
CODE OF ORDINANCES

VILLAGE OF

LAKE TANGLEWOOD, TEXAS

UPDATED BY:

Panhandle Regional Planning Commission
July 9, 2007

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FOREWORD

This update of the Code of Ordinances represents the general and permanent ordinances of the Village of Lake Tanglewood. In preparing this update, copies of permanent and general ordinances passed since the May 1, 1991 codification were obtained and cross-referenced with the appropriate Village records. Those ordinances which were validated through the records and minutes of the Village were then added into the May 1, 1991 codification. Those ordinances which could not be validated were not included in the update to the May 1, 2001 codification. Further research was conducted to determine which portions of the Code of Ordinances had been amended or deleted since the May 1, 1991 codification. Those portions which had been subject to amendment or deletion were then revised and updated in the revised Code of Ordinances. The result of this process is an updated Code of Ordinances containing all of those permanent and general ordinances that are currently in effect in the Village of Lake Tanglewood. This update follows the same chapter and article system put into effect by the May 1, 1991 codification. The result of this process is a revised, unified, up-to-date Code which should prove a useful instrument of government for the Village of Lake Tanglewood. It represents a codification of the permanent, general ordinances of the Village through July 9, 2007.

The official record copy of the Code has been assembled in loose-leaf format to facilitate future modifications to the Code. The table of contents references each chapter, article, and section. Page numbering is based on a chapter system and does not necessarily coincide with the relevant section numbers.

The Panhandle Regional Planning Commission appreciates the opportunity to prepare this update and would like to thank the Village Council for their assistance in completing the project.

ADOPTION ORDINANCE 2007-4

AN ORDINANCE ADOPTING AND ENACTING A NEW CODE FOR THE VILLAGE OF LAKE TANGLEWOOD, TEXAS; PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN; PROVIDING A PENALTY FOR THE VIOLATION THEREOF; PROVIDING FOR THE MANNER OF AMENDING SUCH CODE; AND PROVIDING AN EFFECTIVE DATE WHEN SUCH CODE AND THIS ORDINANCE SHALL BECOME EFFECTIVE.

Be it ordained by the Board of Alderman of the Village of Lake Tanglewood, Texas:

Sec. 1. Code adopted; how cited.

(a) The Code of Ordinances updated for the Village of Lake Tanglewood, Texas, by the Panhandle regional Planning Commission, by authority of the Village Council, entitled "Lake Tanglewood Village Code," consisting of chapters 1 through 12 and appendixes, is hereby adopted and enacted for the Village of Lake Tanglewood, Texas.

(b) The Code may be cited as "Lake Tanglewood Code" or "Village Code" or other properly identifying designation. When a supplement or supplements have been prepared and inserted in the Code as provided herein below, the words "as amended" may be added to the citation or title when referring to the Code as amended.

Sec. 2. Permanent, general ordinances not included in Code are repealed.

All ordinances and parts of ordinances of a permanent, general nature passed prior to the time this Code is adopted and in effect at the time the Code is adopted, which conflict with provisions of this Code or whose subject matter is covered by this Code, but not included in the Code in full or by reference, are hereby repealed as of the time the Code goes into effect.

Sec. 3. Repeal of ordinances not to affect any offense or act done prior to time Code goes into effect, etc.

The repeal of ordinances and parts of ordinances of a permanent, general nature by the above section of this ordinance shall not affect any offense committed or act done, or any contract, right, or obligation established prior to the time when said ordinances and parts of ordinances are repealed.

Sec. 4. Temporary and/or special ordinances continue in effect, although omitted from the Code.

(a) The continuance in effect of temporary and/or special ordinances and parts of ordinances, although omitted from the Code, shall not be affected by such omission therefrom; and the adoption of the Code shall not repeal or amend any such ordinance or part of any such ordinance.

(b) Among the temporary and/or special ordinances not repealed or amended by the adoption of the Code are the following: ordinances creating, opening, dedicating, vacating, or closing specific streets, alleys, and other public ways; relating to specific special easements; naming or changing the names of specific streets and other public ways; establishing or changing the grades of specific streets and other public ways; relating to specific special easements; naming or changing the names of specific streets and other public ways; establishing or changing the grades of specific streets and other public ways; authorizing or relating to specific issues of bonds; creating or relating to

specific sewer and paving districts and other specific local improvement districts; annexing territory to, or dis-annexing territory from, the city; calling or relating to a specific election; appropriating money; making the annual tax levy; approving plats and dedication deeds; approving, authorizing, or confirming specific contracts with the State or with others; authorizing a specific lease, sale, or purchase of property; granting rights-of-way or other rights and privileges to specific railroad companies or others; granting a specific public utility or other person, firm, or corporation the right or privilege of constructing lines in the street, alleys and other public areas, or otherwise using such streets, alleys and places; granting a franchise to a specific public utility; authorizing street improvements and levying assessments therefore; and accepting specific street improvements or other construction.

Sec. 5. Catchlines and headings.

Catchlines and headings of sections and other subdivisions of the Code adopted by this ordinance or in supplements to the Code are inserted for the convenience of users of the Code and shall have no legal effect.

Sec. 6. Notes inserted for convenience.

Notes indicating sources of sections, giving other information or referring to the statutes or to other parts of the Code, or inserted in the Code, and may be inserted in supplements to the Code, for the convenience of persons using the Code.

Sec. 7. Certified copies of the Code.

(a) The mayor shall carefully examine at least one copy of the Code adopted by this ordinance to see that it is a true and correct copy of the Code. Similarly, after each supplement has been prepared, printed and inserted in the Code, the mayor shall carefully examine at least one copy of the Code as amended to see that it is a true and correct copy of the Code as amended. The mayor shall then insert a certificate in front of the said true and correct copy or copies of the Code certifying substantially that the copy is a true and correct copy of the Code of Ordinances of the village, including all permanent, general ordinances passed or adopted prior to the date to which the Code has been brought up to date and still in effect on that date.

(b) A copy of the Code as originally adopted or amended, so bound, certified and sealed, shall constitute the permanent, general ordinances of the village as of the date indicated on the title page and in the certificate, and shall be so accepted by courts of law, administrative tribunals and others concerned.

(c) One copy of the Code bound, certified, and sealed most recently, shall be kept in the office of the city secretary at all times, and may be inspected by any interested person at any time during regular business hours; but may not be removed from the city secretary's office or possession except upon proper order of a court of law or the village council.

Sec. 8. Permanent, general ordinances passed after this Code is adopted.

Ordinances and parts of ordinances of a permanent, general nature passed or adopted after this Code is adopted may be passed or adopted either (1) in the form of amendments to the Code or Ordinances adopted by this ordinance, or (2) without specific reference to the Code; but in either case, all such ordinances and parts of ordinances shall be deemed amendments to this Code; and all of the substantive, permanent, general parts of such ordinances and changes made thereby in the Code shall be inserted and made in the Code whenever a supplement is prepared for the Code as provided in the next section.

Sec. 9. Supplement to be prepared embodying permanent, general ordinances.

(a) By contract or by city personnel, a supplement to the Code of Ordinances adopted by this ordinance shall be prepared and printed whenever authorized or directed by the village council. The supplement shall be loose-leaf, and shall include all substantive, permanent, general parts of ordinances passed or adopted during the period covered by the supplement and all changes made thereby in the Code. The pages of a supplement shall be so numbered that they fit properly into the Code and, where necessary, replace pages which have become obsolete or partially obsolete; and the new pages shall be so prepared that, when they have been inserted, the Code will be up to date to the date to which the Code is being brought up to date.

(b) When preparing a supplement, the codifier (meaning in this ordinance the person, agency or organization authorized to prepare the supplement) may make formal, nonsubstantive changes in ordinances and parts of ordinances included in the supplement, insofar as it is necessary to do so to embody them in a unified code. For example, the codifier may:

- (1) organize the material into appropriate subdivisions;
- (2) provide the appropriate catchlines and headings for sections and other subdivisions of the Code printed in the supplement, and may make changes in such catchlines and headings;
- (3) assign appropriate numbers to sections and other subdivisions inserted in the code;
- (4) change the words "this ordinance" or words of the same meaning to "this chapter," "this article," "this division," etc., as the case may be, or to "sections – to –" (inserting section numbers to indicate the sections of the Code which embody the substantive sections of the ordinances incorporated in the Code); and
- (5) make other nonsubstantive changes necessary to preserve the original meaning of ordinance sections inserted into the Code; but, in no case, shall the codifier make any change in the meaning or effect of ordinance material included in the supplement or already embodied in the Code.

(c) With prior approval of the city attorney or village council, a supplement may include new materials in appendixes to the Code for convenience of persons using the Code.

(d) Every supplement shall include an index supplement if needed to index the materials in the supplements or supplements, or a new index to the Code.

(e) After every supplement has been prepared and printed, a number of copies of the supplement equal at least to the number of copies of the Code still in existence, shall be deposited in the office of the city secretary. On request, the city secretary shall furnish one copy of every supplement to each holder of a copy of the Code without charge or at such charge as the village council may determine.

Sec. 10. Penalty for altering or tampering with Code.

Any person, firm or corporation who alters, changes or amends the Code of Ordinances adopted by this ordinance except in the manner prescribed by this ordinance, or who alters or tampers with the Code in any manner so as to cause the Ordinances of the Village to be misrepresented thereby, shall be guilty of a misdemeanor, and upon conviction thereof, shall be fined not more than two hundred dollars (\$200.00).

Sec. 11. Sale of copies of the Code.

The city secretary is hereby authorized and directed to sell copies of the Code of Ordinances to the public at a price to be determined from time to time by the Village Council.

Sec. 12. Severability.

If a part of the Code of Ordinances adopted by this ordinance is invalid, all valid parts which are severable from the invalid parts remain in effect. If a part of this Code or of this ordinance is invalid in one or more of its applications, the part remains in effect in all valid applications which are severable from the invalid applications.

Sec. 13. Date of effect.

This ordinance and the Code of Ordinances adopted by it shall take effect and be in full force immediately from and after the passage, approval, and publication of this ordinance.

PASSED AND APPROVED this the 9th day of July, 2007.

Mayor, Village of Lake Tanglewood,

ATTEST:

City Secretary

Chapter I GENERAL PROVISIONS

Sec. 1-1. How code designated and cited.

The ordinances embraced in this and the following chapters and sections shall constitute and be designated the "Code of Ordinances, Village of Lake Tanglewood, Texas" and may be so cited.

