

CITY OF WAXAHACHIE, TEXAS
ORDINANCE NO. 3379

AN ORDINANCE OF THE CITY OF WAXAHACHIE, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE CITY OF WAXAHACHIE BY ADDING TO THE CODE ARTICLE XV, "VACANT STRUCTURE REGULATIONS IN DESIGNATED AREAS," TO PROVIDE REQUIREMENTS FOR VACANT COMMERCIAL BUILDINGS, STRUCTURES, AND PROPERTY LOCATED IN THE CITY'S DOWNTOWN HISTORIC DISTRICT OVERLAY; PROVIDING FOR REGISTRATION; PROVIDING FOR DESIGNATION OF A PROPERTY MANAGER OR AGENT; PROVIDING FOR A STANDARD OF CARE; PROVIDING FOR A REGISTRATION FEE; PROVIDING FOR WAIVERS; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR ENFORCEMENT AND PENALTIES; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, it is the expectation of the City that owners of commercial buildings and similar types of structures will maintain, repair, or offer for sale vacant buildings that do not comply with the City's Building, Mechanical, Electrical, Plumbing, Energy Codes; and

WHEREAS, vacant and abandoned commercial structures can harm the community as such structures can deteriorate, become public nuisances and substandard structures, create threats to public safety and welfare, and can be a cause of neighborhood deterioration; and

WHEREAS, the costs of abating, securing or demolishing such buildings often become, by default, the responsibility of the City, causing taxpayers to bear the costs of remedial action; and

WHEREAS, the purpose of this Ordinance to ensure that owners of such buildings cannot evade their legal responsibilities to abate, maintain, or demolish such structures; and

WHEREAS, the City Council has determined that in order to protect and maintain the unique and significant nature of the Downtown Historic Overlay District for the economic benefit of the City, its residents and its visitors, it is necessary to require property owners of vacant commercial structures to maintain their properties in good repair so that they are sound and sanitary, and so that said properties do not detract from the economic value and utility of neighboring properties.

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

SECTION 1

INCORPORATION OF PREMISES

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

SECTION 2

AMENDMENTS

That the City of Waxahachie Code of Ordinances, Chapter 8, "Building," is hereby amended by adding Article XV, to be entitled "VACANT STRUCTURE REGULATIONS IN DESIGNATED AREAS," which shall be read in its entirety as shown in the attached "Exhibit A", which is attached hereto and incorporated herein for all purposes.

SECTION 3

CUMULATIVE REPEALER

That this Ordinance shall be cumulative of all other Ordinances and shall not repeal any of the provisions of such Ordinances except for those instances where there are direct conflicts with the provisions of this Ordinance. Ordinances or parts thereof in force at the time this Ordinance shall take effect and that are inconsistent with this Ordinance are hereby repealed to the extent that they are inconsistent with this Ordinance. Provided however, that any complaint, action, claim or lawsuit which has been initiated or has arisen under or pursuant to such Ordinance on the date of adoption of this Ordinance shall continue to be governed by the provisions of that Ordinance and for that purpose the Ordinance shall remain in full force and effect.

SECTION 4

ENFORCEMENT AND PENALTY CLAUSE

An offense committed before the effective date of this Ordinance is governed by prior law and the provisions of the Code of Ordinances, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose. It shall be unlawful for any person to violate any provision of this Ordinance, and any person violating or failing to comply with any provision of this Ordinance shall be fined, upon conviction, as provided by section 1-12 of the City's Code, and a separate offense shall be deemed committed each day during or on which a violation occurs or continues. Each day such violation continues shall be deemed a separate offense.

SECTION 5

SEVERABILITY CLAUSE

That should any sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this Ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Code of Ordinances as a whole. City Council hereby declares it would have passed such remaining portions of this Ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

SECTION 6

EFFECTIVE DATE

This ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and charter in such cases provides.

DULY PASSED by the City Council of the City of Waxahachie, Texas, this the 19th day of June, 2023.



