



The City of Liberty
City Council
Regular Meeting
~ Agenda ~

1829 Sam Houston
Liberty, TX 77575
www.cityofliberty.org

Dianne Tidwell
City Secretary
(936) 336-3684

Tuesday, March 8, 2016

6:00 PM

City Council Chambers

The City Council of Liberty, Texas reserves the right to meet in closed session on any agenda item should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551 of the Texas Government Code.

I. CALL TO ORDER

Attendee Name	Present	Absent	Late	Arrived
Mayor Carl Pickett	☐	☐	☐	
Mayor Pro Tem Diane Huddleston	☐	☐	☐	
Councilperson Dennis Beasley	☐	☐	☐	
Councilperson Frank Jordan	☐	☐	☐	
Councilperson Louie Potetz	☐	☐	☐	
Councilperson Libby Simonson	☐	☐	☐	
Councilperson David Arnold	☐	☐	☐	

II. INVOCATION

III. PLEDGE OF ALLEGIANCE

IV. ACKNOWLEDGEMENT OF GUESTS AND VISITORS / PUBLIC COMMENT

Public Comment is reserved for members of the public who would like to address the City Council regarding agenda and non-agenda items. Please be aware that, under Texas Law, the Council may not deliberate or take any action during Citizen's comments for items not on the agenda. In some situations, City Staff may be able to respond to the public comment with a factual statement or clarification. The City Council may have the item placed on a future agenda for action or refer the item to Management and Staff for study or conclusion.

V. PRESENTATIONS / REPORTS

A. Information Item (ID # 3453)

Project Updates - City Mgr. G. Broz

VI. CONSENT AGENDA

All consent items listed are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member so requests, and if such a request is made, the item will be removed from the Consent Agenda and considered in a normal sequence on the agenda.

A. Minutes Approval

1. Tuesday, February 09, 2016
2. Tuesday, February 23, 2016

VII. REGULAR AGENDA**A. Regular Session****1. Council Action 2016-14**

Consider a request for variance to Section 10.02.123 Roads, of the City's Code of Ordinances for a section of Bowie Street from Edgewood to approximately 135 feet to the north, and take any action deemed necessary.

- Agenda Item Form with Map-Variance (PDF)

2. Ordinance (ID # 3455)

Consider adoption of an Ordinance amending Article 4.04 of the Code of Ordinances regarding Peddlers, Solicitors, and Itinerant Vendors.

- Ord-Both-Peddlers (PDF)

3. Ordinance 2016-5

Consider adoption of an Ordinance amending Article 4.13 of the Code of Ordinances regarding Fats, Oils, and Greases.

4. Council Action 2016-15

Consider a bid for Tax Resale Property described as Fisher, Block 0-49, Lot 7 8 MH Label #TEX0008936.

- Tax Resale-Fisher (PDF)

5. Council Action 2016-16

Consider a bid for Tax Resale Property described as Liberty Inner Blocks, Block 127, Lot Tract 5.

- Tx Resale-Liberty Inner Blocks (PDF)

6. Ordinance 2016-6

Consider adoption of an Ordinance amending Article 1.08 of the Code of Ordinances regarding Issuance of Citations.

B. Executive Session

Government Code §551.087

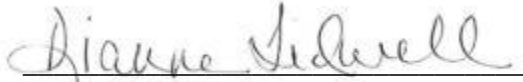
Deliberation Regarding Economic Development Negotiation - River Property.

C. Reconvene into Regular Session**1. Council Action 2016-17**

Consider and take action, if any, on the items as discussed in the Executive Session.

VIII. ADJOURNMENT**A. Motion To: Adjourn**

I certify that the attached Notice of Meeting was posted on the bulletin board and in the Message Centers located on the east and west sides of the City Hall Administration Building, located at 1829 Sam Houston on the 4th day of March, 2016 at 10:00 a.m. This notice will remain so posted continuously for at least 72 hours preceding the scheduled time of said meeting in accordance with Chapter 551 of the Texas Government Code.



Dianne Tidwell, City Secretary

NOTICE

In compliance with the Americans with Disabilities Act, the City of Liberty will provide reasonable accommodation for persons attending and/or participating in this Council Meeting. To better serve you, requests must be made at least 24 hours prior to the meeting. Contact the City at (936) 336-3684 or by Fax at (936) 336-9846. The building is wheelchair accessible, with parking available, on the west side of the building.

I certify that the attached Notice and Agenda of items to be considered by the City Council was removed by me from the bulletin board at the City Hall on the _____ day of _____, 2016.



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

5.A

Meeting: 03/08/16 06:00 PM

Department: Administration
Category: Reports

INFORMATION ITEM (ID # 3453)

DOC ID: 3453



The City of Liberty
City Council
Regular Meeting
~ Minutes ~

1829 Sam Houston
 Liberty, TX 77575
www.cityofliberty.org

Dianne Tidwell
 City Secretary
 (936) 336-3684

Tuesday, February 9, 2016

6:00 PM

City Council Chambers

I. CALL TO ORDER

Attendee Name	Title	Status	Arrived
Carl Pickett	Mayor	Present	
Diane Huddleston	Mayor Pro Tem	Absent	
Dennis Beasley	Councilperson	Present	
Frank Jordan	Councilperson	Present	
Louie Potetz	Councilperson	Present	
Libby Simonson	Councilperson	Present	
David Arnold	Councilperson	Present	
Gary Broz	City Manager	Present	
Dianne Tidwell	City Secretary	Present	

II. INVOCATION

The Invocation was given by Pastor Dick Lintelman, North Main Baptist Church, Liberty, Texas.

III. PLEDGE OF ALLEGIANCE

The Pledge to the American and Texas flags was led by Liberty High School students, Abby Jones and Jake Reidland.

IV. ACKNOWLEDGEMENT OF GUESTS AND VISITORS / PUBLIC COMMENT

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Mayor Pickett reported on the recent Annual Fire Department Banquet held on January 30, 2016.

Minutes Acceptance: Minutes of Feb 9, 2016 6:00 PM (Minutes Approval)

V. PRESENTATIONS / REPORTS

A. Information Item (ID # 3442)

Project Updates - City Manager, G. Broz

COMMENTS - Current Meeting:

City Manager Gary Broz reported on current City projects several of which include: City of Hardin sewer overage bills are current with the payment agreement, Boomerang Tube has paid 2015 property taxes in full, the City will be closing soon on Texas Water Development Board Loan for Planning and Design for water and wastewater improvements, Parks & Wildlife Grant was submitted end of January, Staff preparing for Liberty Jubilee to be held on March 18 & 19, and the Inn at Liberty will soon be demolished.

B. Information Item (ID # 3443)

Sam Rayburn Municipal Power Agency - Mayor Pickett

COMMENTS - Current Meeting:

Mayor Pickett reported that the Agency did not meet in January, but will hold a meeting in February. Mayor Pickett further reported that the Annual Engineer's Report will soon be complete, which relates to the Agency's bond indenture and also details financial information and Agency operations.

C. Information Item (ID # 3444)

Houston-Galveston Area Council - Councilperson Jordan

COMMENTS - Current Meeting:

Councilperson Jordan reported that at the most recent meeting of the Gulf Coast Economic Development District, the 2014-2018 economic development strategy was reviewed. This strategy encompasses the HGAC 13-County Region, which includes Liberty County. Councilperson Jordan further reported on the Liberty County Economic Development Committee, 2002-2010 population increases for Liberty County and other related activities.

VI. CONSENT AGENDA

All consent items listed are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member so requests, and if such a request is made, the item will be removed from the Consent Agenda and considered in a normal sequence on the agenda.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Dennis Beasley, Councilperson
SECONDER:	Libby Simonson, Councilperson
AYES:	Pickett, Beasley, Jordan, Potetz, Simonson, Arnold
ABSENT:	Diane Huddleston

A. Minutes Approval

1. Tuesday, January 12, 2016

Minutes Acceptance: Minutes of Feb 9, 2016 6:00 PM (Minutes Approval)

2. Tuesday, January 26, 2016

B. Resolution 2016-1

Consider a Resolution authorizing the City Manager to enter into an Agreement with the Texas Department of Transportation for the temporary closure of Main Street during the 2016 Liberty Jubilee.