Sec. 1-2. Headings.

The headings of a title, sub-title, chapter, sub-chapter, or section does not limit or expand the meaning of a rule or ordinance.

Sec. 1-3. Rules of construction.

In the construction of this Code and for all ordinances and resolutions passed by the Village governing body, the following rules shall be observed, unless such construction would be inconsistent with the manifest intent of the Village Council:

Generally. Words shall be construed in their common and usual significance unless the contrary is clearly indicated.

City. The words "the city" or "this city" shall mean the Village of Lake Tanglewood in Randall County, Texas.

City secretary, Police Chief, or other city officers. The words "city secretary", "Police Chief", or other city officers or departments shall be construed to mean officers or departments of the Village of Lake Tanglewood, Texas. (amended Ord. of 7/13/00)

Councilman. A city alderman; member of the Village Council.

Computation of time. In computing a period of days, the first day is excluded and the last day is included. If the first day of any period is a Saturday, Sunday, or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday, or legal holiday. If a number of months is to be computed by counting the months from a particular day, the period ends on the same numerical day in the concluding month as the day of the month from which the computation is begun, unless there are not that many days in the concluding month, in which case the period ends on the last day of that month.

Council. Whenever the term "council" or "this council" or "the council" is used in this Code, it shall mean the Board of Aldermen of the Village of Lake Tanglewood, Texas.

County. The term "county" or "this county" shall mean the County of Randall, Texas.

Delegation of authority. Whenever a provision of this Code requires or authorizes an officer or employee of the Village to do some act or perform some duty, it shall be construed to authorize the officer or employee to designate, delegate, and authorize subordinates to perform that act or duty unless the terms of the provision specifically provide otherwise, and unless specifically authorized by city ordinance, state law or federal law.

Gender. A word importing the masculine gender only shall extend and be applied to females and to firms, partnerships, associations, and corporations as well as to males.

Governing body. Whenever the term "governing body" is used in this Code, it shall mean the Board of Alderman of the Village of Lake Tanglewood, Texas.

Highway. The term "highway" shall include any street, alley, highway, avenue, or public place or square, bridge, viaduct, tunnel, underpass, overpass, and causeway in the Village, dedicated or devoted to public use.

Joint authority. Words purporting to give authority to three or more officers or other persons shall be construed as giving such authority to a majority of such officers or other persons, unless it is otherwise declared.

Month. The word month shall mean a calendar month.

Owner. The word "owner" applied to a building or land, shall include any part owner, joint owner, tenant in common, tenant in partnership, joint tenant or tenant by the entirety, of the whole or of a part of such building or land.

Person. The term "person" shall extend and be applied to associations, corporations, firms, partnerships and bodies politic and corporate, as well as to individuals.

Sidewalk. The word "sidewalk" shall mean any portion of the street between the curb, or the lateral line of the roadway and the adjacent property line, intended for the use of pedestrians.

Signature or subscription. The words "signature" or "subscription" shall include a mark when a person cannot write.

State. The words "the state" or "this state" shall be construed to mean the State of Texas.

Tense. Words used in the past or present tense include the future as well as the past and present.

Year. The word "year" shall mean a calendar year.

Sec. 1-4. Amendments or additions to code.

All ordinances passed subsequent to this Code which amend, repeal, or in any way affect this Code shall be numbered in accordance with the numbering system of this Code and printed for inclusion therein. When subsequent ordinances repeal any chapter, section, or subsection or any portion thereof, such repealed portions may be excluded from the Code by omission from reprinted pages. The subsequent ordinances as numbered and printed, or omitted in the case of repeal, shall be prima facie evidence of such subsequent ordinances until such time that this Code and subsequent ordinances numbered or omitted are readopted as a new Code by the governing body.

Amendments to any of the provisions of this Code shall be made by amending such provisions by specific reference to the section number of this Code in the following language:

"That section _____ of the Code of Ordinances, Village of Lake Tanglewood, Texas, is hereby amended to read as follows:" The new provisions shall then be set out in full as desired.

In the event a new section not heretofore existing in the Code is to be added, the following language shall be used: "That the Code of Ordinances, Village of Lake Tanglewood, Texas, is hereby amended by adding a section, to be numbered_____, which section reads as follows:" The new section shall be set out in full as desired.

Sec. 1-5. General penalty for violations of code; continuing violations. (amended 2003-1)

(a) Any person, partnership, corporation or entity who shall violate any provision of this Code relating to fire, public safety, zoning, public health and sanitation or who shall commit an act relating to fire, public safety, zoning, public health and sanitation prohibited, declared to be unlawful or made and declared to be a misdemeanor in this Code or any other ordinances shall be guilty of a misdemeanor and shall be liable to a fine not to exceed the maximum amount currently allowed by State law.

(b) Any person, partnership, corporation or entity who shall violate any other provision of this Code or who shall violate any other act prohibited, declared to be unlawful, or made and declared to be a misdemeanor in this Code or any other ordinance shall be guilty of a misdemeanor and shall be liable to a fine not to exceed the maximum amount currently allowed by State law.

(c) Any condition designated as a nuisance under any provision of this Code or any ordinance is hereby declared to be a misdemeanor.

(d) Any person, partnership, corporation or entity who shall create, maintain or allow a nuisance relating to fire, public safety, zoning, public health and sanitation upon property owned or under the control of such person, partnership, corporation of entity shall be guilty of a misdemeanor and shall be liable to a fine not to exceed the maximum amount currently allowed by State law.

(e) Any person, partnership, corporation or entity who shall create, maintain or allow a nuisance upon property owned or under the control of such person, partnership, corporation or entity shall be guilty of misdemeanor and shall be liable to a fine not to exceed the maximum amount currently allowed by State law.

(f) Each day any violation of this Code shall continue shall constitute a separate offense.

Sec. 1-6. Altering code.

It shall be unlawful for any person in the city to change or amend by additions or deletions, any part of portion of this Code, or to insert or delete pages, or portions thereof, or to alter or tamper with such Code in any manner whatsoever which will cause the law of the Village of Lake Tanglewood to be misrepresented thereby. Any person violating this section shall be punished as provided in Section 1-5 hereof.

Sec. 1-7. Effect of repeal of ordinances.

The repeal of an ordinance shall not revive any ordinances in force before or at the time the ordinance repealed took effect.

The repeal of an ordinance shall not effect any punishment or penalty incurred before the repeal took effect, nor any suit, prosecution or proceeding pending at the time of the repeal, for an offense committed or cause of action arising under the ordinance repealed.

Sec. 1-8. Severability of parts of code.

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

Sec. 1-9. City boundaries.

The boundaries of the Village are as prescribed by the various enactments on file in the office of the city secretary, and as graphically displayed on the map of the city located in such office.

Chapter II
ADMINISTRATION

Article 1 - In General

Division 1

Sec. 2-1. Term of office for elected officials.

The term of office of elected officials shall be for two years. (Ord. 14, 5-2-72)

Sec. 2-2 . Emergency Services Director (added 2003-1)

There is hereby created the office of Emergency Services Director. This office shall be appointed by the Village of Lake Tanglewood Council and shall serve as liaison between Emergency Medical Services, Fire Department, other governing agencies and the Village of Lake Tanglewood.

Sec. 2-3 to 2-10. Reserved.

Division 2 – Village Police Office

Sec. 2-11. Office created; term of office.

The office of Chief of Police is hereby created. The Chief of Police shall be appointed by an affirmative action of the Village Council. The Chief of Police shall serve at the pleasure of the Council. (Ord. 11/6/06)

Sec. 2-12 Police Officer appointment; qualifications.

Police Officers will be appointed by the Chief of Police, by and with the approval of the Village Council, for an indefinite term. Persons appointed must be a qualified officer or agree to become a qualified officer under qualifications set by the State of Texas. Not more than five (5) Police Officers shall be selected. (Ord. 26, 5-20-80) (Ord. 7/13/00)

Sec. 2-13. Reserve Police Officer appointment; qualifications.

Reserve Police Officers will be appointed to serve by the Chief of Police, with the approval of the Village Council, to serve an indefinite term. Persons appointed to serve must be a qualified officer, or agree to become a qualified officer, under qualifications established by the State. No more than fifteen (15) reserve Deputy Police Chiefs shall be appointed. (Ord. 26, 5/20/80) (Ord. 7/13/00)

Sec. 2-14 to 2-20 Reserved.

Chapter II – Administration

Division 3 – Municipal Court

Sec. 2-21. Court Created

The Municipal Court of the Village of Lake Tanglewood is hereby created.

Sec. 2-22. Office of judge created; appointment; duties

The office of judge of the municipal court shall be filled by appointment by the Village Council and shall perform the duties of judge as prescribed by the laws of the State. (Ord. 20, 22/18/75)

Section 2-24 Municipal Court Technology Fund

- A. Establishment of Municipal Court Technology Fund
 - 1. There is hereby created and established a Municipal court Technology Fund, here-in-now known as the Fund, pursuant to Article 102.0172 of the Code of Criminal Procedure.
 - 2. The Fund may be maintained in an interest bearing account and may be maintained in the general revenue account.
- B. Establishment of Amount of the Fee and Assessment and Collection
 - 1. The fee shall be in the amount of Four (4) Dollars.
 - 2. The fee shall be assessed and collected from the defendant upon conviction for a misdemeanor offense in the Municipal Court as a cost of court. A defendant is considered convicted if:
 - a. a sentence is imposed on the person;
 - b. the person is placed on community supervision, including deferred adjudication community supervision; or
 - c. the court defers final disposition of the person's case.
- C. The fee shall be collected on conviction for an offense committed on or after March 1, 2007.
- D. The clerk of the court shall collect the fee and pay the fee to the municipal treasurer of the Village of Lake Tanglewood, who shall deposit the fee into the Municipal Court Technology Fund.
- E. Designated Use of the Fund and Administration
 - 1. The Fund shall be used only to finance the purchase of technology enhancements for the Municipal Court of the Village of Lake Tanglewood, Texas, including:
 - a. computer systems;

- b. computer networks;
 - c. computer hardware;
 - d. computer software;
 - e. imaging systems;
 - f. electronic kiosks;
 - g. electronic ticket writers; or
 - h. docket management systems
- F. The Fund shall be administered by or under the direction of the governing body of the Village of Lake Tanglewood, Texas.
- G. Severability
If any provision, section, subsection, sentence, paragraph, clause or phrase of this Ordinance, or the application of same to any person or set of circumstances for any reason is held to be unconstitutional, void or invalid or for any reason unenforceable, the validity of the remaining portions of this ordinance or the application thereby shall remain in effect, it being the intent of the Board of Aldermen of the Village of Lake Tanglewood, Texas in adopting this ordinance, that no portion thereof or provision contained herein shall become inoperative or fail by any reason of unconstitutionality or invalidity of any portion or provision.
- H. Repealing Conflict
All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed to the extent of conflict with this ordinance.
- J. Effective Date
This ordinance shall become effective March 1, 2007.