CITY OF WAXAHACHIE, TEXAS



DAVID HILL, MAYOR

ATTEST:



AMBER VILLARREAL, CITY SECRETARY

APPROVED AS TO FORM



ROBERT F. BROWN, CITY ATTORNEY

Exhibit "A"

ARTICLE XV. VACANT STRUCTURE REGULATIONS IN DESIGNATED AREAS

Sec. 8-80. Definitions.

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

City means the City of Waxahachie, Texas.

City Manager refers to the City Manager for the City of Waxahachie, Texas, and his/her designees.

Lawful activity means the use/occupancy of a building that is lawfully authorized by a certificate of occupancy issued by the City's Building and Community Services Department.

Owner means any person, agent, firm, partnership or corporation having a legal interest in the property or legal right of possession, or been given a legal power of attorney to act on behalf of such person.

Person shall mean any person, firm, partnership, corporation, or other legal entity that is hired, employed, or used by an owner.

Secured means that all accessible means of ingress and egress to the vacant structure including, but not limited to, all exterior doorways and windows, are locked so as to prevent unauthorized entry into the structure.

Temporarily secured means that all accessible means of ingress and egress to the vacant structure including, but not limited to, all exterior doorways and windows, are covered with plywood or other suitable materials which has been nailed or bolted in place to prevent unauthorized entry.

Structure means that which is built or constructed, and includes an enclosed building, open building, and partially open building.

Unoccupied means not being used for a lawful occupancy.

Vacant structure means a commercial structure that is unoccupied and/or that all lawful activity has ceased, or reasonably appears to have ceased, for at least 60 or more consecutive calendar days. This provision excludes seasonal businesses which use has not ceased for a period exceeding 365 days.

Sec. 8-81. Purpose, Applicability and Administration.

(a) The City Council finds and declares that:

- (1) Commercial structures that are vacant and unsecured and/or not properly maintained attract trespassers such as vagrants, criminals and other non-invitees as prime locations to conduct illegal criminal activities or otherwise commit mischievous acts.
- (2) Commercial structures that are vacant and unsecured and/or not properly maintained are vulnerable to being set on fire by unauthorized persons.
- (3) Commercial structures that are vacant and unsecured and/or not properly maintained are a blight and cause deterioration and instability in neighboring properties and surrounding areas.
- (4) Commercial structures that are vacant and unsecured and/or not properly maintained pose serious threats to the public's health and safety.
- (5) Abatement and rehabilitation of commercial structures that are vacant and unsecured and/or not properly maintained are necessary.
- (6) Commercial structures that are vacant and unsecured and/or not properly maintained are declared to be public nuisances.
- (7) The purpose of this Article is to protect the public health, safety, and welfare of the City, its residents and its visitors.

(b) This Article shall apply to all vacant structures, as defined herein, which are now in existence or which may hereafter be constructed or converted from other uses and which are within the City's Downtown Historic Overlay District.

- (c) The City Manager or his/her designee is authorized to administer and enforce the provisions of this Article and to make all necessary inspections, to issue citations, to give notice, to file applicable charges and to otherwise cooperate in the enforcement of this Article.
- (d) The City Manager or his/her designee shall have the authority to render interpretations of this Article and to adopt policies and procedures to clarify the application of its provisions, and may, at his/her sole discretion, enter into an agreement with a registered property owner to obtain compliance with this Article by a date certain.

Sec. 8-82. Registration Required.

