

# City of Freeport

NOTICE OF PUBLIC MEETING  
THE FREEPORT CITY COUNCIL  
MONDAY, APRIL 5TH, 2010, 6:00 P.M.  
MUNICIPAL COURT ROOM

FREEPORT POLICE DEPARTMENT, 430 NORTH BRAZOSPORT BLVD.

## AGENDA FORMAL SESSION

1. Call to order.
2. Invocation.
3. Pledge of Allegiance.
4. Consideration of approving the March 15th, 2010 Council Minutes.  
Pg. 305-308
5. Attending citizens and their business.
6. Proclamation: Proclaiming Child Abuse Prevention Month . Pg. 309-310
7. **Public Hearing:** A Joint Public hearing to consider (A) the following proposed amendments to the Comprehensive Zoning Ordinance of said City, codified as Chapter 155 of the Code of Ordinances thereof:
  - (1) amend the definition of Recreational Vehicle Park contained in Section 155.002 to add parks permitted by a Specific Use Permit in any other zoning district except the R-1, R-2, R-3, W-1, and W-1R zones;
  - (2) to amend Section 155.060 (E) (1) to allow, by Specific Use Permit, a recreational vehicle park to be operated in any other zoning district except the R-1, R-2, R-3, W-1, and W-1R zones district; and
  - (3) to add a new Division (H) to Section 155.060 requiring compliance with the provisions of Section 120.20 through 120.26 of said Code in the operation of such parks; and (B) the granting of a Specific Use Permit to Johnny Shipman, d/b/a Shipman RV Park, to operate a Recreational Vehicle Park on Lot 23, BCIC Division 6, F. J. Calvit Survey, Abstract 51, Brazoria County, Texas containing 5.112 acres of land, currently located in M-1 zoning district and known locally as 1607 East Highway 332, Freeport, Texas. Pg. 311
8. Consideration of approving Ordinance No. 2010-2244 amending section 120.20 of the Code of Ordinances of said City to allow recreational vehicle parks by Specific Use Permit in any zoning district except R-1, R-2, R-3, W-1, and W-1R zoning districts, amending the definition of recreational vehicle park contained in section 155.002 of said code or ordinances to include parks permitted by a specific use permit, amending division (E) (1) of Section 155.060 of said code of ordinances to provide for the issuance of specific use permits for the location of

recreational vehicle parks in any zoning district except R-1, R-2, R-3 W-1 and W-1R zoning districts, and amending section 155.060 of said code of ordinances to add a new division (H) providing that all recreational vehicle parks for which a specific use permit has been granted shall be operated in compliance with all of the terms and conditions of section 120.20 through 120.026 of the code. Pg. 312-317

9. Consideration of approving Ordinance No. 2010-2245 amending the comprehensive zoning ordinance of said city to permit the specific use of Lot 23, Brazos coast Investment Company Subdivision , Division 6, F. J. Calvit Survey, Abstract 51, Brazoria County, Texas, within the corporate limits of said city, known locally as 1607 East Hwy. 332, Freeport, Texas, as a RV Park to be operated by Johnny Shipman. Pg. 318-324
10. Consideration of approving Resolution No. 2010-2224, authorizing the Mayor and City Secretary of said City, to execute and attest to acknowledge and deliver to Habitat for Humanity of Southern Brazoria County Inc; a special warranty deed conveying to said Corporation, Block 183, Lot 8, Freeport Townsite. Pg. 325-329
11. Consideration of approving a date for a Joint Public Hearing with the Planning Commission to consider a proposed amendment to the Comprehensive Zoning Ordinance and Map of said city, codified as Chapter 155 of the Code of Ordinances of said city, changing the zoning classification of Lots 1 through 12, Block 6, Velasco Townsite, from its present classification of R-3 to a new classification of C-2. Pg. 330-331
12. Consideration of approving request from the Brazoria County Community Development Department to waive all permitting, building, and inspection fees for Residential Reconstruction for Mary Galvan at 819 W. 6<sup>th</sup> Street. Pg., 332-332b
13. Consideration of approving the sell of the City interest on Block 181, Lot 7, known as 1731 Lynn Lane, Freeport Townsite, Tx Id. 4201-1816-000. Pg. 333-339
14. Consideration of approving the sell of the City's interest on Block 47, Lot 5 & 6 Velasco Townsite, known as 510 - 512 S. Ave. G., Tx. Id 8110-0450-000. Pg. 340-344
15. Consideration of approving the sell of the City's interest on Block 6, Lot 26, Southview Gardens, known as 818 W. 11<sup>th</sup> Street, Tx. Id # 7750-0115-000. Pg. 345-349
16. Consideration of approving and signing the replat of Block 110, Lot 7 & 8. Freeport Townsite, known as Salomon Espinoza Subdivision, Tx. Id 4200-1113-000 and 4200-1114-000. Pg. 350-351

17. Consideration of approving and signing the replat of Block 502, Lot 15 thru 18, Velasco Townsite, to be known as 5 – Broad Subdivision, Tax Id. 8110-0970-000. Pg. 352-353
18. Consideration of approving a request from the Freeport League to waive the Carnival and vendor permit fees for Riverfest on April 23rd thru 24th, 2010 held at the Freeport Municipal Park. Pg. 354
19. Consideration of the approval of a request from Main Street to close the following streets; North ends of West Park and East Park, 2nd Street from Velasco Blvd. to Memorial Park and the North bound lane of Velasco Blvd. From 2nd Street to Ave. B from 7:00 a.m. to 10:00 a.m. for the Flapjack Run on Saturday, April 24th, 2010. Pg. 355

Work Session:

1. Discussion regarding the Planning Commission proposed truck route.
2. Discussion regarding the Building Official, Kola Olayiwola recommendation to amend Section 151.20 of the Code of Ordinances of said City to include provisions/regulations for electrical Permit by homeowners. Pg. 356-364

Executive Session:

A. Section 551.071, Government Code

Consultation with City Attorney concerning pending or contemplated litigation, Settlement offers or other matter in which his duty to the City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551, Government Code, to wit:

- Administrative Investigation

Adjourn

NOTE: ITEMS NOT NECESSARY DISCUSSED IN THE ORDER THEY APPEAR ON THE AGENDA. THE COUNCIL, AT ITS DISCRETION, MAY TAKE ACTION ON ANY OR ALL OF THE ITEMS AS LISTED.

This notice is posted pursuant to the Texas Open Meeting Act. (Chapter 551, Government Code). In compliance with the American with Disabilities Act, the City of Freeport will provide for reasonable accommodations for persons attending City Council Meetings. Request should be received 48 hours to the meetings. Please contact the City Secretary office at 979-233-3526.

I, Delia Muñoz, City Secretary, for the City of Freeport, Texas certify that this agenda was posted on the official bulletin board/glass door of City Hall, facing the rear parking lot of the building, with 24 hours a day public access, 200 W. 2<sup>nd</sup> Street, Freeport, Texas, April 1st, 2010 at or before 5:00 a.m.

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Delia Munoz, City Secretary  
City of Freeport, Texas

State of Texas

County of Brazoria

City of Freeport

BE IT REMEMBERED, that the City Council of the City of Freeport, met on Monday, March 15<sup>th</sup>, 2010 at 6:03 p.m. at the Freeport Police Department, Municipal Court Room, 430 North Brazosport Boulevard, for the purpose of considering the following agenda items:

City Council:	Larry L. McDonald	
	Clan A. Cameron	
	James W. Phillips	
	Ron Wise	
	Norma M. Garcia	
Staff:	Jeff Pynes, City Manager	
	Wallace Shaw, City Attorney	
	Delia Munoz, City Secretary	
	Gilbert Arispe, Administrative Asst.	
	Nat Hickey, Property Manager	
	Tyrone R. Morrow, Chief of Police	
	Larry Fansher, Parks Director	
	Chris Motley, Interim Fire Chief	
	Bob Welch, Finance Director	
	Laura Toler, Special Projects	
	Billy Shoemaker, Fire/EMS Supervisor	
Visitors:	Pixie Floyd	Gloria Millsap
	Nancy Gray	Frank Dietz
	Mitchell Dietz	Carolyn Tarver
	Dan Tarver	Wright Gore, III
	Mitchell Kent	Kelli Meyers
	Lila Lloyd	Polcat
	Judy Shaefer	Larry Shaefer
	Richard Turner	Abel Garcia
	Jim Pirrung	Dorothy Pirrung

Call to order.

Mayor McDonald called the meeting to order at 6:03 p.m.

Invocation.

Pastor Abel Garcia, from the First Baptist Church offered the invocation.

Consideration of approving a request from Dan Tarver – Economic Development Corporation to place a temporary trailer for office use on the levee adjacent to 202 East 2nd Street, during completion of the Marina project, subject to the approval of the Velasco Drainage District.

On a motion by Councilman Phillips, seconded by Councilman Wise, with all present voting “aye”, Council unanimously approved a temporary trailer for office use on the Levee adjacent to 202 East 2nd Street, and to waive the fee, during completion of the Marina Project, subject to the approval of the Velasco Drainage District.

**Work Session:**

A. Acknowledge and award the participants of the Freeport’s Fire Department First Annual Youth Fire Hydrant Painting Contest.

Elementary Division: 3<sup>rd</sup> Place Raul Alonso  
2<sup>nd</sup> Place Anaka Kent  
1<sup>st</sup> Place Tyler Slack

Secondary Division: 3<sup>rd</sup> Place Leslie Alonso  
2<sup>nd</sup> Place Allison Slack  
1<sup>st</sup> Place Journey Hartung

High School Division: 3<sup>rd</sup> Place Kelli Myers  
2<sup>nd</sup> Place Magaiy Alonso  
1<sup>st</sup> Place Melissa Ward

Adjourn

On a motion by Councilman Cameron, seconded by Councilman Philips, with all present voting “aye”, the meeting was adjourned at 5:53 p.m.

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Delia Munoz  
City Secretary

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Larry L. McDonald  
Mayor



## Proclamation

**WHEREAS**, Thousands of cases of child abuse and neglect are confirmed in Texas; and

**WHEREAS**, Child abuse prevention is a community responsibility and finding solutions depends on involvement among all people; and

**WHEREAS**, Communities must make every effort to promote programs that benefit children and their families; and

**WHEREAS**, Effective child abuse prevention programs succeed because of partnerships among agencies, schools, religious organizations, law enforcement agencies, and business community; and

**WHEREAS**, Every child is entitled to be loved, cared for and nurtured; and everyone in the community should become more aware of child abuse prevention and consider helping parents raise their children in a safe, nurturing environment.

**NOW, Therefore**, I Larry McDonald Mayor of The City of Freeport, do hereby proclaim the month of April 2010 to be

### Child Abuse Prevention Month

in The City of Freeport, and urge all citizens to work together to help reduce child abuse and neglect significantly in years to come.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the seal of The City of Freeport to be affixed this 5<sup>th</sup> day of April, 2010

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Larry McDonald, Mayor

*ATTEST:*

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Delia Munoz, City Secretary

**HELP END CHILD ABUSE & NEGLECT**

# Go Blue Day!

**WEDNESDAY, APRIL 7, 2010**



Each day, thousands of children across our state are victims of abuse or neglect.