ATTACHMENTS:

- TxDOT Temporary Rd. Closure Agreement 2016 (DOC)

VII. REGULAR AGENDA

A. Regular Session

1. Ordinance 2016-2

Consider adoption of an Ordinance ordering a General Election to be held in the City of Liberty on Saturday, May 7, 2016 authorizing a Joint Election Agreement and Election Services Contract by and between the City of Liberty, Liberty Independent School District, any other contracting entities, and the Liberty County Clerk. Considere una aceptacion a la ordenanza que manda a una eleccion general que tendra lugar en la Ciudad de Liberty, el sabado 7 de mayo del 2016; que autoriza un Acuerdo de Elecciones Conjuntas y un Contrato de los Servicios de Eleccion por y entre la Ciudad de Liberty, el Distrito Escolar Independiente de Liberty, cualquier otra entidad de contracción y la Oficina del Secretario del Condado de Liberty.

COMMENTS - Current Meeting:

Mayor Pickett read the caption of the Ordinance into the record as follows:

"AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS ORDERING A GENERAL MUNICIPAL ELECTION TO BE HELD ON THE 7TH DAY OF MAY, 2016 FOR THE PURPOSE OF ELECTING A MAYOR AND THREE COUNCIL MEMBERS; AUTHORIZING A JOINT ELECTION AGREEMENT AND ELECTION SERVICES CONTRACT BY AND BETWEEN THE CITY OF LIBERTY, LIBERTY INDEPENDENT SCHOOL DISTRICT, ANY OTHER CONTRACTING ENTITIES, AND THE LIBERTY COUNTY CLERK; PROVIDING FOR EARLY VOTING; PROVIDING FOR TWO TWELVE-HOUR DAYS OF EARLY VOTING; PROVIDING FOR PUBLICATION AND NOTICE OF ELECTION; ESTABLISHING OTHER PROCEDURES FOR CONDUCT OF THE ELECTION; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE; AND DISPENSING WITH THE REQUIREMENT OF SECTION 3.10 OF THE HOME RULE CHARTER THAT THIS ORDINANCE BE READ ON TWO SEPARATE DAYS."

A motion was made to adopt the Ordinance ordering the City's General Election for Saturday, May 7, 2016.

ATTACHMENTS:

- Election Services Agreement 2016 (DOCX)
- Election Svs Joint Resolution (DOCX)
- Spanish Ord General Election (DOC)

RESULT: ADOPTED [UNANIMOUS]
MOVER: Frank Jordan, Councilperson
SECONDER: Dennis Beasley, Councilperson
AYES: Pickett, Beasley, Jordan, Potetz, Simonson, Arnold
ABSENT: Diane Huddleston

2. Council Action 2016-10

Consider award of contract to Bright Star Solutions for the Electric Distribution Overhead System Maintenance Project.

COMMENTS - Current Meeting:

City Manager Gary Broz stated that the City let bids for Electric Distribution Overhead System Maintenance and contacted thirteen prospective bidders. Only one bid was received, from Bright Star Solutions, Inc., Sour Lake, Texas. After brief discussion, a motion was made to approve the billing rates from Bright Star for the Electric Distribution Overhead System Maintenance Project.

ATTACHMENTS:

- Elec Dist OH Maintenance (PDF)

RESULT: APPROVED [UNANIMOUS]
MOVER: Libby Simonson, Councilperson
SECONDER: Dennis Beasley, Councilperson
AYES: Pickett, Beasley, Jordan, Potetz, Simonson, Arnold
ABSENT: Diane Huddleston

3. Council Action 2016-11

Consider award of contract to DigTech for the Electric Distribution Underground System Maintenance Project.

COMMENTS - Current Meeting:

City Manager Gary Broz stated that the City let bids for Electric Distribution Underground System Maintenance and contacted thirteen prospective bidders. Only one bid was received, from Dig Tech Inc., Bastrop, Texas. The underground project locations are the Regency Place and Travis Park Subdivisions. After brief discussion, a motion was made to approve the billing rates from Dig Tech for the Electric Distribution Underground System Maintenance Project.

ATTACHMENTS:

- Elec Dist UG Maintenance (PDF)

RESULT: APPROVED [UNANIMOUS]
MOVER: Dennis Beasley, Councilperson
SECONDER: Frank Jordan, Councilperson
AYES: Pickett, Beasley, Jordan, Potetz, Simonson, Arnold
ABSENT: Diane Huddleston

4. Council Action 2016-12

Consider approval of the Electric Distribution Overhead and Underground System Maintenance Projects.

COMMENTS - Current Meeting:

City Manager Gary Broz reported on the electric distribution overhead and underground system maintenance projects. The various project areas and costs were reviewed, for a total cost of \$2.8 million dollars. After further discussion, a motion was made to approve the maintenance projects as presented.

RESULT: **APPROVED [UNANIMOUS]**
MOVER: Libby Simonson, Councilperson
SECONDER: Frank Jordan, Councilperson
AYES: Pickett, Beasley, Jordan, Potetz, Simonson, Arnold
ABSENT: Diane Huddleston

5. Council Action 2016-13

Discussion on placing "In God We Trust" on public safety vehicles, and take any action deemed necessary.

COMMENTS - Current Meeting:

Discussion was held regarding the advantages and disadvantages for placing "In God We Trust" on City of Liberty public safety vehicles. After brief dialogue, motion was made to approve placement of "In God We Trust" on the above-mentioned vehicles.

RESULT: **APPROVED [5 TO 1]**
MOVER: Libby Simonson, Councilperson
SECONDER: Dennis Beasley, Councilperson
AYES: Beasley, Jordan, Potetz, Simonson, Arnold
NAYS: Carl Pickett
ABSENT: Diane Huddleston

VIII. ADJOURNMENT**A. Motion To: Adjourn**

COMMENTS - Current Meeting:

There being no further business before the Council, Mayor Pickett adjourned the meeting at 6:46 p.m.

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 Carl Pickett, Mayor

ATTEST:

 Dianne Tidwell, City Secretary

Minutes Acceptance: Minutes of Feb 9, 2016 6:00 PM (Minutes Approval)



The City of Liberty City Council

Special Called Meeting

~ Minutes ~

1829 Sam Houston
Liberty, TX 77575
www.cityofliberty.org

Dianne Tidwell
City Secretary
(936) 336-3684

Tuesday, February 23, 2016

12:00 PM

City Council Chambers

I. CALL TO ORDER

Attendee Name	Title	Status	Arrived
Carl Pickett	Mayor	Present	
Diane Huddleston	Mayor Pro Tem	Present	
Dennis Beasley	Councilperson	Present	
Frank Jordan	Councilperson	Present	
Louie Potetz	Councilperson	Present	
Libby Simonson	Councilperson	Present	
David Arnold	Councilperson	Absent	
Gary Broz	City Manager	Present	
Dianne Tidwell	City Secretary	Present	
Brandon Davis	City Attorney	Present	

II. ACKNOWLEDGEMENT OF GUESTS AND VISITORS / PUBLIC COMMENT

Public Comment is reserved for members of the public who would like to address the City Council regarding agenda and non-agenda items. Please be aware that, under Texas Law, the Council may not deliberate or take any action during Citizen's comments for items not on the agenda. In some situations, City Staff may be able to respond to the public comment with a factual statement or clarification. The City Council may have the item placed on a future agenda for action or refer the item to Management and Staff for study or conclusion.

Mayor Pickett welcomed guests and visitors, opening the floor for public comment to those individuals wishing to address the Council. There were no comments from the audience.

III. REGULAR AGENDA

A. Regular Session

1. Ordinance 2016-3

Consider an Ordinance Authorizing the Issuance, Sale and Delivery of \$900,000 in Principal Amount of City of Liberty, Texas Utility System Revenue Bonds, Series 2016A; Approving a Paying Agent/Registrar Agreement and an Escrow Agreement; Approving and Authorizing All

Minutes Acceptance: Minutes of Feb 23, 2016 12:00 PM (Minutes Approval)

Other Instruments and Procedures Related Thereto; and Providing for an Immediate Effective Date.

COMMENTS - Current Meeting:

Mayor Pickett read the caption of the Ordinance into the record as follows:

"AN ORDINANCE AUTHORIZING THE ISSUANCE, SALE AND DELIVERY OF \$900,000 IN PRINCIPAL AMOUNT OF CITY OF LIBERTY, TEXAS UTILITY SYSTEM REVENUE BONDS, SERIES 2016A; APPROVING A PAYING AGENT/REGISTRAR AGREEMENT AND AN ESCROW AGREEMENT; APPROVING AND AUTHORIZING ALL OTHER INSTRUMENTS AND PROCEDURES RELATED THERETO; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE."

