feet of a child safety zone in the city for a legitimate purpose, including transportation of a child that the registered sex offender is legally permitted to be with, transportation to and from work, and other work-related purposes.

(g) **Exceptions**

Nothing in this article shall be interpreted to modify or reduce the state's child safety ban. A registered sex offender residing within 1,000 feet of a child safety zone will not be in violation of this article if:

- (1) The person established the permanent or temporary residence and has complied with all of the sex offender registration laws of the state, prior to the date of the adoption of this article;
- (2) The person was a minor when he or she committed the offense and was not convicted as an adult;
- (3) The person is a minor or a ward under guardianship;
- (4) The child safety zone within 1,000 feet of the person's permanent or temporary residence became a child safety zone after the person established the permanent or temporary residence and complied with all sex offender registration laws of the state;
- (5) The person proves that the information on the database is incorrect, and that if corrected, this article would not apply to the person;
- (6) The person has been exempted by a court order from registration as a sex offender under Chapter 62 of the Texas Code of Criminal Procedure; or
- (7) The person has had the offense, for which registration as a sex offender was required, reversed on appeal, or pardoned.

(h) **Exemptions**

- (1) A registered sex offender who established residency in a residence located within 1,000 feet of a child safety zone before the adoption of this article shall be exempt from this article; provided, however, this exemption shall apply only to:
  - (i) areas necessary for the registered sex offender to have access to and live in the residence; and

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- (ii) the period the registered sex offender maintains residency in the residence.
- (2) A registered sex offender may apply for an exemption from the requirements of this article by filing an application with the Waxahachie Police Department. The Chief of Police may grant an exemption if:
- (i) the exemption is not contrary to the public interest or to the public health, safety, or welfare of the city;
  - (ii) the exemption will not increase the burden on the city's staff or resources;
  - (iii) the exemption fits within the spirit of this article; and
  - (iv) the application of the requirements of this article on the applicant would create an unnecessary or undue hardship.
- (3) The Chief of Police shall send the applicant written notice of the decision to grant or deny an exemption, and if denied, a statement regarding the applicant's right to appeal the decision.
- (4) Any person who is denied an exemption under this article may appeal the decision to the City Council. Any request for an appeal must be submitted to the City Secretary within ten days of the date that the notice of denial is sent by the Chief of Police.
- (i) **Penalties**
- (1) Any person, firm, corporation or other entity that violates any provision of this article shall be deemed guilty of a Class C misdemeanor, and upon conviction, shall be fined not more than \$500.00 for each offense. Each day that a violation is committed, continued, or permitted shall constitute a separate offense.
- (2) Nothing in this article shall be construed as a waiver of the city's right to bring a civil action to enforce the provisions of this article, and to seek remedies as allowed by law, including, but not limited to the following:
- (i) if the City Council determines that a violation of this article poses a threat to the public safety, injunctive relief to prevent specific conduct that violates this article or to require specific conduct that is necessary for compliance with this article;
  - (ii) except as may otherwise be provided herein, a civil penalty up to one hundred dollars (\$100.00) per day when it is shown that the person was actually notified of the provisions of this article and after receiving notice committed acts in violation of this article or failed to take corrective action necessary for compliance with this article; and

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- (iii) any other relief available by law.
- (3) The city shall not be required to give bond as a condition to the issuance of injunctive relief.

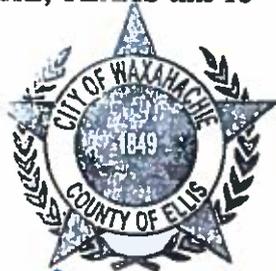
**SECTION 3.** Should any word, sentence, paragraph, subdivision, clause, phrase or section of this Ordinance or of the Waxahachie Code of Ordinances, as amended hereby, be adjudged or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of this Ordinance or the Waxahachie Code of Ordinances, as amended hereby, which shall remain in full force and effect.

**SECTION 4.** This Ordinance shall be cumulative of all provisions of the City except where the provisions of this Ordinance are in direct conflict with the provisions of other ordinances, in which event the conflicting provisions of such other ordinances are hereby repealed.

**SECTION 5.** A person who violates a provision of this Ordinance 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 \$500.

**SECTION 6.** This Ordinance shall take effect immediately from and after its passage and the publication of the caption as required by law.

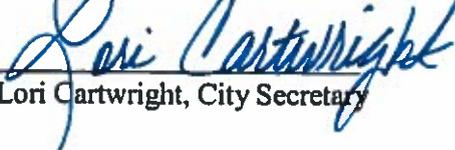
**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS this 18<sup>th</sup> day of February, 2019.**



The City of Waxahachie, Texas

  
Kevin Strength, Mayor

ATTEST

  
Lori Cartwright, City Secretary

APPROVED AS TO FORM:

  
Robert Brown, City Attorney