Section 2-25 Municipal Court Security Fund

- A. Fund Created: There is hereby created a municipal court building security fund. This fund shall be administered under the direction of the governing body of the Village of Lake Tanglewood.
- B. Fee Assessed: All defendants convicted of a misdemeanor offense in municipal court shall be required to pay a three dollar (\$3.00) security fee as a cost of court. A person is considered convicted for the purposes of this ordinance if a sentence is imposed on the person, the person receives community supervision, including deferred adjudication, or the person enters a plea and enters a court authorized dismissal program. The security fee shall be collected by the municipal court clerk and paid to the Village treasurer for deposit in the municipal court building security fund.
- C. Fund Purposes: The municipal court building security fund may be used only to finance the following items when used for the purpose of providing security

services for any buildings housing the municipal court of the Village of Lake Tanglewood:

1. The purchase or repair of x-ray machines and conveying system;
2. Hand-held metal detectors;
3. walk-through metal detectors;
4. identifications cards and systems;
5. electronic locking and surveillance equipment;
6. bailiffs, deputy sheriffs, deputy constables, or contract security personnel during times when they are providing appropriate security services;
7. signage;
8. confiscated weapon inventory and tracking systems;
9. locks, chains, or other security hardware; or
10. continuing education on security issues for court personnel and security personnel.

D. Any person, firm, corporation, agent or employee thereof who violates any of the provision of this ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be fined an amount not to exceed Two Hundred and no/100 Dollars (\$200.00) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

E. Severability

If any provision, section, subsection, sentence, paragraph, clause or phrase of this Ordinance, or the application of same to any person or set of circumstances for any reason is held to be unconstitutional, void or invalid or for any reason unenforceable, the validity of the remaining portions of this ordinance or the application thereby shall remain in effect, it being the intent of the Board of Aldermen of the Village of Lake Tanglewood, Texas in adopting this ordinance, that no portion thereof or provision contained herein shall become inoperative or fail by any reason of unconstitutionality or invalidity of any portion or provision.

F. Repealing Conflict

All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed to the extent of conflict with this ordinance.

G. All of the regulations provided in this ordinance are hereby declared to be governmental and for the health, safety and welfare of the general public. Any member of the Board of Aldermen or any Village official or employee charged with the enforcement of this ordinance, acting for the Village of Lake Tanglewood in the discharge of his/her duties, shall not thereby render himself/herself personally liable; and he/she is hereby relieved from all personal liability for any damage that might accrue to persons or property as a result of any act required or permitted in the discharge of his/her said duties.

- H. Any violation of this ordinance can be enjoined by a suit filed in the name of the Village of Lake Tanglewood in a court of competent jurisdiction, and this remedy shall be in addition to any penal provision in this ordinance or in the Code of the Village of Lake Tanglewood.

- I. The caption and penalty clause of this ordinance shall be published in the newspaper of general circulation in the Village of Lake Tanglewood, Texas, in compliance with the provisions of the Texas Local Government Code, § 52.011. Further, this ordinance may be published in pamphlet form and shall be admissible in such form in any court, as provided by law.

- J. This ordinance shall become effective March 1, 2007.

Chapter III
ALCOHOLIC BEVERAGES

Sec. 3-1. Consumption, possession limited.

It shall be unlawful for any person within the corporate limits of the Village to consume any alcoholic beverage in any public place for the purpose of consuming same at any time on Sunday between the hours of 1:00 a.m. and 12:00 noon, and on any other day at any time between the hours of 1:00 a.m. and 7:00 a.m. (Ord. 16, n.d.)

Sec. 3-2. Sales limited; on-premises consumption.

It shall be unlawful to offer for sale or to sell any alcoholic beverage, intoxicating liquors, wines or beer for on-premises consumption at any place within the corporate limits except at a restaurant located within the area zoned "commercial." The term "restaurant" shall mean a place which is regularly, and in a bona fide manner, used and kept open for the serving of food to guests for compensation, which has suitable seating facilities for preparing food and serving an assortment of foods commonly ordered at various hours of the day or night, and whose primary business is serving food. The term "primary business" means that the gross sales of food shall exceed sixty (60) percent of such business's gross sales. (Ord. 16, n.d.)

Sec. 3-3. Penalty.

Upon conviction, violators will be punished as provided in Sec. 1-5 of this code.

Chapter IV ANIMALS

Sec. 4-1. Definitions.

As used in this chapter, the following terms shall be construed to have the following meanings:

(a) **Animal.** Animals allowed within the recreational area or on members subleased lots shall include dogs, cats, and every other animal used as a pet. It specifically does not include horses, cattle, other domestic animals, or naturally wild animals. (amended Ord. 7-21-98)

(b) **Kennel.** Any place where four or more dogs over the age of four (4) years, or nine or more dogs under the age of four (4) months are raised, trained, boarded, harbored or kept.

Sec. 4-2. Vaccinations, tags required.

All animals shall be vaccinated annually against rabies and shall wear a collar with a current rabies tag attached. This tag shall also include the name and phone number of the pet's owner. (Ord. 5, 7-6-71; Ord. of 9-18-73), (amended Ord. of 03/08/04)

Sec. 4-3. Running at large unlawful.

(This section deleted by Ord. 9-22-94.)

Sec. 4-4. Nuisances prohibited.

Excessive barking, biting, packing, trespassing on the property of others are considered nuisances and are in violation of this chapter. (Ord. of 9-18-73)

Sec. 4-5. Kennels unlawful.

Operations of any kennel, as defined in Se. 4-1, is unlawful. (Ord. of 9-18-73)

Sec. 4-6. Penalty.

Any person who violates any provision of this chapter shall, upon conviction, be fined as provided in Sec. 1-5 of this code.

Chapter V EMERGENCY MANAGEMENT

Sec. 5-1. Organization.

There exists the office of Emergency Management Director of the Village, which shall be held by the Mayor in accordance with state law.

(a) An Emergency Management Coordinator may be appointed by the Director and confirmed by the governing body.

(b) The Director shall be responsible for a program of comprehensive emergency management within the Village and for carrying out the duties and responsibilities set forth in this chapter. He may delegate authority for execution of these duties to the Coordinator, but ultimate responsibility for such execution shall remain with the Director.

(c) The operational Emergency Management organization of the Village shall consist of the officers and employees in accordance with the terms of the emergency management plan.

Sec. 5-2. Emergency Management Director, powers and duties.

The duties and responsibilities of the Emergency Management Director shall include the following:

(a) Conduct an on-going survey of actual or potential hazards which threaten life and property within the Village and an on-going program of identifying and requiring or recommending the implementation of measures which tend to prevent the occurrence or reduce the impact of such hazards if a disaster did occur.

(b) Supervision of the development and approval of an emergency management plan for the Village, and shall recommend for adoption by the governing body all mutual aid arrangements deemed necessary for the implementation of such plan.

(c) Authority to declare a local state of disaster. The declaration may not be continued or renewed for a period in excess of 7 days except by or with the consent of the governing body. Any order or proclamation declaring, continuing, or terminating a local state of disaster shall be given prompt and general publicity and shall be filed promptly with the city secretary.

(d) Issuance of necessary proclamations, regulations or directives which are necessary for carrying out the purposes of this chapter. Such proclamations, regulations, or directives shall be disseminated promptly by means calculated to bring its contents to the attention of the general public and, unless circumstances attendant on the disaster prevent or impede, promptly filed with the city secretary.

(e) Direction and control of the operations of the organization as well as the training of emergency management personnel.

(f) Determination of all questions of authority and responsibility that may arise within the emergency management organization of the Village.

(g) Maintenance of liaison with other municipal, county, district, state, regional or federal, emergency management organizations.

(h) Marshaling of all necessary personnel, equipment or supplies from any department of the Village to aid in the carrying out of provisions of the emergency department plan.

(i) Supervision of the drafting and execution of mutual aid agreements, in cooperation with the representatives of the state and of other local political subdivisions of the state, and the drafting execution, if deemed desirable, of an agreement with the county in which said Village is located and with other municipalities within the county-wide coordination of emergency management efforts.

(j) Supervision of, and final authorization for the procurement of all necessary supplies and equipment, including acceptance of private contributions which may be offered for the purpose of improving emergency management within the Village.

(k) Authorizing of agreements, after approval by the City Attorney, for use of private property for public shelter and other purposes.

(l) Survey of the availability of existing personnel, equipment, supplies and services which could be used during a disaster, as provided for herein.

(m) Other requirements as specified in Texas Disaster Act of 1975.

Sec. 5-3 Emergency management plan.

A comprehensive emergency management plan shall be developed and maintained in a current state. The plan shall set forth the form of the organization, establish and designate divisions and functions, assign responsibilities, tasks, duties, and powers, and designate officers and employees to carry out the provisions of this chapter. As provided by state law, the plan shall follow the standards and criteria established by the State Division of Emergency Management. When approved it shall be the duty of all departments and agencies to perform the function assigned by the plan to maintain their portion of the plan in a current state of readiness at all times. The emergency management plan shall be considered supplementary to this chapter and have the effect of law during the time of a disaster.

Sec. 5-4. Interjurisdictional program.

The Mayor is hereby authorized to join with the County Judge of Randall County and the mayors of the other cities in said county in formation of an Emergency Management Council for Randall County and shall have the authority to cooperate in the preparation of a joint Management Coordinator, as well as all powers necessary to participate in a county-wide program of emergency management insofar as said program may affect the Village.

Sec. 5-5. Override.

At all times when orders, rules, and regulations made and promulgated pursuant to this chapter shall be in effect, they shall supersede and override all existing ordinances, orders, rules, and regulations insofar as the latter may be inconsistent therewith.

Sec. 5-6. Liability.