- (a) Upon vacancy of a structure, or if vacant at the time of adoption of this Article, a property owner shall within 120 days register as provided by this Article. The City may issue a written notice of vacancy which shall be issued to the vacant structure property owner by means of personal service, or by first class mail to their last known address according to the county appraisal district records, and by posting on the property.
- (b) Upon the issuance of notice of vacancy, property owners within 120 days shall register with the City and provide the following information verified under oath and on a form prescribed by the City:
 - (1) The address and legal description of the property;
 - (2) The current name, physical address, mailing address, driver's license, telephone number, and email information for any owner(s) with an ownership interest in the property, all known lienholders and all other parties with an ownership interest in the property. Corporations or corporate entities shall submit the same information pertaining to their registered agent.
 - (3) The contact information for a property manager of the properties and/or improvements located on said property, as applicable, and whether the property manager has the authority to independently act on the owner's behalf to repair or maintain the property.
 - (4) Proof of liability insurance of not less than \$250,000 for the property and/or a surety bond for the value of the structure if insurance cannot be obtained. Said value shall be the appraised value as determined by the Ellis Central Appraisal District.
 - (5) Provide a detailed timeline and plan for correcting violations, rehabilitation, and maintenance while vacant regarding a standard of care pursuant to this Article. If the owner does not intend to occupy the structure in the future, the owner must, at a minimum, demonstrate the property is actively marketed for-sale, or for-lease, and install a for-lease or for-sale sign on the premises with current contact information. The timeline and plan required by this section shall include the following for all vacant structures:
 - (A) The period of time the structure is expected to remain vacant;
 - (B) If the owner plans to return the structure to a lawful occupancy and use, the estimated date for returning the structure to a lawful occupancy and use;
 - (C) If the owner proposes to rehabilitate or renovate the structure, the date the structure rehabilitation or renovation is scheduled to commence and be completed;
 - (D) If the owner proposes to retain the structure, the measures that will be taken to try to reduce any adverse impact on the property values of adjacent property from the retention of the vacant structure;
 - (E) A plan for regular maintenance of the structure during the period of vacancy with certification that the structure is compliant with all applicable codes;
 - (F) Measures the owner will employ to secure the structure, which may include one or more of the following methods:
 - (i) Installation and maintenance of adequate windows and doors together with locks designed to secure the structure;

- (ii) Installation and maintenance of security shutters, grills, and bars for windows and doors;
 - (iii) Installation, operation, and monitoring of an electronic security system, which monitors windows and doors by glass breakage or motion sensors, and a method of responding to alarms from the electronic security system, other than sole reliance on the city's police department;
 - (iv) Installation of boards on windows and doors pursuant to this Article for temporarily secured structures, which temporary secured status shall not exceed 30 days; and/or
 - (v) Any other method approved by the City Manager or his/her designee.
- (G) Measures the owner will employ to monitor and inspect the property on a weekly basis, which monitoring and inspection must be performed by the owner, property manager, or an agent of the owner with full authority to maintain and make repairs to the property on a weekly basis;
- (H) Any reasonably related additional information required by the City Manager or his/her designee.
- (6) Vacant structure property owners shall provide written notice to the City Manager or his/her designee, including a copy of the deed or instrument of conveyance, of any change in:
- a. Ownership of the property;
 - b. Contact information for either the owner or designated property manager. Written notice must be provided to the City no later than 30 days after said changes have occurred.
- (c) The registration submitted by the owner must be complete and sufficient to be approved by City Manager or his/her designee.
- (d) Registration is valid for one year from the date the registration is approved by the City Manager or his/her designee, unless the ownership of the property changes.
- (e) The owner of a registered vacant structure shall be required to disclose to any buyer that the property is under registration with the City as a vacant structure. The owner shall also disclose the requirement for the buyer to advise the City Manager or his/her designee of the requirements of this Article within ninety (90) days of closing.
- (f) If a change other than described in (e) of this section occurs during the period the registration is otherwise valid, the owner shall be required to update the registration with the City Manager or his/her designee within thirty (30) days of the change.
- (g) Continued annual registration of the property by the vacant structure property owner is required until said structure is deemed occupied and in compliance with all relevant code requirements by the City Manager or his/her designee.
- (h) If the owner disputes the City Manager or his/her designee's determination that the structure should be classified as a vacant structure under this Article, the owner shall file a written notice of appeal with the City Manager or his/her designee within ten (10) days from receipt of the notice provided in this Article. The appeal shall be verified under oath and shall be on a form prescribed by the City. The City Manager and his/her designee shall schedule a hearing before the city council to determine whether the structure should be classified as a vacant structure under this Article.
- (i) The City Manager and his/her designee shall revoke any registration for which the owner has failed to comply with the timetables specified in the registration form pursuant to this Article. Should a registration be revoked, the owner of the unregistered vacant structure shall have seven (7) days from the date of the notice of the revocation to file a new registration with the City Manager or his/her designee and pay a new registration fee.