The City finds it necessary to make extensions and improvements to the City's existing wastewater system. The City made application to the Texas Water Development Board's (TWDB) Clean Water State Revolving Fund to finance the planning, acquisition, design and construction of certain improvements to the system. The TWDB has committed to provide a portion of the funds to finance the improvements by purchasing the Utility System Revenue Bonds.

The City's Bond Counsel, Mr. Tom Spurgeon, McCall, Parkhurst & Horton, and the City's Financial Advisor, Mr. Bob Henderson, RBC Capital Markets, were present to review the bond amounts, rates, and other related information.

A motion was made to adopt the Ordinance authorizing the issuance, sale and delivery of \$900,000 in principal amount of City of Liberty, Texas Utility System Revenue Bonds, Series 2016A.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Diane Huddleston, Mayor Pro Tem
SECONDER:	Dennis Beasley, Councilperson
AYES:	Pickett, Huddleston, Beasley, Jordan, Potetz, Simonson
ABSENT:	David Arnold

2. Ordinance 2016-4

Consider an Ordinance Authorizing the Issuance, Sale and Delivery of \$915,000 in Principal Amount of City of Liberty, Texas Utility System Revenue Bonds, Series 2016B; Approving a Paying Agent/Registrar Agreement and an Escrow Agreement; Approving and Authorizing All Other Instruments and Procedures Related Thereto; and Providing for an Immediate Effective Date.

COMMENTS - Current Meeting:

Mayor Pickett read the caption of the Ordinance into the record as follows:

"AN ORDINANCE AUTHORIZING THE ISSUANCE, SALE AND DELIVERY OF \$915,000 IN PRINCIPAL AMOUNT OF CITY OF LIBERTY, TEXAS UTILITY SYSTEM REVENUE BONDS, SERIES 2016B; APPROVING A PAYING AGENT/REGISTRAR AGREEMENT AND AN ESCROW AGREEMENT; APPROVING AND AUTHORIZING ALL OTHER

INSTRUMENT AND PROCEDURES RELATED THERETO; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE."

The City finds it necessary to make extensions and improvements to the City's existing water system. The City made application to the Texas Water Development Board's (TWDB) Drinking Water State Revolving Fund to finance the planning, acquisition, design, and construction of certain improvements to the system. The TWDB has committed to provide a portion of the funds to finance the improvements by purchasing the Utility System Revenue Bonds.

The City's Bond Counsel, Mr. Tom Spurgeon, McCall, Parkhurst & Horton, and the City's Financial Advisor, Mr. Bob Henderson, RBC Capital Markets, were present to review the bond amounts, rates, and other related information.

A motion was made to adopt the Ordinance authorizing the issuance, sale and delivery of \$915,000 in principal amount of City of Liberty, Texas Utility System Revenue Bonds, Series 2016B.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Frank Jordan, Councilperson
SECONDER:	Libby Simonson, Councilperson
AYES:	Pickett, Huddleston, Beasley, Jordan, Potetz, Simonson
ABSENT:	David Arnold

IV. ADJOURNMENT

Motion To: Adjourn

COMMENTS - Current Meeting:

There being no further business before the Council, Mayor Pickett adjourned the meeting at 12:21 p.m.

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Carl Pickett, Mayor

ATTEST:

Dianne Tidwell, City Secretary

Minutes Acceptance: Minutes of Feb 23, 2016 12:00 PM (Minutes Approval)



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.1

Meeting: 03/08/16 06:00 PM

Department: Administration
Category: Variance Requests

COUNCIL ACTION 2016-14

DOC ID: 3454

RESULT: APPROVED [UNANIMOUS]
MOVER: Diane Huddleston, Mayor Pro Tem
SECONDER: David Arnold, Councilperson
AYES: Pickett, Huddleston, Beasley, Jordan, Potetz, Simonson, Arnold

CITY OF LIBERTY

City Council Agenda Item Form

Agenda Item No. VII.A.1

Agenda Wording: Consider a request for variance to Section 10.02.123 Roads, of the City's Code of Ordinances, for a section of Bowie Street from Edgewood to approximately 135 feet to the north.

Department: Public Works

Subject: Variance for Bowie Street north of Edgewood

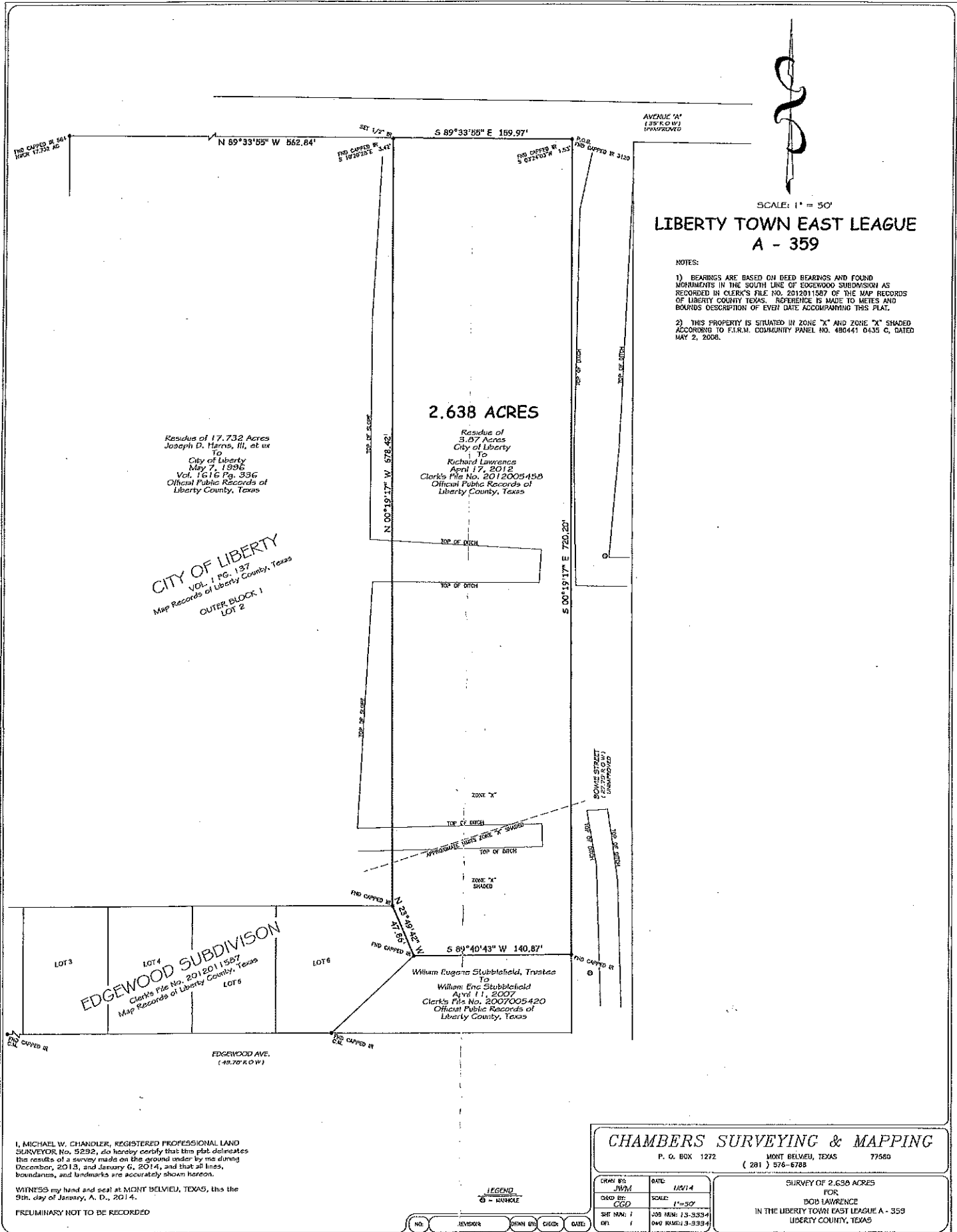
Background: The Bowie Street right-of-way north of Edgewood is 27.79 feet in width. The subdivision regulation require a minimum right-of-way width of fifty (50) feet if the street has curb and gutters and sixty (60) feet if there are open ditches. The minimum street width is twenty-to (22) feet. The City was recently contacted by a developer who is interested in the property on the west of Bowie north of Edgewood. The developer is proposing to construct twenty-eight (28) townhomes on this approximate 2.638 acre tract. Although the developer is amenable to donating the additional right-of-way necessary to meet the Subdivision Regulations, the property on the northwest corner of the Bowie and Edgewood intersection is owned by other individuals. In order to provide access to his property that meets the Subdivision Regulations, the developer is requesting a variance to the right-of-way widths on Bowie from Edgewood north 135 feet or to the beginning of his property line. The Planning and Zoning Commission consider this variance on March 2, 2016. The Planning and Zoning Commission approved the variance on a unanimous vote (4-0).

