



AGENDA REQUEST FORM-CITY COUNCIL

SUBJECT: (Fill in Description)

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|---------------------------------------|--|
| <input type="checkbox"/> Consent item | <input type="checkbox"/> Discussion item |
| X Discussion and possible action | <input type="checkbox"/> Public Hearing |

Discussion and possible action on approval of ORDINANCE NO. 2009-O-6E, AN ORDINANCE OF THE CITY OF ANGLETON, TEXAS AMENDING CHAPTER 13 “MISCELLANEOUS OFFENSES” BY ADDING NEW SECTIONS PROHIBITING THE ERECTION, DEMOLITION, ALTERATION OR REPAIR OF ANY BUILDING IN A RESIDENTIAL DISTRICT BY CONSTRUCTION CONTRACTORS DURING CERTAIN HOURS AND DECLARING SUCH ACTIVITY DURING THE PROHIBITED HOURS A PUBLIC NUISANCE; PROVIDING FOR EXCEPTIONS; PROVIDING FOR A PENALTY NOT TO EXCEED \$500 FOR EACH VIOLATION AND MAKING EACH DAY OR PORTION OF A DAY THAT THE VIOLATION CONTINUES A SEPARATE VIOLATION; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN OPEN MEETINGS CLAUSE; PROVIDING AN EFFECTIVE DATE CLAUSE AND PROVIDING FOR OTHER PURPOSES.

Requested by: Robert Owens, Chief Building Official

Budgeted amount: Not applicable. **Funds requested:** Not applicable.

Attachments: (Attachment description)

Ordinance No. 2009-O-6E.

Summary Statement:

This Ordinance amends Chapter 13 “Miscellaneous Offenses” of the Angleton Code of Ordinances by making it unlawful for construction contractors to erect, demolish, alter or repair any building in residential neighborhoods except during the hours of 7:00 a.m. and 6:00 p.m. on weekdays and 9:00 a.m. and 4:00 p.m. on Saturdays, except through the issuance of a permit by the City Manager. Such construction activities outside of these hours are also declared to be a public nuisance. This type of construction activity during evenings and early morning hours in residential districts interferes with the residents’ peaceful enjoyment of their property. As a result of your comments at your June 9, 2009 council meeting the Ordinance has been changed to limit its effect to construction contractors doing repairs so it does not affect individual homeowners doing their own repairs and the prohibited hours have been stated. We have also removed the declaration of a public nuisance.

Recommendation:

Staff recommends approval of this Ordinance.