Sec. 8-83. Property Manager or Agent

- (a) Vacant structure property owners must designate a local manager for said properties and include the relevant contact information for the designated manager upon registering the property with the City. The property manager shall serve as agent for the property owner for purposes of accepting legal service; however, the vacant property owner remains personally liable in criminal prosecutions for code violations.
- (b) The property manager or agent must be available at the number listed at all times in the event of an emergency or catastrophe.

Sec.8-84. Standard of Care for Vacant Property and Inspections.

- (a) The standard of care shall follow the appropriate City codes including, but not limited to, the following:
 - (1) Protective treatment: All exterior surfaces, including but not limited to, doors, door and window frames, cornices, porches, trim, balconies, decks and fences, shall be maintained weather tight and in such condition to prevent the entry of rodents and other pests. All exposed wood or metal surfaces subject to rust or corrosion, other than decay resistant woods or surfaces designed for stabilization by oxidation shall be protected from the elements and against decay or rust by periodic application of weather coating materials such as paint or similar surface treatment. All surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion. Oxidation stains shall be removed from exterior surfaces. All siding, cladding and masonry joints, as well as those between the building envelope and the perimeter of windows, doors and skylights, shall be maintained weather resistant and water tight.
 - (2) Premises identification: The property shall have address numbers placed in a position to be plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters. Numbers shall be a minimum of four inches high with a minimum stroke width of one-half inch. All buildings shall display a vacant building identification placard as required by the City Manager.
 - (3) Structure: All structural members and foundation shall be maintained free from deterioration and shall be capable of safely supporting the imposed loads.
 - (4) Exterior walls: All exterior walls shall be free from holes, breaks, loose or rotting materials, and graffiti.
 - (5) Roof and drainage: The roof and flashing shall not have defects that admit rain. Roof drainage shall be adequate to prevent accumulation, dampness or deterioration. Roof drains, gutters and downspouts shall be free from obstructions and operational.
 - (6) Decorative features: All cornices, belt courses, corbels, applications, wall facings and similar decorative features shall be maintained with proper anchorage and in a safe condition.
 - (7) Overhang extensions and awnings: All overhang extensions including, but not limited to canopies, marquees, signs, awnings, and fire escapes shall be properly anchored and supported.
 - (8) Stairways, decks, porches and balconies: Every exterior stairway, deck, porch and balcony, and all appurtenances attached thereto, shall be maintained with proper anchorage and capable of supporting the imposed loads.
 - (9) Chimneys and towers: All chimneys, cooling towers, smoke stacks and similar appurtenances shall be maintained structurally safe and sound.
 - (10) Handrails and guards: Every exterior handrail and guard shall be firmly fastened and capable of supporting normally imposed loads.
 - (11) Window, skylight and door: Every window, storefront, skylight and exterior door part, including but not limited to the frame, the trim, window screens and hardware shall be kept in sound condition. All broken or missing windows shall be replaced with glass and secured in a manner to prevent unauthorized entry. All broken or missing doors shall be replaced with new doors which shall be secured to prevent unauthorized entry. Locks at all exterior doors, exterior attic access, windows, or exterior hatchways shall tightly secure the opening. Windows and doors shall not be

secured by plywood or other similar means mounted on the exterior except as a temporary securing measure (which shall not exceed 30 days), and the same shall be removed within a period designated by the City Manager.