**Please Join Us and**

**Businesses, Organizations, Agencies, Schools, and Individuals**

# Go Blue!

**A Day Across The Nation Dedicated to  
Ending Child Abuse & Neglect**

**How?**

**Raise Awareness by Wearing Blue Shirts and**

- ◆ **Post “Keep Kids Safe” &**
- ◆ **“Stop Child Abuse” signs**
- ◆ **Wear Blue lapel ribbons**
- ◆ **Encourage others to do the same**



**TEXAS**  
Department of Family  
and Protective Services

**For More Information Please Visit: [www.dfps.state.tx.us](http://www.dfps.state.tx.us)**

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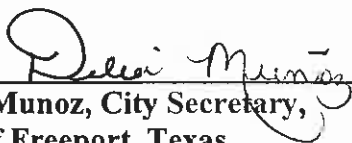
April is National Child Abuse Prevention Month

**TO ALL PERSONS IN INTEREST, CITIZENS, CORPORATIONS, AND FIRMS, THEIR AGENTS AND ATTORNEYS, AND TO ALL PERSONS, FIRMS, AND CORPORATIONS OWNING ANY INTEREST IN [THE BELOW DESCRIBED LAND] OR ANY LAND LOCATED WITHIN TWO HUNDRED (200') FEET THEREOF AND TO ALL INHABITANTS AND LAND OWNERS OF AND IN THE CITY OF FREEPORT, BRAZORIA COUNTY, TEXAS.**

**NOTICE**

A joint public hearing will be held on Monday, April 5, 2010, at 6:00 o'clock p.m., central standard time, at the Police Department Municipal Courtroom of the City of Freeport, Texas, located at 430 North Brazosport Boulevard, within the corporate limits of said city, in Brazoria County, Texas, at which time and place the City Council and the Planning Commission of said city will conduct a joint public hearing to consider (A) the following proposed amendments to the Comprehensive Zoning Ordinance of said city, codified as Chapter 155 of the Code of Ordinances thereof: (1) amend the definition of recreational vehicle park contained in Section 155.002 to add parks permitted by a specific use permit in any other zoning district except the R-1, R-2, R-3, W-1 and W-1R zones; (2) to amend Section 155.060(E)(1) to allow, by specific use permit, a recreational vehicle park to be operated in any other zoning district except the R-1, R-2, R-3, W-1 and W-1R zoning district and (3) to add a new Division (H) to Section 155.060 requiring compliance with the provisions of Sections 120.20 through 120.26 of said Code in the operation of such parks; and (B) the granting of a specific use permit to Johnny Shipman, d/b/a Shipman RV Park, to operate a recreational vehicle park on Lot 23, BCIC Division 6, F.J. Calvit Survey, Abstract 51, Brazoria County, Texas, containing 5.112 acres of land, currently located in an M-1 zoning district and known locally as 1607 East Highway 332, Freeport, Texas.

**BY ORDER OF THE CITY COUNCIL OF THE CITY OF FREEPORT, TEXAS,**  
made on the 15th day of March, 2010.

  
\_\_\_\_\_  
Delia Munoz, City Secretary,  
City of Freeport, Texas

**NOTE: This notice should be published in the Brazosport Facts ONE (1) time only at least fifteen (15) full days prior to the date of the public hearing.**



AN ORDINANCE OF THE CITY OF FREEPORT, BRAZORIA COUNTY, TEXAS, CONTAINING A PREAMBLE; CONTAINING FINDINGS OF FACT AND CONCLUSIONS OF LAW; AMENDING SECTION 120.20 OF THE CODE OF ORDINANCES OF SAID CITY TO ALLOW RECREATIONAL VEHICLE PARKS BY SPECIFIC USE PERMIT IN ANY ZONING DISTRICT EXCEPT R-1, R-2, R-3, W-1 AND W-1R ZONING DISTRICTS, AMENDING THE DEFINITION OF RECREATIONAL VEHICLE PARK CONTAINED IN SECTION 155.002 OF SAID CODE OF ORDINANCES TO INCLUDE PARKS PERMITTED BY A SPECIFIC USE PERMIT, AMENDING DIVISION (E) (1) OF SECTION 155.060 OF SAID CODE OF ORDINANCES TO PROVIDE FOR THE ISSUANCE OF SPECIFIC USE PERMITS FOR THE LOCATION OF RECREATIONAL VEHICLE PARKS IN ANY ZONING DISTRICT EXCEPT R-1, R-2, R-3, W-1 AND W-1R ZONING DISTRICTS, AND AMENDING SECTION 155.060 OF SAID CODE OF ORDINANCES TO ADD A NEW DIVISION (H) PROVIDING THAT ALL RECREATIONAL VEHICLE PARKS FOR WHICH A SPECIFIC USE PERMIT HAS BEEN GRANTED SHALL BE OPERATED IN COMPLIANCE WITH ALL OF THE APPLICABLE TERMS AND CONDITIONS OF SECTIONS 120.24 THROUGH 120.26 OF THIS CODE; RATIFYING AND CONFIRMING ALL ACTIONS PREVIOUSLY TAKEN BY THE PLANNING COMMISSION OF SAID CITY OR THE CITY COUNCIL, OR BOTH; CONTAINING SAVINGS CLAUSES; CONTAINING A SEVERANCE CLAUSE; AND PROVIDING THAT THIS ORDINANCE SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER ITS PASSAGE AND ADOPTION.

WHEREAS, the City of Freeport, Texas ("the City"), is a "Home Rule City" and a "Home Rule Municipality" lying and situated in Brazoria County, Texas, as described in and defined by Section 5, Article XI of the Constitution of Texas and Section 1.005 of the Local Government Code of Texas, respectively; and,

WHEREAS, Subchapter A of Chapter 211 of the Local Government Code of Texas and Item (g) of Section 3.07 of the Home Rule Charter of the City authorize the City Council thereof to adopt the provisions of this Ordinance; and,

WHEREAS, the City Council of the City has determined and does here now declare that the adoption of this ordinance is necessary to the health, safety and general welfare of the inhabitants of the City and is necessary to conform the comprehensive zoning plan of the City to the current zoning conditions which exist therein.

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

SECTION ONE--Findings of Fact and Conclusions of Law.

The City Council of the City makes the following findings of fact and conclusions of law, viz:

First, that the public hearings required by the Zoning Enabling Act of the State of Texas, codified as Chapter 211 of the Texas Local Government Code, and the present Comprehensive Zoning Ordinance of the City, codified as Chapter 155 of the Code of Ordinances of the City, have been conducted in the manner and at the time required.

Second, that not less than fifteen (15) days prior to the date of such hearings, public notice thereof was published once in the Brazosport Facts, a newspaper of general circulation in and the official newspaper of the City, stating the date, time and place of such hearings.

Third, that after considering evidence submitted at such hearings, the City Council of the City is of the opinion and finds that the changes in the comprehensive zoning ordinance of the City set forth below are necessary to conform the comprehensive zoning plan of the City to the current zoning conditions which exist therein.

Fourth, that the health, safety, morals and general welfare of the inhabitants of the City will best be served by the adoption of this ordinance making the change in zoning uses and the other regulations hereinafter mentioned.

SECTION TWO--SECTION 120.20 OF CODE OF ORDINANCES AMENDED

Section 120.20 of the Code of Ordinances of the City is hereby amended to read as follows:

"Recreational vehicle parks may only be located in a recreational vehicle park zoning district, as defined in Chapter 155 of this Code; or, by specific use permit, in any zoning district except an R-1, R-2, R-3, W-1 and W-1R zoning district."

SECTION THREE--Comprehensive Zoning Ordinance Amended

The Comprehensive Zoning Ordinance of the City, read, passed and approved as Ordinance No. 1100 on the 3rd day of April, 1964, now codified as Chapter 155 of the Code of Ordinances thereof and hereinafter called "the Zoning Ordinance," is hereby amended as follows:

First, the definition of a recreational vehicle park contained in Section 155.002 of the Code of Ordinances of the City is hereby amended to read as follows:

"RECREATIONAL VEHICLE PARK. A unified development of 40 or more recreational vehicles spaces arranged on a tract of land which has been zoned for such purposes; or, by specific use permit, in any other zoning district except the R-1, R-2, R-3, W-1 or W-1R zoning districts."

Second, Division (E) (1) of Section 155.060 of the Code of Ordinances of the City is hereby amended to add thereto the following:

<u>Parking Ratio</u>	<u>Specific Use</u>	<u>District</u>
1/space	Recreational vehicle park	In any district except R-1, R-2, R-3, W-1 and W-1R

Second, Section 155.060 of the Code of Ordinances of the City is hereby amended to add thereto to the following new division:

"(H) All recreational vehicle parks, for which a specific use permit has been granted, shall be operated in compliance with all of the terms and conditions of Sections 120.24 through 120.26 of this Code."

SECTION FOUR--Ratification and Confirmation.

The City Council of the City of Freeport, Texas, hereby ratifies and confirms any and all action taken by the Planning Commission of said City or the City Council of said City, or both, in connection with the change in zoning classification evidenced by this ordinance, including but not limited to the calling of a public hearing required by said Zoning Enabling Act and the Zoning Ordinance, the giving of public notice of such hearings, the giving of written notice to the owners of property which is the subject of such and to the adjoining property owners, the making of preliminary and final reports with respect to such change and the conducting of the public hearings required by said Act and the Zoning Ordinance.

SECTION FIVE--SAVINGS CLAUSES

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

(b) This ordinance is cumulative of and in addition to all other ordinances of the City of Freeport, Texas, on the same subject and all such ordinances are hereby expressly saved from repeal. Provided however, where this ordinance and another ordinance conflict or overlap, this ordinance shall prevail.

(c) No offense committed and no fine, forfeiture or penalty incurred prior to the effective date of this ordinance is to be affected by the adoption of this ordinance but the punishment for any offense committed and the recovery of any fines or forfeitures incurred prior to such date shall take place as if this ordinance had not been adopted.

SECTION SIX--Severance Clause.

In the event any section or provision of this ordinance is found to be unconstitutional, void or inoperative by the final judgment of a court of competent jurisdiction, such defective provision, if any, is hereby declared to be severable from the remaining sections and provisions of this ordinance and such remaining sections and provisions shall remain in full force and effect.

SECTION SEVEN--Effective Date.

This ordinance shall take effect and be in force from and after the descriptive caption of this ordinance has been published twice in the Brazosport Facts.

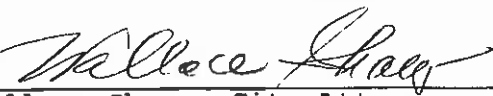
READ, PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_  
Larry McDonald, Sr., Mayor,  
City of Freeport, Texas

ATTEST:

\_\_\_\_\_  
Delia Muñoz, City Secretary,  
City of Freeport, Texas

APPROVED AS TO FORM ONLY:

  
\_\_\_\_\_  
Wallace Shaw, City Attorney  
City of Freeport, Texas

First, all parking must be off street and within designated parking areas; no hazardous materials may be stored on the premises; all supplies, equipment and products must be stored within the building located on the premises; the premises shall be kept clean and free of debris and available for inspection by the Building Official at all times; and the Permittee must satisfy all of the requirements of the sign, landscape and facade ordinances in force and effect on the effective date of this ordinance.

Second, the Permit herein granted shall automatically terminate upon the first to occur of the following events:

(1) The Permittee ceases to use the premises as a location for a recreational vehicle park for thirty (30) consecutive days.

(2) The Permittee ceases to occupy the premises as the owner thereof.

(3) The Permittee ceases to be the sole owner thereof for any reason or by any means.

(4) The Permittee leases or rents the premises, or any part thereof, to any third party or parties for more than thirty (30) days.

(5) The Permittee ceases to be a legally recognized entity authorized to do business in Texas through forfeiture by nonpayment of franchise tax or otherwise.

Third, in the operation on the premises of a recreational vehicle park ("the park"), the Permittee shall observe the following additional requirements:

(1) Length of Stay- Maximum of 30 day and 7 days must elapse before returning to the park. The only exception: one (1) recreational vehicle which is used to house a manager may be allowed to stay all year as long if such recreational is on wheels and capable of being legally towed upon the public streets and highways of the state by a passenger car or truck or is self propelled. Recreational vehicles can not remain in the park without being occupied for more than 48 hours.

(2) Potable Water- If the Permittee chooses to provide potable water, the source of such water must be connected to the City's water system.

(3) Fire water - A supply of water for fighting fires must be provided for the park.

(4) Sewer Disposal - The park must provide facilities for the disposal of human waste which is connected to the City's sewer system.