This chapter is an exercise by the Village of its governmental functions for the protection of the public peace, health, and safety and neither the Village, the agents and representative of the Village, nor any individual, receiver, firm, partnership, corporation, association, or trustee, nor any of the agents thereof, in good faith carrying out, complying with or attempting to comply with, any order, rule, or regulation promulgated pursuant to the provisions of this chapter shall be liable for any damage sustained to persons as the result of said activity. Any person owning or controlling real estate or other premises who voluntarily and without compensation grants to the Village a license of privilege, or otherwise permits the Village to inspect, designate and use the whole or any part or parts of such real estate or premises for the purposes of sheltering persons during an actual, impending or practice enemy attack or natural or man-made disaster shall, together with his successors in interest, if any, not be civilly liable for the death of, or injury to any person on or about such real estate or premises under such license, privilege or other permission or for loss of, or damage to, the property of such person.

Sec. 5-7. Commitment of funds.

No person shall have the right to expend any public funds of the Village in carrying out any emergency management activity authorized by this chapter without prior approval by the governing body and in accordance with adopted purchasing practice. During a declared disaster, the Mayor may expend and/or commit public funds of the Village when deemed prudent and necessary for the protection of health, life, or property.

Sec. 5-8. Offenses, penalties.

(a) It shall be unlawful for any person willfully to obstruct, hinder, or delay any member of the emergency management organization in the enforcement of any rule or regulation issued pursuant to this chapter, or to do any act forbidden by any rule or regulation issued pursuant to the authority contained in this chapter.

(b) It shall be unlawful for any person to wear, carry or display any emblem, insignia or any other means of identification as a member of the emergency management organization unless authority to do so has been granted to such person by the proper officials.

(c) Any unauthorized person who shall operate a siren or other device so as to simulate a warning signal, or the termination of a warning, shall be deemed guilty of a violation of this chapter and shall be subject to the penalties imposed by this chapter.

(d) Convictions for violations of the provisions of this chapter shall be punished as provided by Sec. 1-5 of this code.

Sec. 5-9. Limitations.

This chapter shall not be construed so as to conflict with any State or Federal statute or with any military or naval order, rule or regulation.

Chapter VI HEALTH

Article 1. Sewerage Plant Operators

Sec. 6-1. State law adopted; administration.

Article 4477-1, entitled "The State Sanitation and Health Protection Law," recognizes the inherent danger and threat to health that can result from the careless or improper conduct of sewerage plant operators (as that term is defined in said statute), reference to which and the adoption of which is hereby made a part of this chapter, it shall be unlawful for any person, firm, or corporation, whatsoever and whomsoever to service any septic tank or other sewerage disposal facility of any kind without first obtaining a permit to do so, according to state rules and regulations. In the process of obtaining such permit, the service company (hereinafter called "operator") seeking such permit shall execute a formal written agreement binding the operator to faithfully abide by all of the provisions of said state statute and regulations, in the treatment, handling and disposition of sewage or human excreta by such person, firm, or corporation including such handling by any agent or employee of such permittee. (Ord. 8-A, Sec. 1, 4-19-83)

Sec. 6-2. Pollution of lake unlawful.

It shall be unlawful for any person, firm, or corporation, or any agent or employee of any person, firm, or corporation to deposit any substance that may constitute a contaminant or a hazard to health in or near the lake, including toilet facility, to be among those contaminants that are prohibited. In that connection, Lake Tanglewood fulfills and shall be considered the same as a swimming pool as described in the statute, and the treatment thereof order and provided for in said statute shall be and is hereby ordered and ordained regarding Lake Tanglewood. (Ord. 8-A, Sec 2, 4-19-83)

Sec. 6-3. State law adopted by reference. (*See revision*)

The Texas Sanitation and Health Protection Law is hereby adopted by reference and is made a part hereof for all purposes consistent with the provisions of this chapter. (Ord. 8-A, Sec 2, 4-19-83)

Sec. 6-4. Individual Septic Systems (amended Ord. 7/21-98, 2003-1)

The City of Amarillo Environmental Health Department governs the installation, operation, maintenance and other relevant matters governing septic tanks in the Village. All matters involving permitting, repair, enforcement, or other relevant activities shall be at the discretion of the City of Amarillo Environmental Health Department.

The Village of Lake Tanglewood reserves the right to cite and enforce regulations on a septic tank system that does not meet the requirements of State and Local laws.

Sec. 6-5. Penalty.

Upon conviction, violators of the provisions of this chapter shall be punished as provided in Sec. 1-5 of this code.

Chapter VII Nuisances

Article 1 - Weeds, Rubbish, and Other Collections

Sec. 7-1. Weeds, Vegetation, etc., Collections unlawful.

No garbage, rubbish, waste materials, including construction waste materials, lumber, boxes, barrels, bricks, stones, or waste of any nature shall be placed, dumped, or allowed to accumulate upon or on any lot, alleyway or other premises in the Village except that unused building materials may remain on a lot during active construction of approved improvements so that freedom from rats, mice, flies and other vermin may be promoted within the Village. (Ord. 6, 7-6-71; Ord of 1-15-80; Ord. of 9-21-82)
(Amended Ord. 12-15-92)

Sec. 7-2. Weeds & Vegetation Accumulations.

It shall be unlawful to allow the accumulation of weeds, vegetation, shrubs, or trees to remain on any alleyway or lot, either improved or unimproved, which constitutes a nuisance, danger or fire hazard in the judgment of the Village Council or Village Police Department or their respective designees. Vegetation, weeds, trees and grass on improved lots shall be maintained in such a manner that it does not appear to be vacant, unsightly, or abandoned.

For the purpose of this section, Improved Lot shall mean a lot that has been cleared of native vegetation and replaced with cultivated grass, plants, etc. (amended Ord. 12-15-92, 2003-1)

Sec. 7-3. Abatement.

Any property owner in violation of this article shall receive a ten (10) day notice from the Village requesting cooperation in correcting the above conditions, and, in the event that the property owner or person in charge of such property shall fail or refuse to correct the violation and abate the nuisance, then the Village shall have the accumulation or other violation removed from the offending property and shall receive from the owner or person in charge of the property all costs of abatement and a service fee not to exceed the sum of \$25.00 exclusive of the contractor's charge. If the charges and fees are not paid within 30 days following the billing of the owner by the Village, a lien against the property upon which the abatement took place shall be secured. Such lien shall be subject to foreclosure as provided by state statutes. (Ord. of 9-21-82)

Sec. 7-4. Penalty

Violations of this article shall, upon conviction, be punishable according to the provisions of Sec. 1-5 of this Code.

Sec. 7-5 through 7-10 Reserved.

Article 2 - Junked Vehicles

Sec. 7-11. Definitions.

For the purpose of this article the following definitions shall apply unless the context clearly indicates or requires a different meaning:

(a) “Antique auto” means a passenger car or truck that was manufactured in 1925 or before, or which is at least 35 years old.

(b) “Collector” means the owner of one or more antique or special interest vehicles who collects, purchases, acquires, trades, or disposes of special interest or antique vehicles or parts of them for his own use in order to restore, preserve, and maintain an antique or special interest vehicle for historic interest.

(c) “Junked vehicles” means any motor vehicle as defined in Section 1 of Article 6701d-11, VTCS, as amended, which:

(A) is inoperative and which does not have lawfully affixed thereto either and unexpired license or a valid motor vehicle safety inspection certificate and which is wrecked, dismantled, partially dismantled, or discarded; or

(B) remains inoperable for a continuous period of more than 45 days.

(d) “Special interest vehicle” means a motor vehicle of any age which has not been altered or modified from the original manufacturer’s specifications and, because of its historic interest, is being preserved by hobbyists.

Sec. 7-12. Procedures for abatement of junked vehicles.

Procedure for abatement and removal of junked vehicles or parts thereof, as public nuisances, as defined in Article 4477-9a, Sections 5.01-5.11 VTCS, from private property, or public rights-of-way shall be as follows:

(a) For a junked vehicle on private property, written notice of not less than ten days must be given stating the nature of the public nuisance or private property and that it must be removed and abated within ten days and that a request for a hearing must be made before the expiration of said ten day period. Such written notice shall be mailed by certified or registered mail with a five-day return requested, to the last registered owner of the junked motor vehicle and any lien holder of record and to the owner or the occupant of the private premises whereupon such public nuisance exists. If the notice is returned undelivered by the United States Postal Service, official action to abate said nuisance shall be continued to a date not less than ten days from the date of such return.

(b) For a junked vehicle on public property, written notice of not less than ten days must be given stating the nature of the public nuisance on public property or on public right-of-way and that it must be removed and abated within ten days and that a request for a hearing must be made before expiration of said ten day period, such notice

to be mailed, by certified or registered mail with a five-day return requested, to the last registered owner of the junked motor vehicle and any lien holder of record and to the owner or the occupant of the public premises adjacent to the public right-of-way whereupon such public nuisance exists. If the notice is returned undelivered by the United State Postal Service, official action to abate said nuisance shall be continued to a date not less than ten days from the date of such return

(c) A request for a hearing in either division (a) or (b) above shall be made in writing and delivered to the judge of the municipal court.

(d) A public hearing must be held prior to the removal of the vehicle or part thereof as a public nuisance, to be held before the judge of the municipal court, when such a hearing is requested by the owner or occupant of the public or private premises or by the owner or occupant of the premises adjacent to the public right-of-way on which said vehicle is located, within ten days after service of notice to abate the nuisance. Any order requiring the removal of a vehicle or part thereof shall include a description of the vehicle, and the correct identification number and license number of the vehicle, if available at the site.

(e) Written notice must be given to the Texas Highway Department within five days after the date of removal identifying the vehicle or part thereof.

(f) After a vehicle has been removed it shall not be reconstructed or made operable.

(g) The above procedure for abatement and removal of a public nuisance shall be accomplished by the village marshal except that the removal of vehicles or parts thereof from private property, public property, or public rights-of-way may be by any other duly authorized person under the direction of the Village.

(h) Placing a junked vehicle or allowing a junked vehicle to remain on private or public property constitutes an offense. Each day of any such violation shall constitute a separate offense.

Sec. 7-13. Exceptions.

The above procedures shall not apply to:

(a) A vehicle or part thereof which is completely enclosed within a building in a lawful manner where it is not visible from the street or other public or private property;

(b) A vehicle or part thereof which is stored or parked in a lawful manner on private property in connection with the business of a licensed vehicle dealer; or

(c) Unlicensed, operable or inoperable, antique or special interest vehicles stored by a collector on his property, provided that the vehicles in the outdoor storage areas are maintained in such a manner that they do not constitute a health hazard and are screened

from ordinary public view by means of a fence, rapidly growing trees, shrubbery, or other appropriate means.