- (12) Secure and maintain the property, both structure and grounds, against trespasser, including maintaining all windows and doors with locks, replacing all broken doors and windows, and securing any other openings into the structure that are readily accessible to trespassers. In the event that a window or windows cannot be maintained as required herein, the owner or property manager shall secure windows that are visible from any public right of way with rigid transparent material such as but not limited to clear Lexan type material. No opaque (typically plywood) boarding materials shall be used where visible from a public right of way.
 - (13) Weather protection of all exterior surfaces shall be maintained, including paint on exterior wood surfaces.
 - (14) Both interior and exterior areas of the property shall be kept free of accumulations of junk, trash, debris, combustible or other materials such as would constitute an unsafe, unsanitary or unsightly condition or appearance. The building shall not be utilized for storage.
 - (15) In all applicable respects, the condition, maintenance and appearance of vacant property shall be subject to the requirements of all applicable state and local ordinances, standards, regulations and abatement procedures currently in effect. This will include any applicable City issued permits and site plans in the replacement and repair of all elements of the exterior of the building and site.
 - (16) Owners of vacant structures shall remove all combustibles as defined by the International Fire Code, and shall comply with the most current version of the International Fire Code's provisions regarding vacant premises.
- (b) Inspections.
- (1) The City Manager or his/her designee shall provide for the inspection of each registered vacant structure at the time of registration and thereafter not less than annually.
 - (2) In addition to the inspection referred to in subsection (1) above, if there is probable cause to believe that a code violation may be present in the vacant structure or on the premises where the vacant structure is located, the City Manager or his/her designee shall provide for the inspection of the vacant building and/or property.
 - (3) All inspections shall be conducted to determine compliance with this Article and all applicable codes.
 - (4) The results of the inspection shall be provided to the owner of the vacant building and the person designated by the owner to make response to any emergency or alleged violation related to the vacant structure.
 - (5) The City Manager or his/her designee shall assess an inspection fee of \$75 per inspector per hour for inspections of vacant structure against the owner of the vacant structure. This fee shall be charged annually for inspections associated with the registration and thereafter as inspections are warranted in accordance with this Article.
- (c) All repairs shall be subject to approval for adequacy by the City Manager or his/her designee. All required permits and final inspections prior to and/or following repairs shall be in accordance with applicable laws and rules.
 - (d) All vacant buildings shall be maintained in a non-blighted condition, consistent with the requirements of this Article. A vacant building in a blighted condition shall be deemed a public nuisance under the Code of Ordinances.
 - (e) Failure to maintain the vacant property to the standard of care specified by the City is a violation of this Article.
 - (f) Providing false information to the City is a violation of this Article.

Sec. 8-85. Registration fees

Vacant structure property owners shall tender an annual registration and inspection fee of \$250 for each vacant property after the initial partial year of registration, for which no fee shall be due. Subsequent annual registration fees shall increase by \$50 per year of registration above the fee from the previous year, and shall be due and postmarked no later

than January 31 of each year. (For example, the fee in Year 1 for fees shall be \$250, Year 2 shall be \$300 and Year 3 shall be \$350.)

Sec. 8-86. Fee waivers

- (a) All fee waivers must be applied for, using the forms provided, on an annual basis, and are subject to approval by the City Manager or his/her designee. A fee waiver is only valid for twelve (12) months. If a fee waiver is approved, registration and full compliance with this Article are otherwise required.
- (b) Qualifications for possible fee waivers:
 - (1) Property which has been devastated by a catastrophe such as fire or flood: The owner has thirty (30) days to register from the date of the disaster but may be exempt from the fees. This exemption is for the duration of one (1) year from the date of the catastrophe; thereafter all applicable fees are due.
 - (2) Representative(s) of a property owner who is deceased or is no longer legally competent must register the property and are otherwise subject to this Article; the City Manager on a one-time basis may waive the annual registration fee provided that the property is maintained in accordance with the requirements of this Article.
 - (3) Where the owner of the property has obtained a building permit and is progressing in an expedient manner to prepare the premises for occupancy, the owner must register the property and is otherwise subject to this Article but may be exempt from the registration fees.
 - (4) The property owner of a property that has maintained the property to the standards of care required under this Article, as well as all other applicable ordinances and laws, must register the property.

Sec. 8-87. Jurisdiction, Enforcement and Penalties

- (a) Written notice of violation will precede the issuance of a criminal citation, in which the vacant property owner will be given a reasonable length of time, as determined by the City Manager, to remedy the violation. Written notice shall be issued to the vacant structure property owner by means of personal service, or by first class mail to their last known address according to the county appraisal district records, and by posting on the property.
- (b) Failure to register with the City after written notice of vacancy to the vacant structure property owner, as is hereinafter specified, is a violation of this Article.
- (c) In addition to the required fees, violation of this Article is a Class C misdemeanor.
 - (1) This is a strict liability offense in which no mental state is required.
 - (2) The fine for this offense may not exceed \$500 per day.
 - (3) Each day any violation of this Article shall continue shall constitute a separate offense
- (d) The provisions of this Article are not exclusive. The remedies provided by this Article are in addition to other procedures or remedies provided by law or equity. Nothing in this Article may be deemed to abolish or impair existing authority or remedies of the City. Criminal prosecution may occur regardless of pursuit of civil or administrative remedies and vice versa.