Fiscal Impact: The construction of additional homes will increase property tax, water/wastewater and electric revenues

Staff Recommendation: Staff recommends granting of the variance.

Purpose: The granting of the variance will allow the orderly development of the property.

Attachment: Agenda Item Form with Map-Variance (CA-2016-14 : Request for Variance)



Attachment: Agenda Item Form with Map-Variance (CA-2016-14 : Request for Variance)



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

Meeting: 03/08/16 06:00 PM

Department: Administration
Category: Code Enforcement

7.A.2

ORDINANCE (ID # 3455)

DOC ID: 3455 A

AN ORDINANCE AMENDING THE CODE OF ORDINANCES, ARTICLE 4, REGULATING PEDDLERS AND SOLICITORS IN THE CITY OF LIBERTY; AND DISPENSING WITH THE REQUIREMENT OF SECTION 3.10 OF THE HOME RULE CHARTER THAT THIS ORDINANCE BE READ ON TWO SEPARATE DAYS.

WHEREAS, the City of Liberty currently has an ordinance regulating peddlers and solicitors inside the city limits; and

WHEREAS, new events that are open to the public have opened in the City and said events need to be better regulated; and

WHEREAS, the City Council of the City of Liberty, Texas, finds it to be in the public interest to further regulate peddlers and solicitors inside the city limits.

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

Section 1: Article 4.04 of the Code of ordinances shall be amended to read as follows:

ARTICLE 4.04 PEDDLERS, SOLICITORS AND ITINERANT VENDORS

Division 1. Generally

Sec. 4.04.001 Definition

For the purpose of this article, a “peddler” or solicitor” shall mean any person, partnership, firm or corporation going from house to house or from place to place, or from a truck or other vehicle on the streets of the city, or who rent, lease or occupy any room or space on a temporary basis of less than one (1) month in any building, structure or other enclosure, vacant lot or any other property whatever in the city, for the purpose of soliciting, exhibiting, selling, canvassing for or taking orders for, or offering to sell or take orders for, any goods, wares, merchandise, food, subscriptions to magazines, publications, newspapers, or photographs. Also, any [person, partnership, firm or corporation] who solicits orders and, as a separate transaction, makes deliveries to purchasers as a part of a scheme or design to evade these provisions shall be deemed a “peddler” or “solicitor.” The terms “peddler” and “solicitor” shall also be synonymous with “itinerant merchant” or “transient vendor.”

Sec 4.04.002 Penalty

Any person who violates any provision of this article shall be guilty of a class C misdemeanor, punishable up to the maximum allowed.

Sec. 4.04.003 Exceptions

The provisions of this article shall not apply to the following (except for sections 4.04.005, 4.04.007, 4.04.008 and 4.04.009 of this article):

- (1) Sales of goods, wares, merchandise, publications and/or services by any bona fide tax-exempt (charitable, religious, educational or philanthropic) organization which has a reference certificate on file with the city secretary or when donated by owners or merchants of which the proceeds are to be used and applied to some charitable, religious, educational or philanthropic purposes;
- (2) Ordinary commercial travelers who sell or exhibit for sale goods, wares, merchandise, food, photographs, publications or services to firms, persons or corporations engaged in the business of buying, selling and dealing in the same;
- (3) Sale of milk, dairy products, bakery products, vegetables, poultry, eggs and other farm and garden products which have been raised or produced by the vendor;
- (4) Daily deliveries of milk, water and bakery and other food products or newspaper deliveries;
- (5) Insurance salesmen, real estate salesmen and other professionals licensed by the state;
- (6) Sales of goods, wares, merchandise, publications, and/or exhibits and/or services any person engaged in "open to the public" events sponsored by the city.

Sec. 4.04.004 Consumer's right to cancel transaction

- (a) All peddlers or solicitors shall provide to the consumer in writing the right to cancel a solicitation transaction made in person or by telephone until midnight of the third business day after the day on which the consumer signs an agreement or offers to purchase any goods, wares, merchandise, food, photographs, publications or services.
- (b) For the purpose of telephone solicitation, the date of transaction means the day the consumer receives the goods, wares, merchandise, food, photographs, publications or services purchased in a solicitation transaction. If the consumer chooses to cancel the solicitation transaction, notification by mail shall be considered given at the time mailed, as evidenced by the postmark; and notification by any other writing shall be considered given at the time delivered to the merchant's designated place of business.
- (c) It shall be unlawful for any peddler, solicitor or company represented to refuse to allow the customer to cancel the solicitation transaction.

Sec. 4.04.005 Refusal to leave premises

Any peddler or solicitor who enters upon premises owned or occupied by any person and willfully refuses to leave said premises after having been notified by the owner or tenant of said premises, or his agent, to leave the same shall be deemed guilty of a misdemeanor.

Sec. 4.04.006 Entering posted premises

It shall be unlawful for any peddler or solicitor to enter upon any private premises when the same is posted with a sign stating "No Peddlers Allowed" or "No Solicitation Allowed" or other words to such effect.

Sec. 4.04.007 Carrying weapons or knives

It shall be unlawful for any peddler or solicitor to carry on or about his person, or within his immediate reach, during peddling or solicitation activity, any weapon defined in section 46.01 of the Texas Penal Code or knife of any length or any other bladed cutting utensil. Any samples to be provided or distributed must be precut and none of the implements hereinabove described may be displayed before another during such peddling or soliciting activity.

Sec. 4.04.008 Hours of operation

It shall be unlawful for any peddler or solicitor to engage in the business of peddling or soliciting before 9:00 a.m. and after 5:00 p.m., except when the peddler has a specific invitation and appointment with the customer.

Sec. 4.04.009 Operation in right-of-way

It shall be unlawful for any person to engage in the business of peddling or soliciting in any rights-of-way within the city limits. This provision includes all open city rights-of-way and state rights-of-way.

Sec. 4.04.010 Cleanup of trash and debris near vending stands

All trash or debris accumulating within thirty (30) feet of any vending stand shall be collected by the vendor and deposited in a trash container.

Division 2. Permit

Sec. 4.04.041 Required

It shall be unlawful for any person, partnership, firm or corporation to peddle, sell, solicit, exhibit or take orders for or offer to take orders for any goods, wares, merchandise, food subscriptions to magazines, publications, or newspapers, photographs or services without first having obtained a permit to do so from the city.

Sec. 4.04.042 Application

- (a) Every person desiring to obtain a permit as required by this article shall make written application to the building official for a permit to do so, which application shall show the following for each person listed on the application:
- (1) The full name and post office address of the applicant.
 - (2) The state, county, town or city in which the applicant permanently resides.
 - (3) The applicant's date of birth, height, weight, color of hair, color of eyes, social security number and driver's license number, if existent.
 - (4) The occupation in which the applicant desires to engage and for which he desires a permit.
 - (5) A full and complete description of the goods, wares and merchandise or other articles or token which the applicant desires to sell, which description shall give in detail the grade and character of the property to be sold.
 - (6) Whether the applicant has ever been convicted of a felony or a misdemeanor involving theft, fraud, bribery or perjury, and if the applicant is a registered sex offender.
 - (7) If a motor vehicle is to be used in the vending business, a description of the vehicle together with the motor vehicle registration number and the license number is required.
 - (8) A description of the proposed locations of the vending business and the length of time during which it is proposed that the business shall be conducted. There will be no vending business on any right-of-way within the city limits, either on city rights-of-way or state rights-of-way.
 - (9) Each application must be accompanied by a copy of the applicant's state sales and use tax permit.
- (b) In addition, there shall also be attached to each application for a permit the following:
- (1) A recent photographic likeness of the applicant's face.
 - (2) A certificate or letter from the president, vice-president, general manager, sales manager, assistant sales manager or district or area manager of the company for which the applicant works, sells or solicits, stating that the applicant is an employee and/or agent of such company.
 - (3) A reference to a recognized financial rating publication, which reference shall show the page on which the company's or firm's financial standing can be found; or a letter or certificate from an association or organization which has as its purpose the protection of citizens of the United States against illegal or unsavory business practices stating that the firm or company is a member in good standing of such association or organization.