Article 3 – Buildings or Structures (Added Ord. 7-21-98)

Sec. 7-14. Unsafe Buildings or Structures.

All buildings or structures regulated by the Village of Lake Tanglewood Building Code and/or the Uniform Building Code which are structurally unsafe or not provided with safe egress, or which constitute a hazard to safety, health, or public welfare by reason of inadequate maintenance, dilapidation, obsolescence, disaster, damage or abandonment shall be declared unsafe and or unsightly. Buildings and structures shall include dwellings, detached structures, decks, docks, ramps and boat houses.

All such unsafe and/or unsightly buildings or structures are hereby declared to be public nuisances and shall be abated by repair, rehabilitation, demolition, or removal as set forth in Section 7-15 or as alternately set forth in the Local Government Code.

Sec. 7-15. Removal from Village.

Any structure or building as set forth in Sec. 7-14, or article or personal property which has been constructed on, moved on, or placed on the recreational area by an individual, and which, within the judgment of the City, has become a nuisance, or renders the recreational area unsightly, shall, on or before the expiration of sixty (60) days from notice by the City, be removed therefrom by the owner, and if not so removed within said time limit, may be removed by the City and the cost of removing same charged to the owner.

Sec. 7-16. Penalty.

Any person who violates any provision of this Article shall, upon conviction, be fined as provided in Sec. 1-5 of the Village Code. (redundancy removed)

Chapter VIII OFFENSES

Sec. 8-1. Littering unlawful.

It shall be unlawful for any person to litter, Littering shall be construed to include, but not limited to, the following acts:

(a) Throwing away, depositing, dumping, discarding or placing trash, refuse, grass clippings, tree limbs, or any type of discarded item or items on or in the lake or along roads or roadways or on any other part of the public areas within the Village;

(b) Throwing away, depositing, dumping, discarding or placing trash, refuse debris or any kind of discarded item or items on the property of another;

(c) Allowing trash, refuse or debris to be moved by animals, pets or natural causes from one owner's property to the property of another person or to any public area within the Village;

(d) Failure of any person to keep his property free and clear of trash, debris or refuse, to include providing a suitable container or containers for household trash and garbage deposited for pickup by the trash collector;

(e) Allowing trash, debris or other refuse or waste materials to blow from or fall from a vehicle or trailer while transporting such material to a designated dump or disposal area.

Sec. 8-2. Trespassing unlawful.

No person shall enter upon the enclosed real property of another person, or trespass thereon, within the boundaries of the Village without having the invitation and consent of the owner or the agent of the owner to come upon such property. No person shall enter upon the personal property of another person without his invitation or consent. For the purposes of this section, "owner" shall mean any lessee or renter or sub-lessee of any property referred to herein, or any person having title to any such property; "property" shall mean any kind or character of property, real or personal, of any person owning or leasing real property within the Village limits, and includes any body or water or lake situated within the Village limits; "trespass" shall mean any interference with exclusive possession of property or any injury or damage to any property, and shall include the act of driving or operating any boat or other watercraft on the enclosed lake within the Village boundaries. (Ord. 7, 11-16-76)

Sec. 8-3. Discharging firearms unlawful.

It shall be unlawful for any person to discharge any B-B gun, air rifle, pellet gun, rifle, gun, pistol or other firearm of any description within the Village. (Ord. 19, 11-18-75)

Sec. 8-4. Same; exceptions.

The preceding section shall not apply to:

(a) The Village Police Chief in the performance of his duties;

(b) Any person, or his representative, who, while on his own property, is required to discharge a firearm while in the process of terminating an attack by an animal on his property. (Ord. 19, 11-18-75) (amended Ord. 7-13-00)

Sec. 8-5. Fireworks unlawful; exception.

It shall be unlawful for any person to ignite or otherwise explode any type of fireworks within the City limits of Lake Tanglewood. The only fireworks permitted are those allowed to be exploded by a commercial operator licensed and bonded and specifically authorized by the City Council. Any individual violating the provisions of this section shall be guilty of a misdemeanor and subject to a fine not to exceed \$2,000. (amended Ord. 7-21-98)

Sec. 8-6. Burning of grass, weed, etc., unlawful; exception.

It shall be unlawful for any person to burn grass, weeds, cat-tails, or other growths within the Village without the permission of the Village fire department. Fire department personnel shall ensure the public safety by supervising any permitted burnings.

Sec. 8-7. Hunting.

It shall be unlawful for any person to hunt, by any means, within the Village of Lake Tanglewood. (amended Ord. 7-21-98, 2003-1)

Sec. 8-8. Vegetation Removal

It shall be unlawful for any person to cut or injure any natural vegetation within the Village of Lake Tanglewood. (amended Ord. 7-21-98, 2003-1)

Sec. 8-9. Picnicking and Fires

No public picnicking or the building of fires shall be allowed on or within 200 yards of the dam or spillway. (amended Ord. 7-21-98, 2003-1)

Sec. 8.11 – Golf Course Rules and Regulations

All guests and members are required to sign in at the Pro Shop and all guests will be identified as such beside their names on the sign-in sheet.

Sec. 8.12 - Lake Rules and Regulations

a. A member may place on the lake a boat or boats (size of boat and motors to be approved by the Board of Directors) for the use of himself, his family, or his guests if such guests are accompanied as herein provided. High speed, racing type boats shall not be used on the lake without approval of the Board of Directors. All boats and recreational water devices whether power driven or not must have current lake Registration Sticker on both sides of the boat and if powered must be properly muffled.

b. No guest shall be permitted on the Club grounds, golf course, or on the lake except while accompanied by the host member, or adult member of the host family. No guest shall be permitted to operate any personal watercraft as defined in the Texas Parks and Wildlife publication, *The Handbook of State Boating Laws and Responsibilities*.

c. Boat rules;

1. Stay 50 feet from all watercraft
2. Observe comply with applicable no wake zones
3. Traffic will move in counter-clockwise direction by staying toward the shoreline on your right
4. Single riders must be at least 13 years-of-age or accompanied by a person at least 18 years-of-age
5. No boats will be allowed to travel across lake to jump waves made from other boats
6. No towing of tubes in no wake zones

d. Personal watercraft (jet ski) rules:

1. Life jacket worn at all times
2. Always attach a safety lanyard to your life jacket / wrist before starting engine
3. Pass all boats on right side
4. Stay 50 feet from all watercraft
5. No 360 degree turns when a boat is behind
6. Observe applicable no wake zones
7. No personal watercraft will be allowed to travel across lake to jump waves made from other boats
8. Traffic will move in a counter-clockwise direction by staying toward the shoreline on your right
9. No "splash tag" or other dangerous games
10. Single riders must be at least 13 years-of-age or accompanied by a person at least 18 years-of-age
11. Operating hours from 9:00 a.m. to one-half hour prior to sunset
12. No towing of tubes in no wake zone.

8.13 – Other Rules and Regulations

a. All-terrain vehicles will be allowed to drive on Corporation roads only in transit to the designated ATV area and back

1. Number of riders limited to manufacturer's recommendation. If this is not stated or known, then ATV is limited to one (1) rider.
2. The rider shall wear a helmet and have a flag on the vehicle

- 3. The driver will yield to other traffic
- b. Youth under 13 years-of-age will not be permitted to drive golf carts on the roads under any circumstance. Exception: Permitted with adult in the golf cart.

8.14 Reserved

8.15 Reserved

8.16 Reserved

Sec. 8-10. Penalty.

Any person convicted of violating any provision of this chapter shall, upon conviction, be fined as provided in Sec. 1-5 of this code. (Duplications removed)

**Chapter IX
RECREATION**

(REPEALED 2003-1)

Chapter X Traffic

Traffic (Ord. 2002-7)

10.1 - Statement of Purpose - The Village of Lake Tanglewood has been granted the authority to regulate traffic on the private roads contained within the Village through the authority granted under the Texas Transportation Code, Subchapter A, Chapter 542, Section 542.008. Accordingly, traffic on all roads is regulated by the Village of Lake Tanglewood through the Village Police Department, which is expressly granted the authority to enforce the following provisions.

Drivers using the roads within the boundaries of Lake Tanglewood are specifically advised that all general traffic rules and laws, “Rules of the Road”, enforceable by the State of Texas or a political subdivision of the State are enforceable within the Village of Lake Tanglewood by any appropriate law enforcement official. Statutory authority to place, maintain, and enforce necessary traffic control devices is granted under Section 544, Texas Transportation Code.

10.2 Definitions – all words and regulations are intended to be interpreted with their commonly used meanings and definitions and in accordance with those definitions contained in the Transportation Code of the State of Texas.

10.2 – Speed Limit – unless specifically noted either in this Chapter or by clearly posted traffic signage, the maximum speed limit on any road within the Village of Lake Tanglewood is **30 miles per hour**. Refer to Exhibit 1, Official Map for the Village of Lake Tanglewood, for posted speed limits. However, nothing in this shall be construed to prohibit the Village of Lake Tanglewood from requiring lower speed limits on any roads, when such lower limit is adopted by an affirmative vote of the Board of Aldermen and such lower speed limit is clearly posted on the road segment in question. When such lower speed limits have been considered and adopted, such provisions shall be added to this section of the Code by ordinance and shall be numbered 10.2.1, 10.2.2, etc.