(5) Suppression of Dust - A method of suppressing dust on all unpaved roads within the park must be provided and approved by the Building Official.

(6) Pads - The park must provide crushed concrete pads for all recreational vehicles within the park.

(7) Highway Ready - Only "highway ready" recreational vehicles shall be allowed in the park, i.e. recreation vehicle which are, at all times, on wheels and capable of being legally towed upon the public streets and highways of the state by a passenger car or truck; or, if self-propelled, capable at any time of being started and driven from the park and on such public streets and highways.

(8) Security Code - If a gate is placed on a park road which is a means of accessing the park from a public roadway, such gate, if locked, must be capable of being opened by use of a security code and such code must be given to the City's Fire Department and Police Department.

(9) Utilities - Safe and sanitary public and private utility connections shall be provided and maintained for each pad. All public and private utilities in the park shall be regularly inspected by a qualified inspector designated by and at times required by the Building Official. A sewer trap shall be located adjacent to each pad and all sewer traps not in use shall be capped and watertight.

(10) Garbage and Waste - A suitable location in the park, approved by the Building Official, shall be provided as a location for the collection of garbage and other waste material which shall be removed from the park weekly or at such other times as the Building Official may determine. No unsightly material may be stored in the park.

**(11) Maintenance of Park - The park shall be maintained in a neat, clean and safe manner.**

**(12) Register of Guests - It shall be the duty of each owner or manager to keep a register containing a record of all guests. The register shall contain the following information for each recreational vehicle:**

**a. The name and home address of the owner.**

**b. The make, model, year and license number.**

**c. The date and time of the arrival and departure.**

**The register shall be available for inspection and use at all times by law enforcement officers and the Building Official. In the event the park is permanently closed, the register or a certified copy thereof must be filed with the Building Official.**

**(13) Additional Rules and Regulations - Subject to the approval of the Building Official the Permittee may prescribe additional rules and regulations for the operation of the park.**

**(14) Copies Furnished to Guests - A copy of Items (1) through (12) and of any additional rules adopted pursuant to Item (13) shall be furnished to each guest before the recreational vehicle of such guest**

**is allowed to park on any pad in the park.**

ORDINANCE NO. 2010-2245

AN ORDINANCE OF THE CITY OF FREEPORT, TEXAS, CONTAINING A PREAMBLE; CONTAINING FINDINGS OF FACT AND CONCLUSIONS OF LAW; AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF SAID CITY TO PERMIT THE SPECIFIC USE OF LOT 23, BRAZOS COAST INVESTMENT COMPANY SUBDIVISION, DIVISION 6, F.J. CALVIT SURVEY, ABSTRACT 51, BRAZORIA COUNTY, TEXAS, WITHIN THE CORPORATE LIMITS OF SAID CITY, KNOWN LOCALLY AS 1607 EAST HIGHWAY 332, FREEPORT, TEXAS, AS A RV PARK TO BE OPERATED BY JOHNNY SHIPMAN, UNDER CERTAIN CONDITIONS THEREIN SPECIFIED; CONTAINING AN AUTOMATIC REPEALER CLAUSE; AND PROVIDING THAT THIS ORDINANCE SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER THE EFFECTIVE DATE FOR THIS ORDINANCE HEREIN SPECIFIED.

WHEREAS, the City of Freeport, Texas, hereinafter sometimes called "the City", is a "Home Rule City" and a "Home Rule Municipality" lying and situated in Brazoria County, Texas, as described in and defined by Section 5, Article XI of the Constitution of Texas and Section 1.005 of the Local Government Code of Texas, respectively; and,

WHEREAS, Subchapter A of Chapter 211 of the Local Government Code of Texas and Item (g) of Section 3.07 of the Home Rule Charter of the City authorizes the City Council thereof to adopt the provisions of this Ordinance; and,

WHEREAS, the City Council of the City has determined and do here now declare that the adoption of this ordinance is necessary to the health, safety and general welfare of the inhabitants of the City and conforms to the comprehensive zoning plan of the City.

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

SECTION ONE--Findings of Fact and Conclusions of Law.

The City Council of the City makes the following findings of fact and conclusions of law, viz:

First, that all public hearings required by the Zoning Enabling Act of the State of Texas, hereinafter "the Act", now codified as Chapter 211 of the Local Government Code, and the present Comprehensive Zoning Ordinance of the City, codified as Chapter 155 of the Code of Ordinances of the City and hereinafter called "the Zoning Ordinance", were conducted in the manner and at the time required by the Act and the Zoning Ordinance.

Second, that not less than fifteen (15) days prior to the date of such hearings, a public notice thereof was published once in the Brazosport Facts, a newspaper of general circulation in and the official newspaper of the City, stating the time and place of such hearings.

Third, that not less than ten (10) days before the date of such public hearings, written notice of the application for the Specific Use Permit hereinafter mentioned was sent to all owners of real property located within two hundred (200') feet of the hereinafter described real property for which such permit is sought.

Fourth, that after giving due regard to the nature and condition of all adjacent uses and structures, the City Council of the City is of the opinion of that the proposed use conforms to the requirements and intent of the Zoning Ordinance and the Comprehensive Plan of the City; that the conditions attached to the granting of such permit set forth below are necessary to the public interest; and that the proposed use under such conditions will not, under the circumstances of this particular case, constitute a nuisance or be detrimental to the public welfare of the community.



Fifth, that the health, safety, morals and general welfare of the inhabitants of the City will best be served by the adoption of this ordinance and the granting of the Specific Use Permit hereinafter mentioned.

SECTION TWO--Comprehensive Zoning Ordinance Amended and Specific Use Permit Granted.

The Zoning Ordinance is hereby amended and a Specific Use Permit is hereby granted with respect to the following described real property located within the corporate limits of the City:

Lot 23, BCIC Division 6, F.J. Calvit Survey, Abstract 51, Brazoria County, Texas, containing 5.112 acres of land, more or less,

known locally as 1607 East Highway 332, Freeport, Texas, and hereinafter called "the premises", now owned by JOHNNY SHIPMAN, hereinafter called "the owner", authorizing the use of the premises as a Recreational Vehicle Park to be operated by the owner thereof, hereinafter sometimes called "the Permittee", under the following terms and conditions, viz:

First, all parking must be off street and within designated parking areas; no hazardous materials may be stored on the premises; all supplies, equipment and products must be stored within the building located on the premises; no recreational vehicle shall be allowed to be parked or remain within the park authorized by this Permit except in one of the spaces which are designated in the park plan attached hereto as Exhibit "A"; and the premises shall be kept clean and free of debris and available for inspection by the Building Official at all times and operated in accordance with the applicable provisions of Section 120.24 through 120.26 of the Code of Ordinances of the City.

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Second, the Permit herein granted shall automatically terminate upon the first to occur of the following events:

(1) The Permittee ceases to use the premises as a location for a recreational vehicle park for thirty (30) consecutive days.

(2) The Permittee ceases to be the sole owner thereof for any reason or by any means.

(3) The Permittee leases or rents the premises or any part thereof to any third party or parties for more than thirty (30) days.

(4) The Permittee ceases to do business at the premises as an individual doing business as Shipman RV Park.

Third, this permit may also be terminated by the City Council of the for any violation of any provision of Item First of this Section of this ordinance, or any amendment hereto. Such termination by the City Council shall be effected by the adoption of an ordinance terminating this ordinance, or any amendment hereto, adopted by the affirmative vote of a majority of the members of the City Council present and voting at any regular or special meeting thereof on the agenda of which such termination appear as an action item, such meeting to be held after at least ten (10) days prior written notice of the date, time and place of such meeting and of such proposed action is sent by certified mail, return receipt requested and addressed to the Permittee at the premises, specifying the particular violation or violations for which such termination is based. Any decision of the City Council thereon shall be final and non-appealable.

SECTION THREE--Automatic Repeal for Partial Invalidity.

All of the section or provision of this ordinance were adopted and are intended by the City Council of the City of Freeport, Texas, to be an integrated whole. Therefore, if any section or provision is found to be unconstitutional, void or inoperative by the final judgment of a court of competent jurisdiction, such defective provision, if any, is hereby declared not to be severable from the remaining sections and provisions of this ordinance and such remaining sections and provisions and this ordinance shall thereupon automatically cease to be of any further force and effect.

SECTION FOUR--Effective Date.

This ordinance shall take effect and be in force from and after it is agreed to and accepted by the Permittee in the manner provided below: otherwise, on the sixtieth (60<sup>th</sup>) day after its adoption and passage, is shall be automatically repealed and shall thereafter be of no further force or effect.


READ, PASSED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_,  
2010.

\_\_\_\_\_  
Larry McDonald, Sr., Mayor,  
City of Freeport, Texas

ATTEST:

\_\_\_\_\_  
Delia Muñoz, City Secretary,  
City of Freeport, Texas

APPROVED AS TO FORM ONLY:

  
\_\_\_\_\_  
Wallace Shaw, City Attorney,  
City of Freeport, Texas



City of Freeport  
Building Department  
Phone: 979-233-3526

For Office Use Only

Case Number: \_\_\_\_\_  
Date Filed: \_\_\_\_\_  
P & Z Date: \_\_\_\_\_  
Council Date: \_\_\_\_\_

**Application for  
Specific Use Permit**

1. Address or general location of site: 1607 E Hwy 332 Freeport

2. Subdivision \_\_\_\_\_ Block \_\_\_\_\_ Lots \_\_\_\_\_ Acres \_\_\_\_\_

3. Current Zoning Classification: M-1

4. Proposed use of the site (please be specific): RV Park

5. Reason for requesting a specific use permit: RV Park.

I hereby certify that I am the owner or duly authorized agent of the owner, for the purposes of this application. The application fee of \$150.00 to cover the cost of this specific use permit application has been paid to the City of Freeport on 03/12/10 20\_\_\_\_. I also certify that I have been informed and understand the regulations regarding specific use permits as specified in the Zoning Ordinance of the City of Freeport. I understand it is necessary for me or my authorized agent to be present at both the Planning and Zoning Commission and the City Council public hearings.

Owner's Signature: [Signature]