(4) In the event that the applicant is an individual who is not working, selling, or soliciting for any firm or company, letters of recommendation from two (2) citizens of the applicant's permanent residence shall be submitted.

(5) In addition, the applicant shall authorize the Liberty Police Department to perform a criminal background check on the applicant..

Sec. 4.04.043 Issuance

Upon the filing of an application for a permit under this article, it shall be the duty of the city secretary to issue the permit as soon as it is reasonably possible upon completion of the investigation of the application, unless the city secretary learns that the applicant has been convicted of a felony or a misdemeanor involving theft, fraud, bribery or perjury, or is a registered sex offender, in which case the permit will be denied.

Sec. 4.04.044 Fee

The building official shall collect a fee for the first person and a separate fee for each additional person listed on the permit application. Such fee shall be paid at the time of application. This fee shall be charged to help defray the cost of investigation and expenses incident to the issuing of said permit. This fee shall not be prorated nor refunded to the applicant regardless of whether a permit is issued or not. No fee shall be required of those persons engaging in interstate commerce. The fee amount shall be as established by city council from time to time.

Sec. 4.04.045 Bond

The application must also be accompanied by a bond in the sum of one thousand dollars (\$1,000.00) for each person engaged in working, selling or soliciting under this application, signed by the applicant and signed, as surety, by some surety company authorized to do business in the state, conditioned for the delivery of goods, wares, merchandise, food, subscriptions and services in accordance with the terms of any order obtained prior to delivery and also conditioned to indemnify any purchaser or customer for any defects in material or workmanship that may exist in the article sold by the principal of such bond at the time of delivery and that may be discovered by such purchaser or customer within thirty (30) days after delivery.

Sec. 4.04.046 Display; contents

- (a) It shall be unlawful for any peddler or solicitor to do business within the city unless he carries such permit on him at all times. Every peddler or solicitor shall display his permit upon request or any person, and failure to so display such permit shall be grounds for revocation or constitute a violation of this section.
- (b) Each permit issued under this section shall contain the following:
 - (1) The name, address and date of birth of the applicant.
 - (2) A physical description of the applicant.

(3) A photographic likeness furnished with the application.

(4) The date the permit was issued.

Sec. 4.04.047 Term

All permits issued under this article shall be valid from the date shown thereon for a period of one (1) year, unless sooner revoked as provided in this article.

Sec. 4.04.048 Transfer

No permit issued under this article shall be transferable or assignable nor give authority to more than one (1) person to engage in the business as a peddler or solicitor, but any person having obtained such permit may have one (1) or more persons to accompany him in conducting such business only if specified and described on the application.

Sec. 4.04.049 Revocation

- (a) If, after the permit as hereinbefore provided has been issued and the city finds that the permit was obtained by false representation in the application, or that the permit holder has committed any act or practice that violates V.T.C.A., Business and Commerce Code section 17.41 et seq., otherwise known as the Deceptive Trade Practices Consumer Protection Act, any act or practice which violates the Home Solicitation Sales Act (Texas Business and Commerce Code, chapter 601), the commission, during the term of the permit, of any crime or misdemeanor involving moral turpitude, or any violation of this article or any other city ordinance or state or federal law, such permit may be revoked. This includes, but is not limited to, fraud or misrepresentation in the application for the license, fraud or misrepresentation in the course of conducting the business of vending, conducting the business of vending contrary to the conditions of the license, or conducting the business of vending in such a manner as to create a public nuisance or constitute a danger to the public health, safety or welfare.
- (b) Upon revocation, the city shall deliver written notice to the license holder stating the action taken and the reasons supporting such action. The written notice shall be delivered to the license holder's place of business or mailed to the license holder's last known address.

Sec. 4.04.050 Appeals

If the applicant for a permit under this article or the holder of such a permit is dissatisfied with any holding or finding of the building official, he shall have the right to appeal to the city manager by filing a written notice of such appeal with the city secretary within ten (10) days from the making and filing of such decision of the city secretary. Upon filing of such notice of appeal, the application for the permit and all papers possessed by the city secretary in connection with such application and such permit shall be delivered to the city manager, and such matters as may be in controversy shall be heard by the city manager.

Sec. 4.04.051 Open to the Public Events Permitting

Any individual or business hosting an event that is open to the public with multiple vendors shall apply for a master permit for the event. This master permit application should include an estimate of the number of vendors involved in the sale of goods, wares, merchandise, publications, and/or exhibits and/or services, and an estimate of the goods, wares, merchandise, publication, and/or exhibits and/or services provided at the event. The Master Permit holder will be responsible for all vendors and sells done under that permit. The Master Permit shall be present at the event and all vendors should know who holds it. During the event the Master Permit holder must maintain an accurate list of the vendors participating in the event. The Master Permit holder shall give the City access to the list of vendors at any time.

Section 2: That the requirement contained in Section 3.10 of the Home Rule Charter of the City of Liberty, Texas that all ordinances be read on two days is hereby dispensed with.

Section 3: This Ordinance shall be in full force and effect from and after the date that it is published in the newspaper on two separate dates.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of

Liberty, this _____ day of _____, 2016.

Carl Pickett, Mayor

ATTEST:

Dianne Tidwell, City Secretary

RESULT: NO ACTION TAKEN

ARTICLE 4.04 PEDDLERS, SOLICITORS AND ITINERANT VENDORS

Division 1. Generally

Sec. 4.04.001 Definition

For the purpose of this article, a “peddler” or solicitor” shall mean any person, partnership, firm or corporation going from house to house or from place to place, or from a truck or other vehicle on the streets of the city, or who rent, lease or occupy any room or space on a temporary basis of less than one (1) month in any building, structure or other enclosure, vacant lot or any other property whatever in the city, for the purpose of soliciting, exhibiting, selling, canvassing for or taking orders for, or offering to sell or take orders for, any goods, wares, merchandise, food, subscriptions to magazines, publications, newspapers, or photographs. Also, any [person, partnership, firm or corporation] who solicits orders and, as a separate transaction, makes deliveries to purchasers as a part of a scheme or design to evade these provisions shall be deemed a “peddler” or “solicitor.” The terms “peddler” and “solicitor” shall also be synonymous with “itinerant merchant” or “transient vendor.”

Deleted: hire,

Sec 4.04.002 Penalty

Any person who violates any provision of this article shall be guilty of a class C misdemeanor, punishable up to the maximum allowed.

Sec. 4.04.003 Exceptions

The provisions of this article shall not apply to the following (except for sections 4.04.005, 4.04.007, 4.04.008 and 4.04.009 of this article):

- (1) Sales of goods, wares, merchandise, publications and/or services by any bona fine tax-exempt (charitable, religious, educational or philanthropic) organization which has a reference certificate on file with the city secretary or when donated by owners or merchants of which the proceeds are to be used and applied to some charitable, religious, educational or philanthropic purposes;
- (2) Ordinary commercial travelers who sell or exhibit for sale goods, wares, merchandise, food, photographs, publications or services to firms, persons or corporations engaged in the business of buying, selling and dealing in the same;
- (3) Sale of milk, dairy products, bakery products, vegetables, poultry, eggs and other farm and garden products which have been raised or produced by the vendor;
- (4) Daily deliveries of milk, water and bakery and other food products or newspaper deliveries;
- (5) Insurance salesmen, real estate salesmen and other professionals licensed by the state;
- (6) Sales of goods, wares, merchandise, publications, and/or exhibits and/or services any person engaged in “open to the public” events sponsored by the city.

Sec. 4.04.004 Consumer’s right to cancel transaction

- (a) All peddlers or solicitors shall provide to the consumer in writing the right to cancel a solicitation transaction made in person or by telephone until midnight of the third

business day after the day on which the consumer signs an agreement or offers to purchase any goods, wares, merchandise, food, photographs, publications or services.

- (b) For the purpose of telephone solicitation, the date of transaction means the day the consumer receives the goods, wares, merchandise, food, photographs, publications or services purchased in a solicitation transaction. If the consumer chooses to cancel the solicitation transaction, notification by mail shall be considered given at the time mailed, as evidenced by the postmark; and notification by any other writing shall be considered given at the time delivered to the merchant's designated place of business.