10.2.1 Reserved

10.2.2 Reserved

10.2.3 Reserved

10.3 – Stop Signs – The following locations shall be designated for a “STOP” sign due to the inherent benefit to the public health, safety, and welfare:

- A. On Turtle Creek Drive, at the intersection of Tanglewood Drive and Turtle Creek Dr. All traffic on Turtle Creek shall STOP before entering onto Tanglewood Drive

- B. On Lago Vista, at the intersection of Lago Vista and Tanglewood Drive. All traffic on Lago Vista shall STOP before entering onto Tanglewood Drive
- C. On Haddock, at the intersection of Haddock and Lago Vista Drive. All traffic on Haddock shall STOP before entering onto Lago Vista Drive
- D. On E. Port O Call, at the intersection of E. Port O Call and Bayshore Dr. All traffic on E. Port O Call shall STOP before entering onto Bayshore Dr.
- E. On W. Port O Call, at the intersection of W. Port O Call and Bayshore Drive. All traffic on W. Port O Call shall STOP before entering onto Bayshore Dr.
- F. On Bay Rock, at the intersection of Bay Rock and Bayshore Dr. All traffic on Bay Rock shall STOP before entering onto Bayshore Dr.
- G. On Circle Dr., at the intersection of Circle Dr. and Bayshore Dr. All traffic on Circle Dr. shall STOP before entering onto Bayshore Dr.
- H. On Dolphin Terrace, at the intersection of Dolphin Terrace and Bayshore. All traffic on Dolphin Terrace shall STOP before entering onto Bayshore Dr.
- I. On Bayshore Dr., at the intersection of Bayshore Dr. and Tanglewood Dr. All traffic on Bayshore Dr. shall STOP before entering onto Tanglewood Dr.
- J. On Caprock Ln, at the intersecting of Caprock Ln. and Tanglewood Dr. All traffic on Caprock Ln. shall STOP before entering onto Tanglewood Dr.
- K. Dolphin Terrace, at the intersection of Dolphin Terrace and Tanglewood Dr. All traffic on Dolphin Terrace shall STOP before entering onto Tanglewood Dr.
- L. On Turtlecreek Dr., at the intersection of Turtlecreek Dr. and North Shore Dr. All traffic on Turtlecreek Dr. shall STOP before entering onto North Shore Dr.
- M. On Circle View Dr., at the intersection of Circle View Dr. and North Shore. All traffic on Circle View Dr. shall STOP before entering onto North Shore Dr.
- N. On South Shore Dr., at the intersection of South Shore Dr. and North Shore Dr. All traffic on South Shore Dr. shall STOP before entering onto North Shore Dr.
- O. On Canyon Circle, at the intersection of Canyon Circle and South Shore Dr. All traffic on Canyon Circle shall STOP before entering onto South Shore Dr.
- P. On Susan Ln., at the intersection of Susan Ln and North Shore Dr. All traffic on Susan Ln. shall STOP before entering onto North Shore Dr.
- Q. On Lisa Ln., at the intersection of Lisa Ln and South Shore. At the 3-way Stop signs, all traffic shall stop before entering onto intersection.
- R. On Dana Ln, at the intersection of Dana Ln and South Shore Dr. All traffic on Dana Ln. shall STOP before entering onto South Shore Dr.

- S. On Cindy Ln., at the intersection of Cindy Ln and South Shore Dr. All traffic on Cindy Ln. shall STOP before entering onto South Shore Dr.
- T. On Jean Ln., at the intersection of Jean Ln. and South Shore Dr. All traffic on Jean Ln. shall STOP before entering onto South Shore Dr.
- U. On Gina Ln, at the intersection of Gina Ln and South Shore Dr. All traffic on Gina Ln. shall STOP before entering onto South Shore Dr.
- V. On Jenny Ln. at the intersection of Jenny Ln. and Gina Ln. All traffic on Jenny Ln. shall STOP before entering onto Gina Ln.
- W. On Cedar Ln. at the intersection of Cedar Ln. and South Shore. All traffic on Cedar Ln. shall STOP before entering onto South Shore.

10.4 – Yield Signs – the Village of Lake Tanglewood has designated the following locations for a “YIELD” sign due to the inherent benefit to the public health, safety, and welfare:

- A. On South Shore, at the main bridge on both sides. YIELD to school bus before proceeding.

10.5 – No Parking Zone – the Village of Lake Tanglewood has designated the following locations for a “No Parking Zone” sign due to the inherent benefit to the public health, safety, and welfare:

- A. Turtle Creek Dr., a certain tract of land located on Turtle Creek Dr. north of lot 12.
- B. North Shore Dr., next to small bridge on south side.
- C. South Shore Dr., next to large bridge.

10.6 – General Regulations – All traffic rules and laws enforceable by the State of Texas or an authorized Political Subdivision of the State are hereby adopted and enacted for the roads within the Village of Lake Tanglewood. Drivers are advised to operate vehicles in full compliance with all State Laws and regulations and the specific regulations contained in this Chapter.

10.7 – Penalty – Any person who violates any provision of this Chapter shall be guilty of a Class “C” Misdemeanor, and any such violation shall be punishable by a fine not to exceed the maximum allowed under State Law.

Chapter XI UTILITIES

Sec. 11-1. Authority to regulate.

The Village shall have the power to determine, fix, and regulate the charges, fares and rates of any person, firm, or corporation or company acting as a public utility in furnishing, gas, telephone, light, power being provided or sold or otherwise furnished to the inhabitants of this Village, and to prescribe the kind of service to be rendered, the equipment to be used, the manner in which such service shall be rendered and to change such regulations from time to time; that in order to ascertain all the facts necessary for a proper understanding of what is or should be a reasonable rate or regulation, the governing authority shall have full authority to inspect the books and other records of such person, firm or corporation and compel the attendance of witnesses for such purposes.

Accordingly, the power, authority, and privilege accorded to and delegated to the Village by the State of Texas is hereby claimed, adopted, and enacted. (Ord. 17, 2-17-75)(Amended 2003-1)

Sec. 11-2. Motor vehicles utilized by utilities.

Motor vehicles of two wheels or more, while operated by agents and employees of public utility services or business then in the course of employment and duties for such public services, shall be free to use the streets and thoroughfares of this Village. (Ord. of 8-20-74)

Chapter XII ZONING

Article 1 – Planning & Zoning Commission and Zoning Board of Adjustment

Sec. 12-1. Board established.

There is hereby created the Planning & Zoning Commission which shall be composed of the same membership of the Building Committee. The Village Board of Aldermen shall serve as the Zoning Board of Adjustment in accordance with the provisions of State law. (Ord. of 9-21-71; Ord. 18, 1-21-75; Ord. 18-A, 5-20-75, 2003-1)

Sec. 12-2. Duties, responsibilities.

In addition to the duties performed as the Building Permit Committee (see Appendix A, Art. IV et seq), the Board shall review all building permit applications for new construction or substantial improvements to assure conformity with the zoning ordinance, building code, utility requirements, and compliance with applicable state and federal policies. (Ord. 18, 1-21-71; Ord. 18-A, 5-20-75)

Sec. 12-3. Appeals from decisions.

Appeal from decisions rendered by the Board shall be to the Village governing body. (Ord. of 9-21-71)

Sec. 12-4. Building Code adopted.

For all structures within the Village of Lake Tanglewood described as one- and two- family dwellings and townhouses not more than three stories in height, there is hereby adopted the International Residential Code, 2003 edition, published by the International Code Council with the following amendments:

1. That all structures not described within the International Residential Code shall be constructed in accordance with the provisions of the Uniform Building Code, 2003 edition.
2. That the Village hereby exempts the requirements contained within the International Residential Code that govern energy efficiency and plumbing standards.
3. Permit Fees shall be those approved by the Village Council.

(Ord. of 9-21-71), (amended Ord. 12/14/01), (amended Ord. 03/19/03)

Article 2 - Zoning Ordinance

Sec. 12-11. Purpose.

The zoning districts and regulations as herein established have been made in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals and general welfare of the Village, and for the protection and preservation of places and areas of historical and cultural importance and significance. They have been designed to regulate and restrict the height, number of stories and size of buildings and other structures and to protect citizens and residents from the effects of severe weather conditions upon dwellings not designed or fabricated to withstand the same; to preserve and protect the cultural and recreational and aesthetic importance and significance of this village to its citizens and property owners, and to lessen congestion and noise in the streets and roads; to secure safety from fire, panic and disease, and other dangers; to provide light, air, and prevent the overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, sewers, schools, parks and other public requirements; and with a view of conserving the value of buildings and encouraging the most appropriate use of land and the body of water throughout the Village. (Ord. 10, Sec. 2-2, 7-6-71)

Sec. 12-12. Zoning districts.

There are and shall be hereby created and ordained several zoned districts of the Village which are hereinafter described in alphabetical order.

District A, Single-family residential.

The lots, tracts and parcels of land lying within the areas and boundaries of that which is herein called "District A" are the places where living quarters for any such owners, lessees, or sub lessees are, or may hereafter be, maintained by them. District A as herein defined and described constitutes and includes the parcels of land whose highest and best uses have been determined to be for single-family, permanent and/or vacational or recreational residences and designed and constructed so as to make the best use of the qualities and purposes of that land. Therefore, the boundaries, areas, and locations of all lands constituting District A shall be those lands not hereinafter described as being parts of other Districts.

Uses of land within District A.

All lots tracts, and parcels of land lying within the Village limits and boundaries which are part of District A shall be used only for permanently constructed, single-family residences which are affixed and attached by pier and beam or concrete slab foundations to the land itself, which residences shall hereafter be constructed, enlarged and/or added on to only after submission of plans and specifications therefore in writing to the Village Building Committee for its consideration and approval, and no such residences or addition shall be commenced until the Building Committee shall have issued a written permit for the commencement and completion thereof, such permit to be issued by such

Committee after it has inspected and approved such plans and specification. However, if such plans and specifications shall not, in the opinion of the Committee, fulfill the uses described and defined above for District A construction, then no permit shall be issued and such construction shall not be performed within such district.

District B, Commercial, service and active recreational areas.

The lands, tracts and parcels of land situated in District B, as hereinafter defined and described, are now being used, and shall hereafter be used as the means and locations whereby the lands and residences and areas within District A may be made and kept more desirable and functional places to live and enjoy wholesome recreations and to be free from nuisances and disturbances.

District B is and shall be described and identified as being all lots, and parcels of land now being used for restaurant, clubhouse and meeting facilities, and for mail pickup and delivery boxes, as well as all parking areas and facilities now adjacent to and surrounding same and which are now in use as such; also the boat docking areas at the restaurant building and the filling and service station facilities thereat; and all of the area presently occupied by the nine-hole golf course, including fairways, roughs, and the putting greens and the lands presently occupied by the shop buildings and service machinery as well as all land areas within 50 feet of said facilities and buildings, but only the parts thereof which are situated within the limits and boundaries of the Village as same are shown on the map or plat and metes and bounds descriptions of said Village which are on file in the records of the County Clerk of Randall County, Texas, reference to which is here made. The lots, tracts and parcels of land in District B as herein defined is and shall be hereby restricted only to the aforesaid uses. (Ord. 10, Sec. 2-3, 7-6-71)

Sec. 12-13. Mobile home courts, trailer parks.