Owner's Name: Johnny Shipman

Address: 8551 Kulow Rd

City, State, Zip: Seely TX 77474 Phone: 713 598 1666

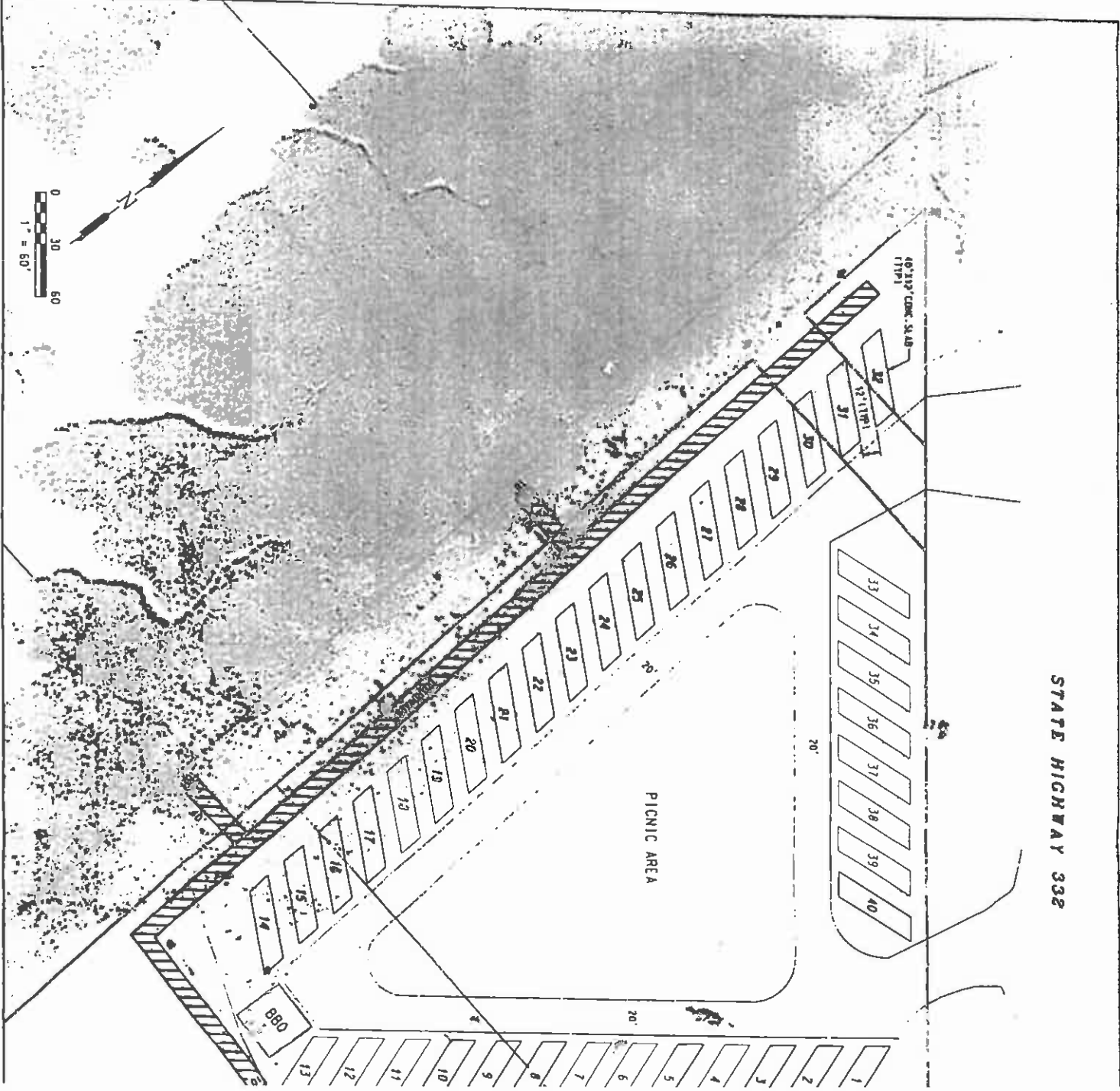


EXHIBIT "A"

RESOLUTION NO. 2010-2224

A RESOLUTION OF THE CITY OF FREEPORT, TEXAS, CONTAINING A PREAMBLE; MAKING FINDINGS OF FACT; AUTHORIZING THE MAYOR AND CITY SECRETARY OF SAID CITY TO EXECUTE AND ATTEST, RESPECTIVELY, AND THE MAYOR TO ACKNOWLEDGE AND DELIVER TO HABITAT FOR HUMANITY OF SOUTHERN BRAZORIA COUNTY, INC., A SPECIAL WARRANTY DEED CONVEYING TO SAID CORPORATION LOT 8, BLOCK 183 OF THE CITY OF FREEPORT; CONTAINING A SEVERANCE CLAUSE; PROVIDING THAT THIS RESOLUTION SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER ITS PASSAGE AND ADOPTION; AND PROVIDING THAT THE ORIGINAL OF THIS RESOLUTION SHALL BE MAINTAINED BY THE CITY SECRETARY IN THE PERMANENT RECORDS OF SAID CITY.

WHEREAS, the City of Freeport, Texas, ("the City") is a "Home Rule City" and a "Home Rule Municipality" lying and situated in Brazoria County, Texas, as described in and defined by Section 5, Article XI of the Constitution of Texas and Section 1.005 of the Local Government Code of Texas, respectively; and,

WHEREAS, Section 2.01 of the Home Rule Charter of the City authorizes it to sell any real property owned by the City; and,

WHEREAS, Item (1) of Subsection (a) of Section 253.010 authorizes a municipality may sell any land acquired by such municipality to a non-profit organization that develops housing for low-income individuals and families as a primary activity to promote community-based revitalization of the municipality; and,

WHEREAS, HABITAT FOR HUMANITY OF SOUTHERN BRAZORIA COUNTY, INC., ("HFHSC") is a non-profit organization that develops housing for low-income individuals and families as a primary activity to promote community-based revitalization of the City; and,

WHEREAS, HFHSC has offered to purchase such real estate for the sum of Ten and no/100 (\$10.00) Dollars in cash; and

WHEREAS, placing such real property back on the tax roll of the City will, after a new home is built thereon, provide revenue to the City of ad valorem taxation of more than Five Hundred and no/100 (\$500.00) Dollars per annum; and,

WHEREAS, the City Council of the City has determined and does here now declare that the adopting of this resolution ratifying such acts by the Mayor and City Secretary will be in the best interest of the inhabitants of the City.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FREEPORT, TEXAS:

First, the City Council of the City of Freeport, Texas, finds that the fact recited in the preamble hereof are true.

Second, the City Council of the City hereby authorizes and directs the Mayor and City Secretary thereof to execute and attest, respectively, and the Mayor to acknowledge and deliver a Special Warranty Deed conveying to HFHSBC the following described real property owned by the City, to-wit:

LOT 8, BLOCK 183 of the City of Freeport, Brazoria County, Texas, according to the map or plat recorded in the Office of the County Clerk of said county;

for the sum of Ten and no/100 (\$10.00) Dollars in cash upon the payment of such sum by HFHSBC to the Director of Finance for the City.

Third, in the event any section or provision of this resolution is found to be unconstitutional, void or inoperative by the final judgment of a court of competent jurisdiction, such defective provision, if any, is hereby declared to be severable from the remaining sections and provisions of this ordinance and such remaining sections and provisions shall remain in full force and effect.



Fourth, this resolution shall take effect and be in force from and after its passage and adoption.

Fifth, the original of this resolution, after execution and attestation, shall be maintained by the City Secretary in the permanent records of the City.

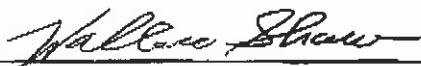
READ, PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_  
Larry McDonald, Sr., Mayor,  
City of Freeport, Texas

ATTEST:

\_\_\_\_\_  
Delia Muñoz, City Secretary,  
City of Freeport, Texas

APPROVED AS TO FORM ONLY:

  
\_\_\_\_\_  
Wallace Shaw, City Attorney,  
City of Freeport, Texas

C:\Freeport.Sal\Habitat-3Rs1

THE STATE OF TEXAS                   X  
   X                   SPECIAL WARRANTY DEED  
 COUNTY OF BRAZORIA                 X

That the CITY OF FREEPORT, a municipal corporation located in Brazoria County, Texas, hereinafter called GRANTOR, for the valuable consideration hereinafter specified, have GRANTED, SOLD and CONVEYED and by these presents do GRANT, SELL and CONVEY unto HABITAT FOR HUMANITY OF BRAZORIA COUNTY, INC., a Texas Non-Profit Corporation, with its offices located in Brazoria County, Texas, hereinafter called GRANTEE, the following real property, to-wit:

LOT 8, BLOCK 183 of the City of Freeport, Brazoria County, Texas, according to the map or plat recorded in the Office of the County Clerk of said county.

This conveyance is made and accepted subject to any and all valid and subsisting easements, restrictions, rights-of-way, conditions, exceptions, covenants and other encumbrances properly of record affecting the title to the above described property; and all visible and apparent easements, including but not being limited to any existing utility lines.

TO HAVE AND TO HOLD the above described premises, together with all and singular, the rights and appurtenances thereto in anywise belonging, unto Grantee, its successors and assigns, forever; and Grantor does hereby bind itself, its successors and assigns, to Warrant and Forever Defend all and singular the said premises unto Grantee, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same, or any part thereof, by, through and under Grantor but not otherwise.

Notwithstanding any provision herein to the contrary, Grantor makes no warranty of any nature or kind, whether statutory, express or implied, with respect to the physical condition of the above-described property, and by the acceptance of this deed, Grantee accepts such property "AS IS", "WHERE IS", "WITH ALL FAULTS" and without any representations or warranties by Grantor (except the above warranty of title).

The consideration for this conveyance is the following:

First, the sum of Ten and no/100 (\$10.00) Dollars to Grantor cash in hand paid by Grantee, the receipt and sufficiency of which is hereby acknowledged.

Second, the assumption by Grantee of any taxes for the year 2010.

EXECUTED this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

THE CITY OF FREEPORT, TEXAS, Grantor

By \_\_\_\_\_  
Larry McDonald, Sr., Mayor

ATTEST: \_\_\_\_\_  
Delia Muñoz, City Secretary

THE STATE OF TEXAS X

COUNTY OF BRAZORIA X

This instrument was acknowledged before me on the \_\_\_\_\_ day of \_\_\_\_\_, 2010, by LARRY McDONALD, SR., as MAYOR of the CITY OF FREEPORT, TEXAS.

\_\_\_\_\_  
Notary Public, State of Texas

MAILING ADDRESS OF GRANTEE:

AFTER RECORDING, RETURN TO:

**Delia Munoz**

**From:** Law Office of Wallace Shaw PC [shawpc@sbcglobal.net]  
**Sent:** Wednesday, March 24, 2010 12:26 PM  
**To:** Delia Munoz  
**Subject:** VFW Zoning Change Request

Delia,

Attached is the notice for the zoning change requested by the VFW for which the Planning Commission agreed to request a joint public hearing. Calling this hearing needs to be on the 4/5/10 City Council agenda and I am suggesting a 5/3/10 date.

Wallace Shaw

CONFIDENTIALITY NOTICE: This electronic transmission (including any files attached hereto) contains confidential information that is legally privileged, confidential, and exempt from disclosure. The information is intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient or any employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any disclosure, dissemination, copying, distribution, or the taking of any action in reliance on the contents of this confidential information is strictly prohibited. If you have received this communication in error, please destroy it and immediately notify us by telephone. Thank you.

**TO ALL PERSONS IN INTEREST, CITIZENS, CORPORATIONS, AND FIRMS, THEIR AGENTS AND ATTORNEYS, AND TO ALL PERSONS, FIRMS, AND CORPORATIONS OWNING ANY INTEREST IN THE BELOW DESCRIBED LAND OR ANY LAND LOCATED WITHIN TWO HUNDRED (200') FEET THEREOF AND TO ALL INHABITANTS AND LAND OWNERS OF AND IN THE CITY OF FREEPORT, BRAZORIA COUNTY, TEXAS.**

**NOTICE**

A joint public hearing will be held on Monday, the 3rd day of May, 2010, at 6:00 o'clock p.m., central daylight savings time, at the Police Department Municipal Courtroom of the City of Freeport, Texas, located at 430 North Brazosport Boulevard, within the corporate limits of said city, in Brazoria County, Texas, at which time and place the City Council and the Planning Commission of said city will conduct a joint public hearing to consider a proposed amendment to the Comprehensive Zoning Ordinance and Map of said city, codified as Chapter 155 of the Code of Ordinances of said City, changing the zoning classification of Lots 1 through 12, Block 6, Velasco Townsite, from its present classification of R-3 to a new classification of C-2.

**BY ORDER OF THE CITY COUNCIL OF THE CITY OF FREEPORT, TEXAS,**  
made on the 5th day of April, 2010.

---

**Delia Munoz, City Secretary,  
City of Freeport, Texas**

**NOTE: This notice should be published in the Brazosport Facts ONE (1) time only at least fifteen (15) full days prior to the date of the public hearing. Also, a copy of this notice must be mailed at least ten (10) full days prior to the date of the public hearing to the owner(s) of the land for which a change in zoning classification is being sought and to the owners of all land within 200 feet thereof.**

**Delia Munoz**

**From:** jenniferc@brazoria-county.com  
**Sent:** Wednesday, March 10, 2010 1:44 PM  
**To:** dmunoz@freeport.tx.us  
**Subject:** Permit waiver for next agenda

Delia, can you please put this permit waiver on the next city council agenda? This is the 3rd house we are proposing to demolish and build in the City of Freeport.