Deleted: notification by telegram shall be considered given at the time filed for transmission;

- (c) It shall be unlawful for any peddler, solicitor or company represented to refuse to allow the customer to cancel the solicitation transaction.

Sec. 4.04.005 Refusal to leave premises

Any peddler or solicitor who enters upon premises owned or occupied by any person and willfully refuses to leave said premises after having been notified by the owner or tenant of said premises, or his agent, to leave the same shall be deemed guilty of a misdemeanor.

Sec. 4.04.006 Entering posted premises

It shall be unlawful for any peddler or solicitor to enter upon any private premises when the same is posted with a sign stating "No Peddlers Allowed" or "No Solicitation Allowed" or other words to such effect.

Sec. 4.04.007 Carrying weapons or knives

It shall be unlawful for any peddler or solicitor to carry on or about his person, or within his immediate reach, during peddling or solicitation activity, any weapon defined in section 46.01 of the Texas Penal Code or knife of any length or any other bladed cutting utensil. Any samples to be provided or distributed must be pre-cut and none of the implements hereinabove described may be displayed before another during such peddling or soliciting activity.

Sec. 4.04.008 Hours of operation

It shall be unlawful for any peddler or solicitor to engage in the business of peddling or soliciting before 9:00 a.m. and after 5:00 p.m., except when the peddler has a specific invitation and appointment with the customer.

Deleted: at any time after sunset and earlier than thirty (30) minutes after sunrise

Sec. 4.04.009 Operation in right-of-way

It shall be unlawful for any person to engage in the business of peddling or soliciting in any rights-of-way within the city limits. This provision includes all open city rights-of-way and state rights-of-way.

Deleted: This provision also applies to those exempted peddlers, solicitors or itinerant vendors stated in section 4.04.003 of this article.

Sec. 4.04.010 Cleanup of trash and debris near vending stands

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All trash or debris accumulating within thirty (30) feet of any vending stand shall be collected by the vendor and deposited in a trash container.

Sec. 4.04.041 Required

It shall be unlawful for any person, partnership, firm or corporation to peddle, sell, solicit, exhibit or take orders for or offer to take orders for any goods, wares, merchandise, food subscriptions to magazines, publications, or newspapers, photographs or services without first having obtained a permit to do so from the city.

Sec. 4.04.042 Application

- (a) Every person desiring to obtain a permit as required by this article shall make written application to the building official for a permit to do so, which application shall show the following for each person listed on the application:
 - (1) The full name and post office address of the applicant.
 - (2) The state, county, town or city in which the applicant permanently resides.
 - (3) The applicant's date of birth, height, weight, color of hair, color of eyes, social security number and driver's license number, if existent.
 - (4) The occupation in which the applicant desires to engage and for which he desires a permit.
 - (5) A full and complete description of the goods, wares and merchandise or other articles or token which the applicant desires to sell, which description shall give in detail the grade and character of the property to be sold.
 - (6) Whether the applicant has ever been convicted of a felony or a misdemeanor involving theft, fraud, bribery or perjury, and if the applicant is a registered sex offender.
 - (7) If a motor vehicle is to be used in the vending business, a description of the vehicle together with the motor vehicle registration number and the license number is required.
 - (8) A description of the proposed locations of the vending business and the length of time during which it is proposed that the business shall be conducted. There will be no vending business on any right-of-way within the city limits, either on city rights-of-way or state rights-of-way.
 - (9) Each application must be accompanied by a copy of the applicant's state sales and use tax permit.
- (b) In addition, there shall also be attached to each application for a permit the following:
 - (1) A recent photographic likeness of the applicant's face.
 - (2) A certificate or letter from the president, vice-president, general manager, sales manager, assistant sales manager or district or area manager of the company for which the applicant works, sells or solicits, stating that the applicant is an employee and/or agent of such company.
 - (3) A reference to a recognized financial rating publication, which reference shall show the page on which the company's or firm's financial standing can be found; or a letter or certificate from an association or organization which has as its purpose the protection of citizens of the United States against illegal or unsavory business

practices stating that the firm or company is a member in good standing of such association or organization.

- (4) In the event that the applicant is an individual who is not working, selling, or soliciting for any firm or company, letters of recommendation from two (2) citizens of the applicant's permanent residence shall be submitted.
- (5) In addition, the applicant shall authorize the Liberty Police Department to perform a criminal background check on the applicant.

Deleted: submit to fingerprinting by the police department and such fingerprinting shall be kept as a permanent record with the application

Sec. 4.04.043 Issuance

Upon the filing of an application for a permit under this article, it shall be the duty of the city secretary to issue the permit as soon as it is reasonably possible upon completion of the investigation of the application, unless the city secretary learns that the applicant has been convicted of a felony or a misdemeanor involving theft, fraud, bribery or perjury, or is a registered sex offender, in which case the permit will be denied.

Sec. 4.04.044 Fee

The building official shall collect a fee for the first person and a separate fee for each additional person listed on the permit application. Such fee shall be paid at the time of application. This fee shall be charged to help defray the cost of investigation and expenses incident to the issuing of said permit. This fee shall not be prorated nor refunded to the applicant regardless of whether a permit is issued or not. No fee shall be required of those persons engaging in interstate commerce. The fee amount shall be as established by city council from time to time.

Sec. 4.04.045 Bond

The application must also be accompanied by a bond in the sum of one thousand dollars (\$1,000.00) for each person engaged in working, selling or soliciting under this application, signed by the applicant and signed, as surety, by some surety company authorized to do business in the state, conditioned for the delivery of goods, wares, merchandise, food, subscriptions and services in accordance with the terms of any order obtained prior to delivery and also conditioned to indemnify any purchaser or customer for any defects in material or workmanship that may exist in the article sold by the principal of such bond at the time of delivery and that may be discovered by such purchaser or customer within thirty (30) days after delivery.

Deleted: penal

Sec. 4.04.046 Display; contents

- (a) It shall be unlawful for any peddler or solicitor to do business within the city unless he carries such permit on him at all times. Every peddler or solicitor shall display his permit upon request or any person, and failure to so display such permit shall be grounds for revocation or constitute a violation of this section.
- (b) Each permit issued under this section shall contain the following:
 - (1) The name, address and date of birth of the applicant.
 - (2) A physical description of the applicant.
 - (3) A photographic likeness furnished with the application.
 - (4) The date the permit was issued.

Sec. 4.04.047 Term

All permits issued under this article shall be valid from the date shown thereon for a period of one (1) year, unless sooner revoked as provided in this article.

Sec. 4.04.048 Transfer

No permit issued under this article shall be transferable or assignable nor give authority to more than one (1) person to engage in the business as a peddler or solicitor, but any person having obtained such permit may have one (1) or more persons to accompany him in conducting such business only if specified and described on the application.

Sec. 4.04.049 Revocation

- (a) If, after the permit as hereinbefore provided has been issued and the city finds that the permit was obtained by false representation in the application, or that the permit holder has committed any act or practice that violates V.T.C.A., Business and Commerce Code section 17.41 et seq., otherwise known as the Deceptive Trade Practices Consumer Protection Act, any act or practice which violates the Home Solicitation Sales Act (Texas Business and Commerce Code, chapter 601), the commission, during the term of the permit, of any crime or misdemeanor involving moral turpitude, or any violation of this article or any other city ordinance or state or federal law, such permit may be revoked. This includes, but is not limited to, fraud or misrepresentation in the application for the license, fraud or misrepresentation in the course of conducting the business of vending, conducting the business of vending contrary to the conditions of the license, or conducting the business of vending in such a manner as to create a public nuisance or constitute a danger to the public health, safety or welfare.
- (b) Upon revocation, the city shall deliver written notice to the license holder stating the action taken and the reasons supporting such action. The written notice shall be delivered to the license holder's place of business or mailed to the license holder's last known address.

Sec. 4.04.050 Appeals

If the applicant for a permit under this article or the holder of such a permit is dissatisfied with any holding or finding of the building official, he shall have the right to appeal to the city manager by filing a written notice of such appeal with the city secretary within ten (10) days from the making and filing of such decision of the city secretary. Upon filing of such notice of appeal, the application for the permit and all papers possessed by the city secretary in connection with such application and such permit shall be delivered to the city manager, and such matters as may be in controversy shall be heard by the city manager.