PUBLISHER'S AFFIDAVIT

STATE OF TEXAS
COUNTY OF ELLIS

Before me, the undersigned authority in and for said State and County, on this day personally appeared Scott Brooks to me known, who, after being by me first duly sworn, on oath, says: that he is Publisher of the Waxahachie Sun which is a newspaper of general circulation, published in the City of Waxahachie, Ellils County, Texas and that said writ and notice was printed and published in said newspaper once each consecutive week for the period of time required, and on the following date(s):

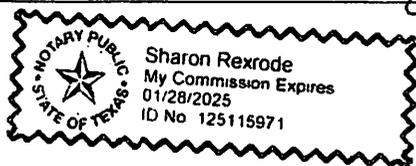
_____ 6-21 _____, 2023, as
appeared from a copy thereof attached.

Witness my hand this 5 day of July _____,
2023.

_____ SMB _____
Scott Brooks

Subscribed and sworn to before me this 5 day of
July _____, 2023.

_____ Sharon Rexrode _____
Sharon Rexrode
Notary Public in and for
Ellis County, Texas



Notary Seal

pass, Waxahachie, TX 75165

Michael Stevick - 0641, Sarah Torregrossa - 0901, Edna Harris - 0838, Jowanna Moffitt - 0346, Fowler Marjorie Gilliam - 0803, Joel Trimm - 0538, Adrian DeLeon - 0625, Rebecca Perr - 0813, Courtney Batts - 0553, Larry Wood - 0150, Brian Fant - 0704, Nikki Marshall - 0822, Misty Umeh - 0340, C.J. Hartman - 0324, Caitlin Fleaher - 0428, Zenora Fadel - 0912, Jennifer Reeves - 0532, Lamard Mathis - 0435, Joey Cook - 0842, Marques Daniels - 0332, Tammy Sanchez - 0129, Ana Harwell - 0724, Brooklyn Daniels - 0748, Daisharay Jones - 0851, Seth Richardson - 0201.

Published 2 times in the Waxahachie Sun, Wednesday, June 21 and 28, 2023.

NOTICE OF PUBLIC AUCTION

Notice is hereby given that Right Move Storage - Waxahachie will sell the contents of the following units by public auction to satisfy their liens against these tenants, in accordance with the Texas Self-Storage Facility Act. The auction will take place online at selfstorageauction.com. The auction will start on June 21, 2023 at 10:00am and will close July 5, 2023 at 10:15am. Units are believed to contain household goods, unless

otherwise listed.

Right Move Storage - Waxahachie, 1021 Ovilla Rd. Waxahachie, TX 75167 346-215-7931

1806 - Connie Nash - Mattress, Plastic Totes and Boxes, Ladder, Multiple Desks, Headboard, Hutch, Shelves, Dressers and Misc. Household Items 0340 - Julianna Morales - Sound control fiberglass insulation rolls and BF Goodrich all terrain tires.

Published 1 time in the Waxahachie Sun, Wednesday, June 21, 2023.

ORDINANCE NO. 3378

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO ALLOW A BAIL BOND AGENCY USE (ELLIS COUNTY BAIL BONDS) WITHIN A COMMERCIAL DISTRICT (C) AT 201 E. MAIN STREET IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 0.28 ACRES KNOWN AS PROPERTY ID 170540, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

PASSED, APPROVED AND ADOPTED ON THIS 19TH DAY OF JUNE, 2023.