Thank you

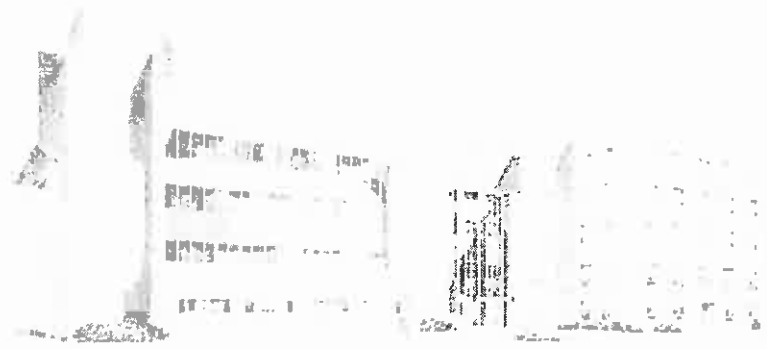
**"When the world pushes you to your knees, you're in the perfect position to pray. "**

**Jennifer Crainer  
Assistant Director  
Brazoria County Community Development  
& Welfare Dept  
979-864-1220 (Phone)  
979-864-1089 (Fax)**

 Please consider the environment before printing this e-mail.

**NANCY FRIUDENBERG**  
DIRECTOR

**JENNIFER CRAINER**  
ASSISTANT DIRECTOR



**KATHY HOWARD**  
PROJECT COORDINATOR

**LYNN PITZ**  
PROJECT COORDINATOR

**BRAZORIA COUNTY**  
**COMMUNITY DEVELOPMENT**  
**DEPARTMENT**

January 27, 2010

City of Freeport  
200 W. Second Street  
Freeport, TX 77541

Re: Reconstruction – 819 W. 6<sup>th</sup> St

To Whom It May Concern:

Please waive all permitting, building, and inspections fees for Residential Reconstruction for Mary Galvan who resides at 819 W. 6<sup>th</sup> St., and have been approved for assistance under the County's HOME Reconstruction/Rehabilitation Program. Brazoria County has approved two builders, Kevin Stewart Homes and PPMG Custom Homes. Mr. Stewart's address is PO Box 2808, Alvin, TX 77511 and Mr. Petershagen's address is 2871 Morningmist Lane Dickinson, TX 77539. Ms. Galvan has contracted with PPMG Custom Homes. A demolition date has not been set for the home as of the date of this letter.

US Dept of Housing and Urban Development's HOME Reconstruction/ Rehabilitation program assists low to moderate income families repair their homes or, in the case that rehab is not feasible, reconstruct a new dwelling. These are grant funds from HUD that the County manages and distributes to participating jurisdictions throughout the County. This program not only helps the individual with a more suitable living environment, but also prevents the City's housing stock to become dilapidated, and in turn, promotes an increase in property values. The cost of the assistance is in the form of a deferred, forgivable loan which requires a lien to be placed on the property for a period of 10 years for rehabilitation, and 20 years for the reconstruction of the home. There is no mortgage payment required from the homeowner; however, they must maintain property taxes, insurance, and reside in the home for the period of the lien.

If you have any questions, please feel free to call me at (979) 864-1220.

Sincerely,

Jennifer L. Crainer  
HOME Specialist

1524 EAST MULBERRY, SUITE 162, ANGLETON, TEXAS 77515

Angleton Area  
(979) 864-1427

Brazosport Area  
(979) 388-1427

Houston Area  
(281) 756-1427

Fax Number  
(979) 864-1089

pg. 332 b



**PROPERTY MANAGEMENT**

Larry McDonald  
Mayor

Clan Cameron  
Councilmember  
Ward A

Jim Phillips  
Councilmember  
Ward B

Ron Wise  
Councilmember  
Ward C

Norma Moreno Garcia  
Councilmember/  
Mayor Pro Tem  
Ward D

**Jeff Pynes**  
City Manager

January 6, 2010

Jeff Pynes  
Chief Executive Officer  
City Manager

re: Lot 7, Block 181, Freeport Townsite  
1731 Lynn Lane  
Tax ID 4201-1816-000

Please place the following item on the City Council Agenda on January 19, 2010:

Discuss / consider the sale of the city interest in lot 7, block 181,  
known as 1731 Lynn Lane, Freeport Townsite.  
Tax ID 4201-1816-000

There are no outstanding city liens on the property.

  
N C Hickey  
Property Manager

attach.

/s





**PROPERTY MANAGEMENT  
MEMO**

Council Agenda Date: January 19, 2010  
Agenda item: \_\_\_\_\_

Legal Description: Lot: 7, Block 181, Freeport Townsite  
Street Address: 1731 Lynn Lane  
Tax ID No: 4201-1816-000

Type of Property: Trust  
Sheriff Sale Date: 7-6-2009  
Sheriff Deed Number: 09-031290

Years Taxes Delinquent: 6  
Taxes extinguished by Sheriff Sale: \$ 5,357.79

Appraisal District Value: \$ 3,060.00  
Offer by: Francisco Rios \$ 8,000.00  
Court Cost & Post Judgment: \$ 2,574.76

Amount Left to Distribute: \$ 5,425.24  
Distribution Amount to Freeport: \$ 1,436.34  
Property Recommendation: Pleasure of Council

Action:  Accept Offer  
 Reject Offer  
 Re-agenda

COMMENTS:

Motion by \_\_\_\_\_ Second \_\_\_\_\_ Vote \_\_\_\_\_

Brazoria CAD

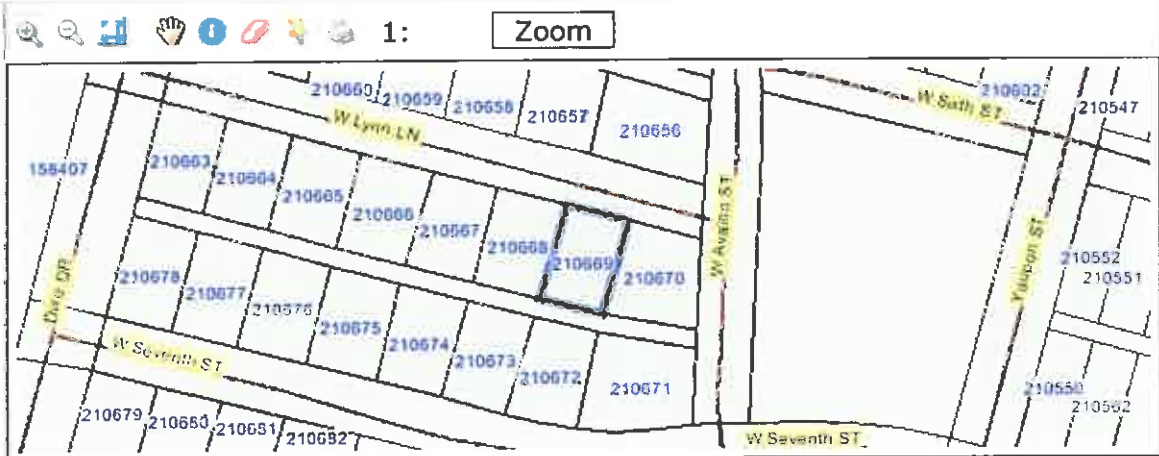
Property Search Results > Property ID 210669 CITY OF FREEPORT IN TRUST for Year 2010

Property Details

**Account**  
 Property ID: 210669  
 Geo. ID: 4201-1816-000  
 Type: Real  
 Legal Description: FREEPORT, BLOCK 181, LOT 7  
 Location  
 Address: 1731-1733 LYNN LN FREEPORT, TX 77541  
 Neighborhood: CITY OF FREEPORT T/S  
 Mapsco:  
 Jurisdictions: CAD, CFP, DR2, GBC, JBR, NAV, RDB, SBR  
 Owner  
 Name: CITY OF FREEPORT IN TRUST  
 Address: 200 W 2ND ST FREEPORT, TX 77541-5773

Property  
Appraised Value: N/A

Map Layers  
Radius Search



Website version: 1.2.2.2

Database last updated on: 12/8/2009 8:34 PM

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**BID ANALYSIS**

**Cause Number:** 46548 **Account Number:** 4201-1816-000  
**Offer Amount:** \$8,000.00 **Value \$:** \$49,850.00  
**Person Offering:** FRANCISCO RIOS **Adjudged Value\$:** \$61,550.00

**Judgement Information**

Taxing Entity	Tax Years	Amount Due
BC	1987-2007	\$774.48
Brazosport ISD	1987-2007	\$2,644.22
BRHND	1987-2007	\$119.99
Brazosport College	1987-2007	\$238.66
Velasco Drainage	1987-2007	\$161.99
City of Freeport	1987-2007	\$1,413.48
<b>Total</b>		<b>\$5,357.79</b>

**Costs**

Court Costs		Sheriff Fees	
Publication Fees		Research Fees	
Ad Litem		Recording fee's	
	Liens		0
		<b>Cost of Deed</b>	
<b>Total</b>			<b>\$0.00</b>

**Post Judgement Information**

Taxing Entity	Tax Year's	
BC	2008-2009	\$395.26
Brazosport ISD	2008-2009	\$1,189.28
BRHND	2008-2009	\$52.95
Brazosport College	2008-2009	\$159.79
Velasco Drainage	2008-2009	\$82.51
City of Freeport	2008-2009	\$694.97
<b>Post Judgment Total</b>		<b>\$2,574.76</b>

**Proposed Distribution**

**Offer Amount** \$8,000.00 **Costs + P & J** \$2,574.76  
**Net to Distribute \$** \$5,425.24

BC	14.45%	\$784.20
Brazosport ISD	49.35%	\$2,677.51
BRHND	2.24%	\$121.50
Brazosport College	4.45%	\$241.68
Velasco Drainage	3.02%	\$164.03
City of Freeport	26.48%	\$1,436.34

**Brazoria CAD**

**Property Search Results > 210669 CITY OF FREEPORT IN TRUST for Year 2010**

**Property**

**Account**

Property ID: 210669 Legal Description: FREEPORT, BLOCK 181, LOT 7  
 Geographic ID: 4201-1816-000 Agent Code:  
 Type: Real

**Location**

Address: 1731-1733 LYNN LN Mapsco:  
 FREEPORT, TX 77541  
 Neighborhood: CITY OF FREEPORT T/S Map ID:  
 Neighborhood CD: CFP

**Owner**

Name: CITY OF FREEPORT IN TRUST Owner ID: 114250  
 Mailing Address: 200 W 2ND ST % Ownership: 100.0000000000%  
 FREEPORT, TX 77541-5773  
 Exemptions: EX

**Values**

(+) Improvement Homesite Value:	+	N/A	
(+) Improvement Non-Homesite Value:	+	N/A	
(+) Land Homesite Value:	+	N/A	
(+) Land Non-Homesite Value:	+	N/A	Ag / Timber Use Value
(+) Agricultural Market Valuation:	+	N/A	N/A
(+) Timber Market Valuation:	+	N/A	N/A
<hr/>			
(=) Market Value:	=	N/A	
(-) Ag or Timber Use Value Reduction:	-	N/A	
<hr/>			
(=) Appraised Value:	=	N/A	
(-) HS Cap:	-	N/A	
<hr/>			
(=) Assessed Value:	=	N/A	

**Taxing Jurisdiction**

Owner: CITY OF FREEPORT IN TRUST  
 % Ownership: 100.0000000000%  
 Total Value: N/A

Entity	Description	Tax Rate	Appraised Value	Taxable Value	Estimated Tax
CAD	BRAZORIA COUNTY APPRAISAL DISTRICT	N/A	N/A	N/A	N/A
CFP	CITY OF FREEPORT	N/A	N/A	N/A	N/A
DR2	VELASCO DRAINAGE DISTRICT	N/A	N/A	N/A	N/A
GBC	BRAZORIA COUNTY	N/A	N/A	N/A	N/A
JBR	BRAZOSPORT COLLEGE	N/A	N/A	N/A	N/A
NAV	PORT FREEPORT	N/A	N/A	N/A	N/A
RDB	ROAD & BRIDGE FUND	N/A	N/A	N/A	N/A
SBR	BRAZOSPORT INDEPENDENT SCHOOL DISTRICT	N/A	N/A	N/A	N/A
Total Tax Rate:		N/A			