Sec. 4.04.051 Open to the Public Events Permitting

Any individual or business hosting an event that is open to the public with multiple vendors shall apply for a master permit for the event. This master permit application should include an estimate of the number of vendors involved in the sale of goods, wares, merchandise,

publications, and/or exhibits and/or services, and an estimate of the goods , wares, merchandise, publication, and/or exhibits and/or services provided at the event. The Master Permit holder will be responsible for all vendors and sells done under that permit. The Master Permit shall be present at the event and all vendors should know who holds it. During the event the Master Permit holder must maintain an accurate list of the vendors participating in the event. The Master Permit holder shall give the City access to the list of vendors at any time.

AN ORDINANCE AMENDING THE CODE OF ORDINANCES, ARTICLE 4, REGULATING PEDDLERS AND SOLICITORS IN THE CITY OF LIBERTY; AND DISPENSING WITH THE REQUIREMENT OF SECTION 3.10 OF THE HOME RULE CHARTER THAT THIS ORDINANCE BE READ ON TWO SEPARATE DAYS.

WHEREAS, the City of Liberty currently has an ordinance regulating peddlers and solicitors inside the city limits; and

WHEREAS, new events that are open to the public have opened in the City and said events need to be better regulated; and

WHEREAS, the City Council of the City of Liberty, Texas, finds it to be in the public interest to further regulate peddlers and solicitors inside the city limits.

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

Section 1: Article 4.04 of the Code of ordinances shall be amended to read as follows:

ARTICLE 4.04 PEDDLERS, SOLICITORS AND ITINERANT VENDORS

Division 1. Generally

Sec. 4.04.001 Definition

For the purpose of this article, a "peddler" or solicitor" shall mean any person, partnership, firm or corporation going from house to house or from place to place, or from a truck or other vehicle on the streets of the city, or who rent, lease or occupy any room or space on a temporary basis of less than one (1) month in any building, structure or other enclosure, vacant lot or any other property whatever in the city, for the purpose of soliciting, exhibiting, selling, canvassing for or taking orders for, or offering to sell or take orders for, any goods, wares, merchandise, food, subscriptions to magazines, publications, newspapers, or photographs. Also, any [person, partnership, firm or corporation] who solicits orders and, as a separate transaction, makes deliveries to purchasers as a part of a scheme or design to evade these provisions shall be deemed a "peddler" or "solicitor." The terms "peddler" and "solicitor" shall also be synonymous with "itinerant merchant" or "transient vendor."

Sec 4.04.002 Penalty

Any person who violates any provision of this article shall be guilty of a class C misdemeanor, punishable up to the maximum allowed.

Sec. 4.04.003 Exceptions

The provisions of this article shall not apply to the following (except for sections 4.04.005, 4.04.007, 4.04.008 and 4.04.009 of this article):

- (1) Sales of goods, wares, merchandise, publications and/or services by any bona fide tax-exempt (charitable, religious, educational or philanthropic) organization which has a reference certificate on file with the city secretary or when donated by owners or merchants of which the proceeds are to be used and applied to some charitable, religious, educational or philanthropic purposes;
- (2) Ordinary commercial travelers who sell or exhibit for sale goods, wares, merchandise, food, photographs, publications or services to firms, persons or corporations engaged in the business of buying, selling and dealing in the same;
- (3) Sale of milk, dairy products, bakery products, vegetables, poultry, eggs and other farm and garden products which have been raised or produced by the vendor;

- (4) Daily deliveries of milk, water and bakery and other food products or newspaper deliveries;
- (5) Insurance salesmen, real estate salesmen and other professionals licensed by the state;
- (6) Sales of goods, wares, merchandise, publications, and/or exhibits and/or services any person engaged in "open to the public" events sponsored by the city.

Sec. 4.04.004 Consumer's right to cancel transaction

- (a) All peddlers or solicitors shall provide to the consumer in writing the right to cancel a solicitation transaction made in person or by telephone until midnight of the third business day after the day on which the consumer signs an agreement or offers to purchase any goods, wares, merchandise, food, photographs, publications or services.
- (b) For the purpose of telephone solicitation, the date of transaction means the day the consumer receives the goods, wares, merchandise, food, photographs, publications or services purchased in a solicitation transaction. If the consumer chooses to cancel the solicitation transaction, notification by mail shall be considered given at the time mailed, as evidenced by the postmark; and notification by any other writing shall be considered given at the time delivered to the merchant's designated place of business.
- (c) It shall be unlawful for any peddler, solicitor or company represented to refuse to allow the customer to cancel the solicitation transaction.

Sec. 4.04.005 Refusal to leave premises

Any peddler or solicitor who enters upon premises owned or occupied by any person and willfully refuses to leave said premises after having been notified by the owner or tenant of said premises, or his agent, to leave the same shall be deemed guilty of a misdemeanor.

Sec. 4.04.006 Entering posted premises

It shall be unlawful for any peddler or solicitor to enter upon any private premises when the same is posted with a sign stating "No Peddlers Allowed" or "No Solicitation Allowed" or other words to such effect.

Sec. 4.04.007 Carrying weapons or knives

It shall be unlawful for any peddler or solicitor to carry on or about his person, or within his immediate reach, during peddling or solicitation activity, any weapon defined in section 46.01 of the Texas Penal Code or knife of any length or any other bladed cutting utensil. Any samples to be provided or distributed must be precut and none of the implements hereinabove described may be displayed before another during such peddling or soliciting activity.

Sec. 4.04.008 Hours of operation

It shall be unlawful for any peddler or solicitor to engage in the business of peddling or soliciting before 9:00 a.m. and after 5:00 p.m., except when the peddler has a specific invitation and appointment with the customer.

Sec. 4.04.009 Operation in right-of-way

It shall be unlawful for any person to engage in the business of peddling or soliciting in any rights-of-way within the city limits. This provision includes all open city rights-of-way and state rights-of-way.

Sec. 4.04.010 Cleanup of trash and debris near vending stands

All trash or debris accumulating within thirty (30) feet of any vending stand shall be collected by the vendor and deposited in a trash container.

Division 2. Permit

Sec. 4.04.041 Required

It shall be unlawful for any person, partnership, firm or corporation to peddle, sell, solicit, exhibit or take orders for or offer to take orders for any goods, wares, merchandise, food subscriptions to magazines, publications, or newspapers, photographs or services without first having obtained a permit to do so from the city.

Sec. 4.04.042 Application

- (a) Every person desiring to obtain a permit as required by this article shall make written application to the building official for a permit to do so, which application shall show the following for each person listed on the application:
 - (1) The full name and post office address of the applicant.
 - (2) The state, county, town or city in which the applicant permanently resides.
 - (3) The applicant's date of birth, height, weight, color of hair, color of eyes, social security number and driver's license number, if existent.
 - (4) The occupation in which the applicant desires to engage and for which he desires a permit.
 - (5) A full and complete description of the goods, wares and merchandise or other articles or token which the applicant desires to sell, which description shall give in detail the grade and character of the property to be sold.
 - (6) Whether the applicant has ever been convicted of a felony or a misdemeanor involving theft, fraud, bribery or perjury, and if the applicant is a registered sex offender.
 - (7) If a motor vehicle is to be used in the vending business, a description of the vehicle together with the motor vehicle registration number and the license number is required.
 - (8) A description of the proposed locations of the vending business and the length of time during which it is proposed that the business shall be conducted. There will be no vending business on any right-of-way within the city limits, either on city rights-of-way or state rights-of-way.
 - (9) Each application must be accompanied by a copy of the applicant's state sales and use tax permit.
- (b) In addition, there shall also be attached to each application for a permit the following:
 - (1) A recent photographic likeness of the applicant's face.
 - (2) A certificate or letter from the president, vice-president, general manager, sales manager, assistant sales manager or district or area manager of the company for which the applicant works, sells or solicits, stating that the applicant is an employee and/or agent of such company.
 - (3) A reference to a recognized financial rating publication, which reference shall show the page on which the company's or firm's financial standing can be found; or a letter or certificate from an association or organization which has as its purpose the protection of citizens of the United States against illegal or unsavory business practices stating that the firm or company is a member in good standing of such association or organization.
 - (4) In the event that the applicant is an individual who is not working, selling, or soliciting for any firm or company, letters of recommendation from two (2) citizens of the applicant's permanent residence shall be submitted.
 - (5) In addition, the applicant shall authorize the Liberty Police Department to perform a criminal background check on the applicant..