(a) It shall be unlawful to use any mobile home, house trailer, motor home, or any other type of mobile or transportable residence as a place of either temporary or permanent abode or residence inside the boundaries and limits of the Village. (Ord. 10, Sec. 2-4, 7-6-71, 2003-1)

(b) Nothing herein shall be construed as prohibiting the owner of a lot from parking his vacation house trailer or motor home on his property; further, nothing herein shall prohibit the owner or occupant of a residence from parking his own or his guests' vacation trailer or motor home upon his own property as long as adequate sanitary conditions are provided and as long as such parking is not upon any public road or right-of-way and shall not be occupied by the member of his guest in excess of seven (7) days at any one time or thirty (30) days in one year. (Res. Of 8-19-75)

(c) This section's provisions are enacted for the purpose of preventing blight upon the special and desirable aesthetic qualities of this Village, and are part of a comprehensive plan to effectuate and preserve such qualities, the destruction or impairment of any of which would constitute a public nuisance. (Ord. 10, Sec. 2-4, 7-6-71)

Appendix A

VILLAGE BUILDING CODE

Article I. Purpose.

The Village of Lake Tanglewood is a recreational and resort community having as its central attraction the lake waters around which the community exists. It is the intent and purpose of each provision herein ordained to preserve the recreational and resort features of this village so as to complement the community and to provide an orderly and defined code that will govern and control, as well as to guide and regulate, all construction projects of whatsoever size and type, intending hereby to preserve and protect the value of the lake itself and the property of those holding leases, sub-leases, or fee-simple title to any real property within the boundaries of the village—also to protect all people within the Village from fire and other hazards to life, health, and property that might result from any failure to properly regulate construction. (Ord. of 12-20-83, Art. II)

Article II. Protection from ex post facto provisions.

(a) All building permits issued prior to the effective date of this Code shall remain in full force and effect, and shall be governed by applicable ordinances in effect at the time such permit was issued, and any re-issue of such permit shall be subject to the provisions of the prior existing building code.

(b) All projects for construction that are subject to existing building permits which are not completed within one (1) year from the date of the original building permit shall require a new permit pursuant to the terms and provisions for the ordinance that applied to it at the time of the original permit. (Ord. of 12-20-83, Art. III)

Article III. Definitions.

The following words terms and phrases shall have the meaning ascribed to them and shall apply to this code and the enforcement thereof:

- (a) “Council” -The Mayor and Aldermen as the governing body of the Village;
- (b) “Committee” - The Building Committee of Lake Tanglewood;
- (c) “Police Chief” – The Village Police Chief, or his deputies, charged with the keeping of the peace, and enforcing all of the Village ordinances; (amended Ord. 7-13-00)
- (d) “Building permit” – A written document of a form prepared and approved by the Committee, applied for by the owner of any lot, which is the site of a proposed construction, which document represents and evidences approval by the Committee for beginning ground breaking and conducting construction;
- (e) “Owner” – Any person, firm, or corporation who is lessee of a written

sub-lease agreement on any lot within the village, or said individual's heirs, personal representatives, or assigns which or who have been approved as such by Lake Tanglewood, Inc., or by Lake Shores, Inc.;

- (f) "Structure" – Any building, whether residential or non-residential in function, whether attached to or detached from any existing building or separate building;
- (g) "Alteration" – Any change to a structure or its exterior materials or shape visible from any other lot or roadway or waterway whosoever;
- (h) "Estimated cost" – Shall be the approximate amount of money expended or estimated to be expended by the owner in the alteration or construction of any structure under any one of the following situations:
 - (A) Performed by owner only – shall be the projected cost of material and actual expenses projected for assisting labor;
 - (B) Performed by contractor – shall be the contract price established between the owner and the contractor;
 - (C) Performed by owner as contractor – Shall be the sum of the total of contracts between owner and all sub-contractors, adding to that sum the estimated cost of all materials supplied and to be supplied by the owner, for a total value;
- (i) "Front lot setback" – Shall be the distance from any structure to outer boundaries which are adjacent to any roadway or routes;
- (j) "Side lot setbacks" – Shall be the distance from any structure to the outer boundaries of the lot where begins property not under lease to the owner;
- (k) "Portable building" – Shall constitute any structure whatsoever made of pre-constructed portions which are not built upon the site within the Village at which they are designed to permanently stand and remain erected;
- (l) "Outbuildings-Accessory buildings" – Accessory buildings and outbuildings for the purposes of this code are synonymous. They are defined as any structure over 4X4X6, on any lot that is intended to house anything other than persons, i.e. being for motor vehicles, tools, or other uses than residential;
- (m) "Completed construction" – Shall mean having the exterior of the structure in a finished state, ready for final inspection of the Building Committee or lending institution, with all building materials, scrap and waste removed from the job site. (Ord. of 12-20-83, Art. IV)

Article IV. Building permit committee.

- (a) There shall be, for the purpose of issuing building permits, a committee of three persons appointed by the Mayor, with the advice and consent of the

- governing body, with one of its members appointed to be the chairperson, who shall discuss and arrive at interpretations of the provisions of this code, and such other matters as said committee shall deem appropriate, including but not limited to the review of applications for building permits; (amended Ord. of 1-16-96, 2003-1)
- (b) All appointments shall be by the Mayor with the advice and consent of the governing body and shall be in open meeting of the council in regular session; however nothing herein shall prevent the discussion of the merits of persons under consideration being held in closed session at the discretion of the council;
 - (c) The members of the building committee, and its chairperson shall serve at the will of the Mayor who may, and shall have the power to terminate any member's appointment and tenure for good cause with the advice and consent of the council, and in the sole discretion of the Mayor and council;
 - (d) No person shall be eligible for appointment to the committee other than residents of the Village;
 - (e) Any committee member may, individually, receive plans for construction; however, before issuing a permit, two members of the building committee shall approve the permit. (amended Ord. of 1-16-96)
 - (f) The latest edition of the International Residential Code or Uniform Building Code, as appropriate and referenced in Sec. 12-4, shall be the guide of the committee in any requirement or direction it may make hereunder. (Ord. of 12-20-83, Art. V), (amended Ord. 12-14-01), (amended Ord. 03-19-02)

Article V. Permit application; time; prerequisites.

- (a) At least seven (7) days before groundbreaking of any structure or the commencement of any alteration of or to any building, the owner shall present two sets of plans and sketches of such structure or alteration to one or more members of the committee;
- (b) After action is taken on such sketches and plans, one set thereof shall be returned to the owner and one retained by the Village for its records;
- (c) All plans and sketches must be accompanied by a plat of the land upon which the improvements are to be erected, which shall show the exact location of all proposed structures and all setbacks whatsoever;
- (d) A condition of the permit being approved SHALL be the clear location and identification on the plat of all corners of the lot upon which any structure or alteration or addition is to be erected, same to be done and certified on the plat by a Registered Public Surveyor;
- (e) No building permit issued in accordance with the provisions of this code and/or ordinances shall be valid or in effect for longer than one year following the date of its issuance. Therefore, anything to the contrary in the building ordinances notwithstanding, at the expiration of one year following the issuance of a building permit by the building committee, such permit shall expire, terminate, and be of no further force or effect;

and, thereafter, in order to continue with any building or construction theretofore commenced the owner-builder thereof shall re-apply to the committee and repeat every required formality needed to obtain such a permit and shall, in addition, again pay the full required fee for a permit as set by ordinance. No more than two (2) years will be allowed to complete construction. (Ord. of 12-20-83, Art. VI)

- (f) Every structure erected within the Village shall be constructed upon the site where it is to remain, and shall be made of wood, masonry, concrete, stone or brick, or some other permanent substance approved by the building committee to comply with the building code.

Article VI. Permit fees.

- (a) Permits for construction of buildings shall be charged the fee currently in effect and approved by the governing body. This fee shall be calculated based on the square footage of building coverage, including patios, garages, and outbuildings; (amended Ord 2003-1)
- (b) Permits for alterations shall be charged the fee currently in effect and approved by the governing body; (amended Ord 2003-1)
- (c) In no event shall a fee for any permit be less than \$30.00 for each permit requested or issued hereunder. (Ord. of 12-20-83, Art. VII)

Article VII. Groundbreaking and erosion.

- (a) Extensive soil breaking or lot leveling upon any unimproved lot or lots shall be initiated no more than one (1) year before the completion of the project. That is, once any such ground breaking or dirt work is commenced, then the purpose for which same is commenced shall be completed in one year thereafter.
- (b) Failure to observe this provision shall obligate the owner to take affirmative action to prevent any erosion to the soil, high weeds, or other nuisances created by allowing the lot surface to remain in this condition. Any extensive clearing of a lot of natural flora will require planting and cultivation of ground cover to prevent erosion and blowing conditions of a nuisance nature. (Ord. of 12-20-83, Art. VIII)

Article VIII. Provisions for preservation of public health.

The public health laws applicable to cities and villages shall be and remain a part of this code, and is hereby adopted by reference. It is required that septic tanks, and all drain field planning therefore, as well as the location and elevation plans and specifications shall be presented, in every instance, to the Bi-City-County Health Department of the City of Amarillo and Randall County, and first approved in writing by that Department and a permit obtained for any building or structure of any nature from which any waste of any kind may be discharged. (Ord. of 12-20-83, Art. IX)

Article IX. Chemical toilets.

When any lot is being occupied or use for any purpose without sewage disposal facilities meeting the foregoing requirements, or when construction is in progress thereon, a portable and chemical, self-contained human waste disposal facility, of the type approved by the Bi-City-County Health Department shall be used and shall be maintained pursuant to and in accordance with the health laws of this State. Such unit, upon completion of such project must be removed intact without any spillage or drainage there from anywhere within the Village boundaries. No such facility for waste disposal herein described shall be used anywhere within the Village except temporarily, and only for the purpose of meeting the sanitary needs of work personnel while erecting buildings the construction of which has been approved by the building committee. (Ord. of 12-20-83, Art. X)

Article X. Portable buildings prohibited.

Portable buildings prohibited (except boathouses). Regardless of size, weight, structure or materials, no portable shed, outbuilding, garage, dwelling, house, or other structure (whether new or used) shall be moved into the Village of Lake Tanglewood. Every structure erected within the Village shall be constructed on the site on a concrete slab, where it is to remain.

Docks or boathouse whose sole purpose is to be placed on the lake may be preconstructed in accordance with an approved design and building permit.

(Ord. of 12-20-83, Art. XI) (amended Ord. of 1-16-96)

Article XI. Outbuildings and accessory structures.