Taxes w/Current Exemptions: N/A  
 Taxes w/o Exemptions: ~~N/A~~ 337

**Improvement / Building**

Improvement #1: Residential State Code: X3 Living Area: 2210.0 sqft Value: N/A

Type	Description	Class CD	Exterior Wall	Year Built	SQFT
MA	MAIN AREA	4-	R5	1945	2210.0
MP	CONCRETE PATIO	4-		1945	108.0

**Land**

#	Type	Description	Acres	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
1	S1	PRIMARY SITE	0.1755	7644.00	0.00	0.00	N/A	N/A

**Roll Value History**

Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap	Assessed
2010		N/A	N/A	N/A	N/A	N/A
2009	\$46,790	\$3,060	0	49,850	\$0	\$49,850
2008	\$46,790	\$3,060	0	49,850	\$0	\$49,850
2007	\$58,490	\$3,060	0	61,550	\$0	\$61,550
2006	\$45,400	\$3,060	0	48,460	\$0	\$48,460
2005	\$19,150	\$3,060	0	22,210	\$0	\$22,210
2004	\$15,730	\$3,060	0	18,790	\$0	\$18,790
2003	\$39,210	\$3,060	0	42,270	\$0	\$42,270
2002	\$36,770	\$3,060	0	39,830	\$0	\$39,830
2001	\$36,770	\$3,060	0	39,830	\$2,750	\$37,080

**Deed History - (Last 3 Deed Transactions)**

#	Deed Date	Type	Description	Grantor	Grantee	Volume	Page
1	7/6/2009 12:00:00 AM	SD	SHERIFF'S DEED	HEBERT MALCOLM	CITY OF FREEPOR	09	031290
2	3/23/2004 12:00:00 AM	WD	WARRANTY DEED	OTTACO ACCEPTA	HEBERT MALCOLM	04	016934
3	3/1/2004 12:00:00 AM	WD	WARRANTY DEED	FIRST NATIONAL A	OTTACO ACCEPTA	04	016933

**Questions Please Call (979) 849-7792**

**This year is not certified and ALL values will be represented with "N/A".**

Website version: 1.2.2.2

Database last updated on: 12/6/2009 8:34 PM

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Wednesday, January 6 2010

**Taxes Due Detail by Year**

[Begin a New Search](#)   [Go to Your Portfolio](#)  
[Return to the Previous Page](#)   [Taxes Due by Jurisdiction](#)

Account No.: 42011816000

\* Additional Collection Costs

Year	Base Tax Due	as of January 31, 2010		as of February 28, 2010		as of March 31, 2010	
		Penalty, Interest, and ACC* Due	Total Due	Penalty, Interest, and ACC* Due	Total Due	Penalty, Interest, and ACC* Due	Total Due
2009	\$680.66	\$0.00	\$680.66	\$47.65	\$728.31	\$61.25	\$741.91
2008	\$1,283.27	\$626.24	\$1,909.51	\$641.66	\$1,924.93	\$657.05	\$1,940.32
2007	\$1,522.99	\$962.52	\$2,485.51	\$980.78	\$2,503.77	\$999.07	\$2,522.06
2006	\$441.70	\$321.56	\$763.26	\$326.86	\$768.56	\$332.16	\$773.86
2005	\$656.74	\$604.19	\$1,260.93	\$612.09	\$1,268.83	\$619.96	\$1,276.70
2004	\$428.63	\$456.08	\$884.71	\$461.22	\$889.85	\$466.34	\$894.97
<i>Total Amount Due:</i>	<b>\$5,013.99</b>	<b>\$2,970.59</b>	<b>\$7,984.58</b>	<b>\$3,070.26</b>	<b>\$8,084.25</b>	<b>\$3,135.83</b>	<b>\$8,149.82</b>

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 111 E. Locust Suite  
 Angleton, TX 77515  
 (979) 864-1320



**PROPERTY MANAGEMENT**

March 24, 2010

Jeff Pynes  
Chief Executive Officer  
City Manager

Larry McDonald  
Mayor

Clan Cameron  
Councilmember  
Ward A

Jim Phillips  
Councilmember  
Ward B

Ron Wise  
Councilmember  
Ward C

Norma Moreno Garcia  
Councilmember/  
Mayor Pro Tem  
Ward D

Jeff Pynes  
City Manager

re: Lots 5 & 6, Block 47, Velasco Townsite

Please place the following item on the April 5, 2010, City Council agenda:

Discuss / consider the sale of City interest in lot 5 & 6, block 47,  
Velasco Townsite, known as 510-512 South Avenue G  
Tax ID 8110-0450-000

This is Trust Property which has been approved for sale by the Brazoria County Resale Committee.

Find attached Resale Data Sheet, Bid Analysis, small location plat of property and record of tax delinquencies.

N C Hickey  
Property Mgr

Motion \_\_\_\_\_ Second \_\_\_\_\_ Vote \_\_\_\_\_





Larry McDonald  
Mayor

Clan Cameron  
Councilmember  
Ward A

Jim Phillips  
Councilmember  
Ward B

Ron Wise  
Councilmember  
Ward C

Norma Moreno Garcia  
Councilmember/  
Mayor Pro Tem  
Ward D

Jeff Pynes  
Chief Executive Officer  
City Manager

PROPERTY MANAGEMENT  
MEMO

Council Agenda Date: January 4, 2010  
 Agenda item: \_\_\_\_\_  
 Legal Description: Lot: 5 & 6, Block 47  
 Street Address: 510-512 South Ave G  
 Type of Property: Trust  
 Sheriff Sale Date: 12-2-08  
 Sheriff Deed Number: 08-000326  
 Years Taxes Delinquent: 12  
 Taxes extinguished by Sheriff Sale: \$ 2,344.77  
 Appraisal District Value: \$ 2,810.00  
 Offer by: James Forsythe \$ 2,001.09  
 Court Cost & Post Judgment: \$ 2,075.94  
 Amount Left to Distribute: \$ (- 74.85)  
 Distribution Amount to Freeport: \$ -0-  
 Property Recommendation: Pleasure of Council  
 Action: [ ] Accept Offer  
 [ ] Reject Offer  
 [ ] Re-agenda

COMMENTS:

Appraisal District fair market value of property: \$2,810.00  
 James Forsythe offer 2,001.09  
 Difference between value & offer \$ 808.91

Forsythe offer \$ 2001.09  
 Cost & post judgment 2075.94  
 Net to distribute \$(- 74.85)  
 Net to Freeport \$ -0-

Motion by \_\_\_\_\_ Set for \_\_\_\_\_ Vote \_\_\_\_\_







Brazoria CAD

Property Search Results > Property ID 259941 CITY OF FREEPORT IN TRUST for Year 2009

**Property Details**

**Account**  
Property ID: 259941  
Geo. ID: 8110-0450-000  
Type: Real  
Legal Description: VELASCO (FREEPORT), BLOCK 47, LOT 5-6  
Location  
Address: 512 S AVE G FREEPORT, TX 77541  
Neighborhood: FREEPORT ORIGINAL  
Mapsc0: CAD, CFP, DR2, GBC, JBR, NAV, RDB, SBR  
Jurisdictions:  
Owner  
Name: CITY OF FREEPORT IN TRUST  
Address: 200 W 2ND ST FREEPORT, TX 77541-5773  
Property  
Appraised Value: \$2,810

**Map Layers**

**Radius Search**

Map navigation tools: 1: Zoom

Website version: 1.2.2.2

Database last updated on: 12/6/2009 8:34 PM

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Friday, December 18 2009

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Account No.: 81100450000

\* Additional Collection Costs

Year	Base Tax Due	December		January		February	
		Penalty, Interest, and ACC* Due	Total Due	Penalty, Interest, and ACC* Due	Total Due	Penalty, Interest, and ACC* Due	Total Due
2008	\$0.30	\$0.12	\$0.42	\$0.12	\$0.42	\$0.14	\$0.44
2007	\$100.46	\$62.27	\$162.73	\$63.50	\$163.96	\$64.69	\$165.15
2006	\$112.83	\$86.23	\$199.06	\$87.57	\$200.40	\$88.92	\$201.75
2005	\$120.06	\$109.03	\$229.09	\$110.47	\$230.53	\$111.90	\$231.96
2004	\$82.03	\$86.29	\$168.32	\$87.28	\$169.31	\$88.27	\$170.30
2003	\$81.21	\$97.13	\$178.34	\$98.11	\$179.32	\$99.09	\$180.30
2002	\$79.64	\$101.07	\$180.71	\$101.97	\$181.61	\$102.91	\$182.55
2001	\$79.48	\$109.72	\$189.20	\$110.65	\$190.13	\$111.54	\$191.02
2000	\$78.15	\$118.66	\$196.81	\$119.58	\$197.73	\$120.45	\$198.60
1999	\$122.03	\$202.14	\$324.17	\$203.56	\$325.59	\$204.97	\$327.00
1998	\$122.19	\$219.28	\$341.47	\$220.68	\$342.87	\$222.09	\$344.28
1997	\$123.13	\$237.95	\$361.08	\$239.37	\$362.50	\$240.77	\$363.90
<b>Total Amount Due:</b>	<b>\$1,101.51</b>	<b>\$1,429.89</b>	<b>\$2,531.40</b>	<b>\$1,442.86</b>	<b>\$2,544.37</b>	<b>\$1,455.74</b>	<b>\$2,557.25</b>

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Pg. 344



PROPERTY MANAGEMENT

March 24, 2010

Jeff Pynes  
Chief Executive Officer  
City Manager

Larry McDonald  
Mayor

Clan Cameron  
Councilmember  
Ward A

Jim Phillips  
Councilmember  
Ward B

Ron Wise  
Councilmember  
Ward C

Norma Moreno Garcia  
Councilmember/  
Mayor Pro Tem  
Ward D

Jeff Pynes  
City Manager

re: Lot 26, Block 6, Southview Garden S/D

Please place the following item on the April 5, 2010, City Council agenda:

Discuss / consider the sale of City interest in lot 26, block 6,  
Southview Garden sub-division, known as 818 West 11th  
Street, Freeport Tx.  
Tax ID 7750-0115-000

This is Trust Property which has been approved for sale by the Brazoria County  
Resale Committee.

Find attached Resale Data Sheet, Bid Analysis, small location plat of property and  
record of tax delinquencies.