ORDINANCE NO. 3379

AN ORDINANCE OF THE CITY OF WAXAHACHIE, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE CITY OF WAXAHACHIE BY

ADDING TO THE CODE ARTICLE XV, "VACANT STRUCTURE REGULATIONS IN DESIGNATED AREAS," TO PROVIDE REQUIREMENTS FOR VACANT COMMERCIAL BUILDINGS, STRUCTURES, AND PROPERTY LOCATED IN THE CITY'S DOWNTOWN HISTORIC DISTRICT OVERLAY; PROVIDING FOR REGISTRATION; PROVIDING FOR DESIGNATION OF A PROPERTY MANAGER OR AGENT; PROVIDING FOR A STANDARD OF CARE; PROVIDING FOR A REGISTRATION FEE; PROVIDING FOR WAIVERS; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR ENFORCEMENT AND PENALTIES; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

PASSED, APPROVED AND ADOPTED ON THIS 19TH DAY OF JUNE, 2023.

Ordinances are available in the City Secretary's Office, City Hall, 401 South Rogers, Waxahachie, Texas, Monday through Friday, 8:00 a.m. to 5:00 p.m.

Amber Villarreal, City Secretary

Published 1 time in the Waxahachie Sun, Wednesday, June 21, 2023.

The County of Ellis will conduct a public hearing on **Tuesday, July 11, 2023, at 2:00 PM** to consider and act upon a request to amend

the Department of Development Master Fee Schedule, last updated under Minute Order 379.19. These amendments are primarily designed to update the fees for development-related activities. The public hearing will take place on the 2nd Floor of the Historic Ellis County Courthouse, 101 W. Main St., Waxahachie, Texas. Please contact the Department of Development concerning any questions about this request at 972-825-5200 or visit www.ellispermits.com.

Published 1 time in the Waxahachie Sun, Wednesday, June 21, 2023.

The County of Ellis will conduct a public hearing on **Tuesday, July 11, 2023, at 2:00 PM** to consider and act upon a request to amend its development regulations, the Ellis County Quality Growth Initiatives - Volume I (Subdivision & Development Standards), Section VIII. These proposed amendments will primarily update relief due to subdivision by gift, devise, or descent and adding a new section regarding recognized unrecorded subdivisions and any other changes in related articles, sections, and paragraphs. The public hearing will take place on the 2nd Floor of the Historic Ellis County Courthouse, 101 W. Main St., Waxahachie, Texas. Please contact the Department of Development concerning any questions about this request at 972-825-5200 or visit www.ellispermits.com.

ADVERTISE!

Published 1 time in the Waxahachie Sun, Wednesday, June 21, 2023.

NOTICE TO ALL PERSONS HAVING CLAIMS AGAINST THE ESTATE OF THOMAS EDWARD HAMILTON

Probate of the Estate of Thomas Edward Hamilton, Deceased, has been commenced by the issuance of letters testamentary to the undersigned on June 15, 2023 by the Probate Court of Ellis County, Texas, acting in Cause No. 23-E-2163, styled "In the Estate of Thomas Edward Hamilton, Deceased", in which court the matter is pending. All persons having claims against the estate are hereby notified to present them to the undersigned at the address show below within the time prescribed by law.

Jane Hastings Hamilton, Executor c/o Clay Hinds, Attorney at Law 804 Ferris Avenue Waxahachie, Texas 75165

Published 1 time in the Waxahachie Sun, Wednesday, June 21, 2023.

NOTICE IS HEREBY GIVEN that the Planning and Zoning Commission of the City of Italy will conduct a public hearing on Thursday, July 6, 2023 at 6:00 P.M. at the City of Italy City Hall, at 161 W. Main Street, Italy, TX 76651 and the City of Italy City Council will conduct a public hearing on Monday, July 10, 2023, at 6:00 P.M. at the City of Italy City Hall, at 161 W. Main Street, Italy, TX 76651 to consider and act upon a request for a replat. The property is described as 3 lots located in the Erasmus D. Harrison Survey, Abstract No. 512, West Part Lot 1, East Part Lot 1, Lot 2A, Block 30 of Original Town of Italy, better known as 528, 530 & 534 Poplar Street, Ellis Cad Property ID numbers 1223642, 1221205 & 1511332 and creating 2 lots to be .352 acre lots known as Block 30, Lot 1 and 2.