When any residential lot in the Village has been improved by the construction of a residence, then any outbuildings, storage buildings, garages, recreational vehicle or trailer shelters, etc. shall be masonry, concrete, stone, brick or some other permanent material satisfactory to the building committee. Materials used for any outbuilding must be constructed of the same materials that the house was built with. (amended Ord. of 03/05/04)

Any prefab building or components larger than 4x4x6 shall be approved by the building committee. (amended Ord. of 1-16-96), (amended Ord. of 11/08/04)

Article XII. Boathouses, walk-ways and swimming docks.

(a) No boathouse shall be approved by the building committee that does not blend architecturally with and add to the appearance, favorably, of the property to which it is attached, in the **sole discretion of the building committee**; each plan for boathouse/boat dock will be reviewed for approval on an individual basis. (amended Ord. of 11/08/04)

(b) Any boat house, dock, or pier intended to be erected or placed by any owner shall first be planned and a written plan thereof presented to the building committee in duplicate, showing the type of construction and the location at which the

same is to be placed, with special attention in the plan to the anchoring system the owner will use and the details thereof, so that the same shall be in the opinion of the committee properly secured and anchored to the land;

(c) All boathouses and boat docks shall have frames of steel, but in other areas where wood is used in any part thereof, all corners and angles bolted through the wood members;

(d) Living quarters, cooking facilities, and toilets or other waste disposal systems are prohibited from being placed or used on any boathouses or docks;

(e) Boathouse, Walk-ways and Swimming Docks

1). Boathouses will not be taller than 10' at eve and 12' at ridge, measured from dock deck. No more than base dock level and single deck about this dock to be no more than 8' from bottom dock surface to top of deck surface. The highest structure above the upper deck to be handrails and shall be no higher than 36". The area between the upper deck and hand rails shall not be made of solid material as to not obstruct views. Overhang of eaves will be limited to 18'.

2). No boathouse or boat dock or swimming dock shall be larger than 30 X 30 feet (30' X 30'); one attached dock no larger than 10' X 30', and one walkway no larger than 30', or "Each owner or resident is entitled to no more than one (1) boathouse no larger than 32'X30' **without** a deck." (amended Ord. of 04/12/03)

3). A licensed electrician will be used to do any electrical work and water safety approved materials will be used.

4). House number and street address will be placed on all boathouses and docks. Numbers and letters will be 3 – 4 inches high and made of reflective material for night viewing.

5). Decks and dock in yards cannot extend over the water without special permission from the corporation.

6). Portable and/or inflatable docks (i.e. trampolines, jet ski lifts) are limited to 120 square feet of additional floating apparatus per lake front lot. These devices must be secured at all times. Such apparatuses must be confined to homeowner's property and shall not impede the neighbor's property. These devices (trampolines, jet ski lifts, etc.) can go no farther out than 60 feet from the spillway height of the lake and not to exceed further out than entry to boathouse.

7). Definition: A SWIM DECK or DOCK is a platform in the water that can be attached to a boathouse and if no boathouse exists, can be independently secured according to rules and regulations. A lot owner can have only ONE of these decks or docks and requires a building permit and one inspection.

Definition: YARD DECK by definition...decks built in a lot owner's yard.

8). The 10 feet closest to the water on a lot is controlled by Lake Tanglewood Corporation for emergency vehicle use. To build on the closest 10 feet to the water, an owner needs approval from the L.T. Corporation giving the right to use these 10 feet. If a homeowner decides

to build on that 10 feet, after getting Corporation approval, then the home owner is responsible for the repair of any damage to property caused with an emergency vehicle. The L.T. Corporation or Village is not responsible.

9). Retaining Wall: It is the responsibility of each lot owner to build and maintain retaining wall to help with dirt and movement of water problems on his lot. If a retaining wall higher than 4 feet is planned, a building permit must be obtained and must include a professional engineer's design or drawing, attached to the application for a permit. The retaining wall requires one inspection.

10). Building Permit Violation: Failure to get a building permit or permission to build over water before construction begins is subject to an automatic \$500.00 fine for both the homeowner and contractor. (Ord. of 7-10-06)

- (f) No boat house or swimming dock shall be smaller than 120 square feet;
- (g) No walkway to any structure shall extend more than 30 feet out into the lake or any cove of the lake measure from the edge of the water at spillway level;
- (h) Swimming docks shall not extend more than 30 feet out into the lake or any cove of the lake measured from the edge of the water at spillway level;
- (i) Due to the limitation of area and water and room to fish and navigate in coves, when contemplated to be placed in any cove, no boathouse or dock shall extend into the cove which might impair, prevent or inhibit boat traffic in or out of the cove. There shall, in such situations where boat docks or boathouses in any cove are the subject of any request for a building permit from the committee, be a minimum of 15 feet from the edge of the boathouse or boat dock to the center of the cove in which it is to be situated. Measurements shall be computed from the spillway height. If these requirements cannot be met, it shall be within the discretion of the committee to refuse to permit any boat dock or boat house that does not meet the requirements of this provision.
- (j) All anchoring of boathouses or boat docks shall be from bank side, with two corners thereof to be anchored, as well as the walkway thereto. Anchor lines shall be allowed for the deep water side if they are weighted lines dropped straight down to the bed of the lake subject to approval of the committee. All anchoring shall be done in order to withstand high winds.
- (k) Boathouses and docks shall be positioned in a manner so that when a boat is enter the same, it shall be doing so at right angles to the bank of the lake at that point;
- (l) Flotation and anchoring of all boat houses and docks shall be maintained at all times by the owner, keeping the boat house or dock in its original position, floating level with the lake surface and having a stable appearance, with ENCAPSULATED FOAM FLOTATION ONLY (Ord. of 9-12-05);
- (m) No flotation means for docks and/or boathouses hereafter erected shall be of anything other than foam flotation;
- (n) Breakwaters, whether floating or otherwise, are prohibited;
- (o) No boathouse, dock, or pier shall be moved from its location where it was when this code was enacted or where it was when approved, hereafter, by the committee without the owner first obtaining a written permit the same as for any other structure provided for hereinabove. In such an instance such a structure shall be in good repair and flotation. (Ord. of 12-20-83, Art. XIII)

(p) Any boathouse, dock or pier constructed adjacent to the property of an owner shall be for the sole use of that resident and no leasing or rental to others is allowed.

(q) Each owner or resident is entitled to no more than one (1) boathouse no larger than 30' x 30', one attached dock no larger than 10' x 30', and one walkway no longer than 30'. An owner is described as the holder of one Lake Tanglewood Club Membership who is a sub-lessee of one lot or two lots combined. (added Ord. 11/21/00)

Article XIII. Front lot setback.

(a) Any building used for residential purposes shall have and maintain a front lot setback of a minimum of 25 feet from any part of the structure to the original roadway pavement edge. This setback is also required of attached garages which are attached or to be attached to any part of the residence.

(b) Garage. Any detached garage, i.e. any garage that is not attached to a residential structure, shall have its port or opening for vehicles no closer than 20 feet from any alley, roadway, or street.

(c) Where any garage opening of any detached garage lies perpendicular with only an alley, said garage may be situated no nearer than two feet from the edge of said alley.

(d) Of all other buildings and structures whatsoever, the 25 foot setback is required and shall be observed. (Ord. of 12-20-83, Art. XIV)

Article XIV. Side lot setback.

(a) Any residential structure, including attached garages or other attached buildings shall observe a side lot setback of ten percent of the width of the structure, but no less than five feet from any side lot line.

(b) Any detached garage shall observe a minimum of five feet side lot setback. (Ord. of 12-20-83, Art. XV)

Article XV. Residential structures.

(a) No foundation of any residential structure shall be laid upon the ground where the lowest portion of the surface of the foundation thereof is less than 9 feet above the level of the spillway of the lake; where the building is within the zone identified as the flood zone on the Village Flood Control Map promulgated by the United States – i.e. within the 100 year flood area.

Lots upon which construction permits are sought and which are situated within the 100 year flood plain, are subject to being reported to the flood plain inspector for the village and for his inspection and approval prior to the construction of any improvements.

(b) All new residential buildings shall consist of a minimum of 1,750 square feet, exclusive of open porches, garages, patios, and other attached or detached structures, and such measurement shall be determined from outer walls to outer walls.

(c) Nothing herein shall prevent alterations to residential buildings in place at the time of this ordinance where the square footage of such building is under 1,750 square feet before and after such alterations or construction thereof. (Ord. 12-20-83, Art. XVI)

(d) All add-on or addition to a house must have a common wall and roofline with the main dwelling (Ord. 9-12-05)

Article XVI. Refuse.

During construction and alterations, all building sites shall be kept clear of refuse, trash, rubbish, and other unsightly debris. All refuse, debris, trash and rubbish from any and all construction projects, including alterations, shall be picked up by or under the direction of the owner and removed from the limits of the Village. (Ord. of 12-20-83, Art. XVII)

Article XVII. Variances.

In the sole discretion of the Village Council, variance from the provisions hereof may be granted by the Council if requested in writing for good cause shown. No variance shall be granted in the event of an intentional violation prior to the request for variance and granting thereof. (Ord. of 11-2-83, Art. XX)

Article XVIII. Driveways.

For any driveway or roadway which intersects a main road artery, a culvert of no less than 14 inches in diameter with concrete culvert horns is required as such an intersection unless otherwise determined by the Chairman of the Building Code.

Article XIX. Penalties.

(a) Any person who violates any provision of this Building Code shall be, upon conviction, punished as provided in Section 1-5 of this Code.

(b) The building committee or any Police Officer shall be entitled in the discretion of such official to administer a warning to any offender prior to the filing of any criminal complaint under any provision hereof. Such warning may be by word of mouth or by letter from Village authorities. (amended Ord. 7-13-00)

(c) Failure to obtain a building permit as hereinabove provided shall not be subject to the same fine as provided in (a) above, but shall instead be punishable by a fine not to exceed \$100.00 per day for each day after groundbreaking and until a written permit is obtained as required in this code; and each day of violation shall constitute a separate offense.

(d) Notwithstanding any criminal penalty that may be applicable and result from any conduct herein prohibited, it is further provided that any threatened violations and/or any violation of any provision hereof by anyone whomsoever shall be subject to an action for temporary restraining order, temporary injunction and permanent injunction

at the instance of the Village Council or any citizen of the Village, and any District Court of Randall County shall have jurisdiction and venue to entertain and pass judgment finally upon any such action so brought. (Ord. of 12-20-83, Art. XIX)