  
N C Hickey  
Property Mgr

Motion \_\_\_\_\_ Second \_\_\_\_\_ Vote \_\_\_\_\_





Larry McDonald  
Mayor

Clan Cameron  
Councilmember  
Ward A

Jim Phillips  
Councilmember  
Ward B

Ron Wise  
Councilmember  
Ward C

Norma Moreno Garcia  
Councilmember/  
Mayor Pro Tem  
Ward D

Jeff Pynes  
Chief Executive Officer  
City Manager

PROPERTY MANAGEMENT  
MEMO

Council Agenda Date: March 1, 2010

Agenda item:

Legal Description: Block Lot 26, Block 6, Southview Garden S/D  
Street Address: 818 West 11th Street  
Tax ID 7750-0115-000

Type of Property: Trust  
Sheriff Sale Date: 11-14-05  
Sheriff Deed Number: 05-066751

Years Taxes Delinquent: 9 years  
Taxes extinguished by Sheriff Sale: \$8,199.00

Appraisal District Value: \$4,500.00  
Offer by: **James Forsyth** \$2,695.00  
Court Cost & Post Judgment: \$3,899.58  
Liens: Paving & Care of Premises \$ 0

Amount Left to Distribute: \$(1,204.58  
)  
Distribution Amount to Freeport: \$ -0-

Zoning: R2

Action:  Accept Offer  
 Reject Offer  
 Re-agenda

COMMENTS:

Motion by \_\_\_\_\_

Second \_\_\_\_\_

Vote \_\_\_\_\_



**BID ANALYSIS**

<b>Cause Number:</b>	<b>28112</b>	<b>Account Number:</b>	<b>7750-0115-000</b>
<b>Offer Amount:</b>	<b>\$2,695.00</b>	<b>Value \$:</b>	<b>\$4,580.00</b>
<b>Person Offering:</b>	<b>James Forsyth</b>	<b>Adjudged Value\$:</b>	<b>\$26,480.00</b>

**Judgement Information**

Taxing Entity	Tax Years	Amount Due
BC	1987-2003	\$1,036.92
Brazosport ISD	1987-2003	\$1,484.10
BRHND	1987-2003	\$200.92
Brazosport College	1987-2003	\$232.09
Velasco Drainage	1987-2003	\$199.38
City of Freeport	1987-2003	\$2,103.02

**Total** \$5,256.43

**Costs**

Court Costs	\$626.00	Sheriff Fees	\$204.51
Publication Fees	\$144.60	Research Fees	\$300.00
Ad Litem		Recording fee's	\$24.00
Liens			0

**Total** \$1,299.11

**Post Judgement Information**

Taxing Entity	Tax Year's	
BC	2004-2008	\$368.83
Brazosport ISD	2004-2008	\$1,367.47
BRHND	2004-2008	\$58.91
Brazosport College	2004-2008	\$102.83
Velasco Drainage	2004-2008	\$69.67
City of Freeport	2004-2008	\$632.76

**Post Judgment Total** \$2,600.47

**Proposed Distribution**

<b>Offer Amount</b>	<b>Costs + P &amp; J</b>
\$2,695.00	\$3,899.58
<b>Net to Distribute \$</b>	<b>-\$1,204.58</b>

BC	19.73%	-\$237.62
Brazosport ISD	28.23%	-\$340.10
BRHND	3.82%	-\$46.04
Brazosport College	4.42%	-\$53.19
Velasco Drainage	3.79%	-\$45.69
City of Freeport	40.01%	-\$481.93

**RECEIVED**

**FEB 17 2010**

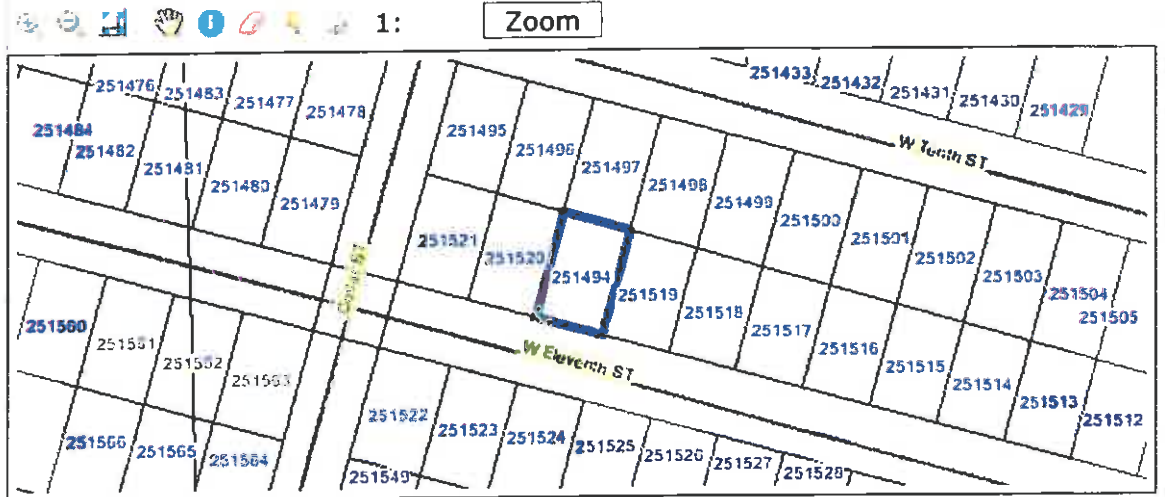
**MGMT**

Brazoria CAD

Property Search Results > Property ID 251494 CITY OF FREEPORT for Year 2010

Property Details

Account  
 Property ID: 251494  
 Geo. ID: 7750-0115-000  
 Type: Real  
 Legal Description: SOUTH VIEW GARDENS (FREEPORT), BLOCK 8, LOT 26  
 Location  
 Address: 818 W 11TH ST FREEPORT, TX 77541  
 Neighborhood: SOUTH VIEW GARDENS  
 Mapsco  
 Jurisdictions: CAD, CFP, DR2, GBC, JBR, NAV, RDB, SBR  
 Owner  
 Name: CITY OF FREEPORT  
 Address: 200 W 2ND ST FREEPORT, TX 77541-5773



Property  
Appraised Value: N/A

- Map Layers
- Radius Search

Website version: 1.2.2.2

Database last updated on: 2/8/2010 8:45 PM

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Thursday, February 18 2010

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Account No.: 77500115000

\* Additional Collection Costs

Year	Base Tax Due	as of February 28, 2010		as of March 31, 2010		as of April 30, 2010	
		Penalty, Interest, and ACC* Due	Total Due	Penalty, Interest, and ACC* Due	Total Due	Penalty, Interest, and ACC* Due	Total Due
2005	\$582.68	\$543.05	\$1,125.73	\$550.04	\$1,132.72	\$557.02	\$1,139.70
2004	\$773.06	\$831.81	\$1,604.87	\$841.09	\$1,614.15	\$850.36	\$1,623.42
2003	\$725.90	\$885.58	\$1,611.48	\$894.32	\$1,620.22	\$903.03	\$1,628.93
2002	\$639.90	\$826.77	\$1,466.67	\$834.24	\$1,474.14	\$841.67	\$1,481.57
2001	\$206.62	\$289.98	\$496.60	\$292.38	\$499.00	\$294.75	\$501.37
2000	\$207.00	\$319.08	\$526.08	\$321.47	\$528.47	\$323.84	\$530.84
1999	\$175.93	\$295.49	\$471.42	\$297.52	\$473.45	\$299.53	\$475.46
1998	\$154.00	\$279.88	\$433.88	\$281.68	\$435.68	\$283.45	\$437.45
1997	\$156.41	\$305.86	\$462.27	\$307.65	\$464.06	\$309.46	\$465.87
<b>Total Amount Due:</b>	<b>\$3,621.50</b>	<b>\$4,577.50</b>	<b>\$8,199.00</b>	<b>\$4,620.39</b>	<b>\$8,241.89</b>	<b>\$4,663.11</b>	<b>\$8,284.61</b>

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Larry McDonald  
Mayor

PROPERTY MANAGEMENT

Jeff Pynes  
Chief Executive Officer  
City Manager

Clan Cameron  
Councilmember  
Ward A

March 24, 2010

Jim Phillips  
Councilmember  
Ward B

Jeff Pynes  
City Manager

Ron Wise  
Councilmember  
Ward C

re: re: Salomon Espinoza S/D

Norma Moreno Garcia  
Councilmember/  
Mayor Pro Tem  
Ward D

Please place the following item on the April 5, 2010, City Council agenda:

Discuss / consider approving and signing the replat of lots  
7 and 8, block 110, Freeport Townsite, to be known as  
Salomon Espinoza Subdivision.  
Tax ID 4200-1113-000 and 4200-1114-000

This property re-plat has been approved by the Planning Commission and the  
Velasco Drainage District.

Find attached re-plat of property.

  
N C Hickey  
Property Mgr

Motion \_\_\_\_\_ Second \_\_\_\_\_ Vote \_\_\_\_\_





Larry McDonald  
Mayor

PROPERTY MANAGEMENT

Jeff Pynes  
Chief Executive Officer  
City Manager

Clan Cameron  
Councilmember  
Ward A

March 24, 2010

Jim Phillips  
Councilmember  
Ward B

Jeff Pynes  
City Manager

Ron Wise  
Councilmember  
Ward C

re: re: Habaitat for Humanity S/D

Norma Moreno Garcia  
Councilmember/  
Mayor Pro Tem  
Ward D

Please place the following item on the April 5, 2010, City Council agenda:

Discuss / consider approving and signing the replat of lots  
15 through 18, block 502, Velasco Townsite, to be known as  
5-Broad Subdivision.  
Tax ID 8110-0970-000

This property re-plat has been approved by the Planning Commission and the  
Velasco Drainage District.

Find attached re-plat of property.

  
N C Hickey  
Property Mgr

Motion \_\_\_\_\_ Second \_\_\_\_\_ Vote \_\_\_\_\_



**FREEPORT**

*April 5th  
agenda*



P.O. Box 3214 • Freeport, Texas 77542 • 979-233-0651

March 18, 2010

**TO:** Mayor and City Council:

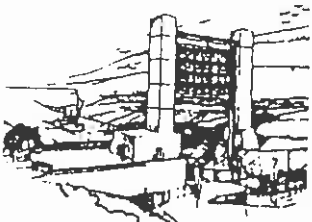
**From:** Board of Directors, Freeport League

The Freeport League will take part in Riverfest on April 23-24. We would like for the City Council to waive the Carnival and vendor permit fees.

Thanks:

*Sandra Wood-Wicke*

Sandra Wood-Wicke  
President  
Freeport League





## **Freeport Main Street FlapJack 5K Run & Kids Fun Run**

Main Street Freeport is hosting it's annual FlapJack 5K Race in conjunction with Freeport RiverFest.

**Location:** Memorial Park at Park Ave. and 2<sup>nd</sup> Street, Freeport, TX.

**Date:** April 24, 2010

**Times:**

Race day registration:	6:30 am
Race Packet Pickup (Pre-registered Runners):	7:30 am
Kids Run begins:	7:45 am
5K Race:	8:00 am

**Entry Fees:**

Kids run free! (Sponsored by BASF)  
Adults: \$18.00 advance registration (until April 15)  
\$20.00 from April 15 to race day

**Prizes:**

**T-shirts** and water bottles. Breakfast of **flapjacks** and juice while supplies last.

Prizes for top male and female finishers in the following age categories: 12-15, 16-19, 20-29, 30-39, 40-49, 50-59, 60-69, and over 70. Top overall male and female walkers also receive prizes.

**Let this Serve as an official request from Main Street to close the following streets; North ends of West Park and East Park, 2<sup>nd</sup> Street from Velasco Blvd to Memorial Park and the North bound lane of Velasco Blvd. from 2nd Street to Ave. B. from 7:00 a.m. to 10:00 a.m. for the Flapjack Run on Saturday, April 24th, 2010.**

## CHAPTER 151: ELECTRICAL REGULATIONS

### Section

#### *General Provisions*

- 151.01 International Electrical Code adopted
- 151.02 City Council to act as Board of Appeals
- 151.03 Additions and conflicts
- 151.04 Liability of city
- 151.05 Liability for damages
- 151.06 Interruption of service

#### *Permits and Inspections*

- 151.20 Permits required
- 151.21 Application
- 151.22 Plans and specifications
- 151.23 Permit and inspection fees
- 151.24 Inspection procedures
- 151.25 Right of entry to remove obstruction
- 151.26 Authority to order repair; disconnect
- 151.27 Final inspection; certificate
- 151.28 Connection with electrical service; prerequisite

#### **GENERAL PROVISIONS**

#### **§ 151.01 INTERNATIONAL ELECTRICAL CODE ADOPTED.**

The International Electrical Code, 2003 Edition, published by the International Code Council, Inc., together with all amendments thereto, save and except such portions as are inconsistent with the provisions of this subchapter, is hereby adopted and incorporated and made a part of this chapter as fully as if set forth at length herein. One copy of such code shall be

maintained at all times in the office of the Building Official. Any person violating such code shall be guilty of a misdemeanor and on conviction punished as provided in § 10.99.