Published 1 time in the Waxahachie Sun, Wednesday,

General Retail (GR) and Light Industrial-1 (LI-1) zoning district located at 1995 North Highway 77 (Property ID 262424) - Owner: C&C WAXAHACHIE, LLC (ZDC-4-2023) Staff: Eleana Tuley

2. **Public Hearing** on a request by Steve Meier, Turcotte Development, for a **Specific Use Permit (SUP)** for a Heavy Equipment Rental and Sales use within a Commercial (C) zoning district located at 2021 Corporate Parkway (Property ID 273978) - Owner: LEDBETTER REAL ESTATE, LTD (ZDC-24-2023) Staff: Eleana Tuley

3. **Public Hearing** on a request by James Dixon, Dixon & Associates, for a **Specific Use Permit (SUP)** for an **Accessory Building (Residential), Greater than or Equal to 700 Square Feet** use within the Single-Family Dwelling-2 (SF-2) zoning district located at 149 Country Drive (Property ID: 203065) - Owners: NICHOLAS AND MARIA SIERA (ZDC-48-2023) Staff: Oanh Vu

4. **Public Hearing** on a request by Mahendra Kandepu, Lillian Custodu Homes, for an **Amendment to Ordinance No. 3105**, to allow for a revised site plan and development standards within an approved Planned Development located at the intersection of Vermont Street and Parks School House Road (Property ID: 226116) - Owner: FALCON'S LANDING A SERIES OF EIS DEVELOPMENT II LLC (ZDC-153-2022) Staff: Zack King

Any interested person may be heard at the Public Hearing.

Amber Villarreal, City Secretary

Published 3 times in the Waxahachie Sun, Wednesday, June 21, 28 and July 12, 2023.

The Ellis County Commissioners' Court will consider and act upon a replat application for **Tanglewood Addition Lot 2R, Block 1**, to create one (1) additional lot. The

East Wyatt Road ± 775 feet east of the intersection of East Wyatt Road and North Wyatt Road, in the extraterritorial jurisdiction of Midlothian, Road and Bridge Precinct No. 4.

The replat will be presented before the Commissioners' Court on **Tuesday, July 25, 2023, at 2:00 PM** on the second floor of the historic Ellis County Courthouse, 101 West Main Street, Waxahachie, TX. 75165. Please direct any questions to the Department of Development at 972-825-5200, or by email at dod@co.ellis.tx.us.

Published 3 times in the Waxahachie Sun, Wednesday, June 21, 28 and July 12, 2023.

The Ellis County Commissioners' Court will consider and act upon a replat application for **India Acres Tracts 17A1 & 17A2, a portion of Tract 17A**, to create one (1) additional lot. The property contains ± 6.994 acres of land located on the north side of Ridgewood Drive ± 1,092 feet west of the intersection of Ridgewood Drive and Rainier Court, in the extraterritorial jurisdiction of Ferris, Road and Bridge Precinct No. 1. The replat will be presented before the Commissioners' Court on **Tuesday, July 25, 2023, at 2:00 PM** on the second floor of the historic Ellis County Courthouse, 101 West Main Street, Waxahachie, TX. 75165. Please direct any questions to the Department of Development at 972-825-5200, or by email at dod@co.ellis.tx.us.

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Packer cows - steady to \$3 lower. Pairs and Bred cows - steady. #1 stocker steers and heifers - steady to \$3 higher. #1 feeder steers and heifers - steady to \$3 higher. Participating in this sale were 277 consignors and 94 buyers. **SALE EVERY THURS. STARTS AT 10 A.M.**

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- To perform this job an individual must be able to perform each essential duty satisfactorily
- One year minimum experience and / or training, or an equivalent combination of education and experience
- Strong background, Follow all principles and practices of Liquid coating in Industrial application
- Strong attention to detail. Check the paint thickness with the wet film gauge.
- Knowledge to include paint recipe utilization.
- Make sure there is enough paint for each color on the daily schedule, if not mix and cut more by adding solvents and checking for correct viscosity.
- Startup reciprocators and, turn on the high voltage, set oven temperature for each color/paint type.
- Adjust paint pressures, voltages, disc and line speeds, and ram lengths for each die.
- Demonstrate ability to work independently without daily supervision
- Ability to understand basic mechanical and manufacturing techniques
- Ability to lift 50 lbs. Key words are clean