('68 Code, § 39-70) (Ord. 1335, passed 1-3-77; Am. Ord. 1735, passed 1-4-93; Am. Ord. 1883, passed 11-15-99; Am. Ord 2005-2100, passed 9-19-05)

#### **§ 151.02 CITY COUNCIL TO ACT AS BOARD OF APPEALS.**

The provisions of the International Electrical Code adopted by § 151.01 to the contrary notwithstanding, the City Council shall constitute and sit as the Board of Appeals in all matters pertaining to such code.

(Ord. 1731, passed 11-16-92; Am. Ord. 2005-2100, passed 9-19-05)

#### **§ 151.03 ADDITIONS AND CONFLICTS.**

If any of the provisions of §§ 151.20 through 151.28 conflict with the International Code adopted by § 151.01 of this chapter, §§ 151.20 through 151.28, as the case may be, shall prevail.

(Ord. 2005-2100, passed 9-19-05)

#### **§ 151.04 LIABILITY OF CITY.**

This chapter shall not be construed to affect the responsibility or liability of any party owning, operating, controlling, or installing any electrical equipment for damages to persons or to property caused by any defect therein, nor shall the city or any officer or employee of such city be held as assuming such liability by reason of the inspection or reinspection authorized herein or the certificate or disapproval of any equipment authorized herein.

('68 Code, § 39-1) (Ord. 102-B, passed 5-15-40)

**§ 151.05 LIABILITY FOR DAMAGES.**

This chapter shall not be construed to affect the responsibility or liability of any party owning, operating, controlling or installing any electrical equipment for damages to person or property caused by any defect in such equipment or in the installation thereof, nor shall either any Electric Inspector be held as assuming any liability by reason of the inspection or reinspection authorized herein or the certificates of conformance issued as herein provided or by reason of the approval or disapproval of any equipment authorized herein.

('68 Code, § 39-2) (Ord. 102-B, passed 5-15-40)

**§ 151.06 INTERRUPTION OF SERVICE.**

(A) *Hazardous installations.* The Electric Inspector is hereby authorized and empowered to cause the turning off of electric current from all conductors and apparatus which are deemed by him to be in an unsafe condition or which have not been installed in conformity with the provisions of this chapter. ('68 Code, § 39-3)

(B) *For firefighting.* The Chief Engineer of the Fire Department or the Electric Inspector shall have the power to at once cause the removal of all wires or the turning off of all electric current where the circuits thereof may interfere with the work of the Fire Department during the progress of a fire. ('68 Code, § 39-4)

(Ord. 102-B, passed 5-15-40)

**PERMITS AND INSPECTIONS**

**§ 151.20 PERMITS REQUIRED.**

(A) No electrical equipment or wiring shall be installed within or on any building, structure, or premises publicly- or privately-owned, nor shall any repair, alteration, or addition be made to any such existing equipment or wiring within the city, without first securing a permit therefor from the Electric Inspector.

(B) Master electricians making extensions or additions to existing electrical systems shall, before proceeding with such work, ascertain from the Electric Inspector whether any of the old work must be changed or must be brought up to the requirements of this chapter.

('68 Code, § 39-49) (Ord. 102-B, passed 5-15-40; Am. Ord. 2005-2100, passed 9-19-05) Penalty, see § 10.99

**§ 151.21 APPLICATION.**

(A) Application for permits required by the provisions of this chapter describing the work to be done, shall be made in writing to the Electric Inspector by the master electrician or electrical sign manufacturer installing the work. He shall give the exact street number of the premises on which work is to be done, date the inspection is desired, name of the owner or occupant, name of the electrician doing work and class of wiring.

(B) All applications for permits shall be accompanied by the fees set out in § 151.23.

('68 Code, § 39-50) (Ord. 102-B, passed 5-15-40; Am. Ord. 2005-2100, passed 9-19-05)

**§ 151.22 PLANS AND SPECIFICATIONS.**

Along with the application for a permit required by the provisions of this subchapter, the applicant therefor shall file with the Electric Inspector plans and specifications for the work to be done. No deviation from such plans or specifications shall be allowed without prior written permission from the Electric Inspector.

('68 Code, § 39-51) (Ord. 102-B, passed 5-15-40; Am. Ord. 2005-2100, passed 9-19-05) Penalty, see § 10.99

**§ 151.23 PERMIT AND INSPECTION FEES.**

(A) Before proceeding with installation, alteration of, or the addition to electrical wiring or equipment within the city, the applicant shall first file with

the city an application requesting a permit to carry on such work and the necessary inspection and shall pay fees to the city in accordance with the following schedule; provided that the minimum fee for any electrical work at the same time and place shall be \$7:

[Text continues on page 21]





<i>Electrical Work</i>	<i>Fee</i>
<i>Service Entrance Equipment</i>	
100 amperes or less entrance equipment, each	\$ 5.00
Over 100 amperes, each	5.00
1 phase and 3 phase combine, each	5.00
Current transformer type, each	5.00
<i>Outlets</i>	
All outlets, each	.30
<i>Fixtures</i>	
Fixtures, each	.50
<i>Motors</i>	
1 hp or smaller, each	1.00
Over 1 hp up to 10 hp, each	1.50
Over 10 hp up to 25 hp, each	2.00
Over 25 hp up to 50 hp, each	3.00
Over 50 hp, each	10.00
<i>Heaters</i>	
Central (motor and circuit)	5.00
Water, each	2.50
Room, each	2.50
<i>Ranges</i>	
Each	5.00
Range components, each	2.50
<i>Signs</i>	
All signs up to 20 sockets	2.00
Over 20 sockets, each	.05
Fee reduced \$1 on signs inspected at a shop in the city or at the enforcement official's office	
Fee increased \$5 if sign is already erected. The applicant shall have the sign open and furnish a safe ladder to provide access for inspection.	

## Freeport - Land Usage

<i>Electrical Work</i>	<i>Fee</i>
<i>Festoon Lighting</i>	
First 20 sockets	\$ 2.00
Each socket over 20	.05
<i>Transformers - other than neon and low voltage</i>	
10 KVA or less	2.00
Over 10 KVA, each	3.00
<i>Panels</i>	
Any panel	2.50
<i>Feeders</i>	
No. 3 or smaller, each	.50
Larger than No. 3, each	1.00
<i>Circuits</i>	
Circuit connection to sign, each	1.00
To neon transformer, \$1 + each added	.50
<i>Circuits Wiring Only - for equipment to be connected by others</i>	
No. 3 or smaller, each	2.50
Larger than No. 3, each	5.00
Special circuits in dwellings for approved window air conditioners, washers, dryers, and the like, each	.50
<i>Motion Picture Machines</i>	
Each	3.00
<i>Elevators</i>	
Each	2.00
<i>Welders</i>	
Transformer type, each	1.00
<i>Permit Issuing Fee</i>	
Each	4.00

<i>Electrical Work</i>	<i>Fee</i>
<i>Rewiring</i>	
Same as new installation	
<i>Other Electrical Work</i>	
When fees are not set up herein, the Enforcement Official shall set fees that are consistent with fees named herein above.	

*[§ 151.23 continues with division (B) on following page]*

(B) A permit application covering the installation of motors on any job shall specify each motor individually and no grouping of motors or other such grouping of horsepower shall be permitted.

(C) When an inspection is made as required by this code and the work, as completed, fails to pass so that an additional inspection is required, then a \$7 reinspection fee shall be charged for each reinspection.

(D) Requested safety inspections of existing buildings shall require a \$5 fee.

(E) In the event that work for which a permit is required by this code is done prior to the required permit being issued, then a \$10 fee shall be added to the permit fee, or the fee shall be doubled, whichever is greater. It is specifically provided, however, that this provision shall not apply to work started on Saturday, Sunday, or legal holidays if the required permit is obtained by 12:00 noon of the first work day following such Saturday, Sunday, or legal holiday. The additional fee is imposed to defray additional costs of inspecting work already done or in progress and the issuance of permits under such circumstances and is not a penalty nor preclusive of any remedy otherwise available to the city to enforce this code. ('68 Code, § 39-52) (Ord. 102-B, passed 5-15-40; Am. Ord. 1563, passed 9-12-83; Am. Ord. 2005-2100, passed 9-19-05) Penalty, see § 10.99

#### § 151.24 INSPECTION PROCEDURES.

(A) Master electricians shall at all times keep the Electric Inspector notified of the progress of their work. Upon receipt of an application requesting inspection, the Electric Inspector shall inspect or cause to be inspected said work within 24 hours after receiving the application. Sundays and holidays are not included in this time.

(B) No inspections may be called for except by the person holding the permit. ('68 Code, § 39-53) (Ord. 102-B, passed 5-15-40; Am. Ord. 2005-2100, passed 9-19-05) Penalty, see § 10.99

#### § 151.25 RIGHT OF ENTRY TO REMOVE OBSTRUCTION.

(A) The Electric Inspector shall have the right during reasonable hours to enter any building or premises in the discharge of his official duties, or for the purpose of making any inspections, reinspections, or tests of the electrical equipment contained therein or its installation.

(B) The Electric Inspector shall have the right to remove or compel the removal of an obstruction such as lath, plastering, ceiling, or flooring which may hinder a full and complete inspection of such wires or apparatus.

(C) The City Electric Inspector may remove or compel the removal of any conductors which are enclosed in conduit or otherwise inaccessible for complete inspection. When the conductors or appliances are not in accordance with the requirements of this chapter, or found to be unsafe to life and property, he shall have the right to condemn such conductors or appliances. ('68 Code, § 39-54) (Ord. 102-B, passed 5-15-40; Am. Ord. 2005-2100, passed 9-19-05)

#### § 151.26 AUTHORITY TO ORDER REPAIR; DISCONNECT.

When any electrical equipment is found by the Electric Inspector to be dangerous to persons or to property because it is defective or defectively installed, the person responsible for the electrical equipment shall be notified in writing and shall make any changes or repairs required in the judgment of the Electric Inspector to place such equipment in safe condition. If such work is not completed within 15 days or any longer period that may be specified by the Electric Inspector in said notice, the Inspector shall have the authority to disconnect or order the discontinuance of the electrical service to said electrical equipment. In cases of emergency, where necessary for safety of persons or of property, or where electrical equipment may interfere with the work of the Fire Department, the Electric Inspector shall have the authority to immediately disconnect or

cause the disconnection of any electrical equipment.  
( '68 Code, § 39-55) (Ord. 102-B, passed 5-15-40;  
Am. Ord. 2005-2100, passed 9-19-05)

**§ 151.27 FINAL INSPECTION; CERTIFICATE.**

(A) Upon completion and receipt of final inspection papers covering electrical work, the Electric Inspector shall make a final inspection and if such work is found to comply with this chapter, a certificate of inspection shall be issued stating that the work has been done according to the provisions of this chapter and the rules governing the respective class to which it belongs.

(B) This certificate shall not relieve the master electrician of his responsibility for any defective work that may have been concealed or escaped the notice of the Inspector.

( '68 Code, § 39-55) (Ord. 102-B, passed 5-15-40;  
Am. Ord. 2005-2100, passed 9-19-05)

**§ 151.28 CONNECTION WITH ELECTRICAL SERVICE; PREREQUISITE.**

(A) It shall be unlawful for any electrical supply agency operating in the city to furnish current to any new building, tent, structure, or outdoor wiring of any kind, nature, or description, without first obtaining a clearance from the Electric Inspector, stating that such wiring is approved and a permit has been issued for the use of current. On all commercial buildings which are vacated the electric supply agency shall remove their meter and not reinstall the meter until the City Electric Inspector shall inspect the building and issue a permit.

(B) No wiring or equipment shall be connected without approval of the City Electric Inspector. No meter shall be installed until a certificate of inspection has been issued.

( '68 Code, § 39-55) (Ord. 102-B, passed 5-15-40;  
Am. Ord. 2005-2100, passed 9-19-05; Am. Ord.  
2008-2207, passed 9-2-08) Penalty, see § 10.99