Sec. 4.04.043 Issuance

Upon the filing of an application for a permit under this article, it shall be the duty of the city secretary to issue the permit as soon as it is reasonably possible upon completion of the investigation of the application, unless the city secretary learns that the applicant has been convicted of a felony or a misdemeanor involving theft, fraud, bribery or perjury, or is a registered sex offender, in which case the permit will be denied.

Sec. 4.04.044 Fee

The building official shall collect a fee for the first person and a separate fee for each additional person listed on the permit application. Such fee shall be paid at the time of application. This fee shall be charged to help defray the cost of investigation and expenses incident to the issuing of said permit. This fee shall not be prorated nor refunded to the applicant regardless of whether a permit is issued or not. No fee shall be required of those persons engaging in interstate commerce. The fee amount shall be as established by city council from time to time.

Sec. 4.04.045 Bond

The application must also be accompanied by a bond in the sum of one thousand dollars (\$1,000.00) for each person engaged in working, selling or soliciting under this application, signed by the applicant and signed, as surety, by some surety company authorized to do business in the state, conditioned for the delivery of goods, wares, merchandise, food, subscriptions and services in accordance with the terms of any order obtained prior to delivery and also conditioned to indemnify any purchaser or customer for any defects in material or workmanship that may exist in the article sold by the principal of such bond at the time of delivery and that may be discovered by such purchaser or customer within thirty (30) days after delivery.

Sec. 4.04.046 Display; contents

- (a) It shall be unlawful for any peddler or solicitor to do business within the city unless he carries such permit on him at all times. Every peddler or solicitor shall display his permit upon request or any person, and failure to so display such permit shall be grounds for revocation or constitute a violation of this section.
- (b) Each permit issued under this section shall contain the following:
 - (1) The name, address and date of birth of the applicant.
 - (2) A physical description of the applicant.
 - (3) A photographic likeness furnished with the application.
 - (4) The date the permit was issued.

Sec. 4.04.047 Term

All permits issued under this article shall be valid from the date shown thereon for a period of one (1) year, unless sooner revoked as provided in this article.

Sec. 4.04.048 Transfer

No permit issued under this article shall be transferable or assignable nor give authority to more than one (1) person to engage in the business as a peddler or solicitor, but any person having obtained such permit may have one (1) or more persons to accompany him in conducting such business only if specified and described on the application.

Sec. 4.04.049 Revocation

- (a) If, after the permit as hereinbefore provided has been issued and the city finds that the permit was obtained by false representation in the application, or that the permit holder has committed any act or practice that violates V.T.C.A., Business and Commerce Code section 17.41 et seq., otherwise known as the Deceptive Trade Practices Consumer Protection Act, any act or practice which violates the Home Solicitation Sales Act (Texas Business and Commerce Code, chapter 601), the commission, during the term of the permit, of any crime or misdemeanor involving moral turpitude, or any violation of this article or any other city ordinance or state or federal law, such permit may be revoked. This includes, but is not limited to, fraud or misrepresentation in the application for the license, fraud or misrepresentation in the course of conducting the business of vending, conducting the business of vending contrary to the conditions of the license, or conducting the business of vending in such a manner as to create a public nuisance or constitute a danger to the public health, safety or welfare.
- (b) Upon revocation, the city shall deliver written notice to the license holder stating the action taken and the reasons supporting such action. The written notice shall be delivered

to the license holder's place of business or mailed to the license holder's last known address.

Sec. 4.04.050 Appeals

If the applicant for a permit under this article or the holder of such a permit is dissatisfied with any holding or finding of the building official, he shall have the right to appeal to the city manager by filing a written notice of such appeal with the city secretary within ten (10) days from the making and filing of such decision of the city secretary. Upon filing of such notice of appeal, the application for the permit and all papers possessed by the city secretary in connection with such application and such permit shall be delivered to the city manager, and such matters as may be in controversy shall be heard by the city manager.

Sec. 4.04.051 Open to the Public Events Permitting

Any individual or business hosting an event that is open to the public with multiple vendors shall apply for a master permit for the event. This master permit application should include an estimate of the number of vendors involved in the sale of goods, wares, merchandise, publications, and/or exhibits and/or services, and an estimate of the goods, wares, merchandise, publication, and/or exhibits and/or services provided at the event. The Master Permit holder will be responsible for all vendors and sells done under that permit. The Master Permit shall be present at the event and all vendors should know who holds it. During the event the Master Permit holder must maintain an accurate list of the vendors participating in the event. The Master Permit holder shall give the City access to the list of vendors at any time.

Section 2: That the requirement contained in Section 3.10 of the Home Rule Charter of the City of Liberty, Texas that all ordinances be read on two days is hereby dispensed with.

Section 3: This Ordinance shall be in full force and effect from and after the date of its passage.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of
Liberty, this _____ day of _____, 2016.

Carl Pickett, Mayor

ATTEST:

Dianne Tidwell, City Secretary



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.3

Meeting: 03/08/16 06:00 PM

Department: Administration
Category: Code Enforcement

ORDINANCE 2016-5

DOC ID: 3456

AN ORDINANCE AMENDING THE CODE OF ORDINANCES, ARTICLE 4.13.001(b)(3), REGULATING FATS, OILS, AND GREASES; PROVIDING FOR AN EFFECTIVE DATE; AND DISPENSING WITH THE REQUIREMENT OF SECTION 3.10 OF THE HOME RULE CHARTER THAT THIS ORDINANCE BE READ ON TWO SEPARATE DAYS.

WHEREAS, the City of Liberty operates a municipal sewer system for the benefit of its citizens; and

WHEREAS, fats, oils, and greases can cause problems such as blockages in a sewer system; and

WHEREAS, the City Council of the City of Liberty, Texas previously adopted an ordinance regarding fats, oils, and greases; and

WHEREAS, the City Council of the City of Liberty, Texas, finds it to be in the public interest to amend the ordinance on fats, oils, and greases as it relates to grease traps.

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

Section 1: Article 4.13.001(b)(3) of the Code of Ordinances of the City of Liberty is amended to read as follows:

Article 4.13.001(b)(3): Grease traps must not be installed within the building of an establishment except when under the counter interceptors are approved by the city.

Section 2: That the requirement contained in Section 3.10 of the Home Rule Charter of the City of Liberty, Texas that all ordinances be read on two days is hereby dispensed with.

Section 3: This Ordinance shall be in full force and effect from and after the date of its passage.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of

Liberty, this _____ day of _____, 2016.

Carl Pickett, Mayor

ATTEST:

Dianne Tidwell, City Secretary

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Frank Jordan, Councilperson
SECONDER:	Dennis Beasley, Councilperson
AYES:	Pickett, Huddleston, Beasley, Jordan, Potetz, Simonson, Arnold



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.4

Meeting: 03/08/16 06:00 PM

Department: Administration
Category: Property Sale

COUNCIL ACTION 2016-15

DOC ID: 3457

RESULT: NO ACTION TAKEN





We have an offer on the following property:

Account numbers 004300-000033-005 (PID # 48212)

BEING described as Fisher, Block O-49, Lot 7 8 MH Label #TEX0008936, and being further identified in the Tax Rolls of Liberty County as Account # 004300-000033-005.

Offeror: Name: Aubrey L Williams
 Address: 5010 McKnight Rd.
 Pearland, Texas 77584
 Phone #: 832-419-8729

Tax owed:	Liberty ISD	\$ 2,603.75	=	48.14 %
	City of Liberty	\$ 1,253.99	=	23.18 %
	County	<u>\$ 1,551.18</u>	=	28.68 %

Total taxes owed: \$ 5,408.92

Offer:	\$ 2,000.00
Less court costs TX11101066	\$ 626.00
<u>Deed Filing Fee</u>	<u>\$ 24.00</u>
Amount to be distributed:	\$ 1,350.00

Amount to be received by Liberty ISD	\$ 649.89
Amount to be received by the City of Liberty	\$ 312.93
Amount to be received by County	<u>\$ 387.18</u>
	<u>\$ 1,350.00</u>

Total per cent recovered by 24.96 %

Total Base Tax \$ 2,533.54

Per cent of base amount recovered 53.29 %

CAD value (PID #48212) \$ 22,660.00

Percent of CAD value recovered 5.96 %

Liberty County Strike Off Property

RESALE BIDDERS INFORMATION FORM**BUYER INFORMATION**Name: AUBREY L. WILLIAMSAddress: 5010 MCKNIGHT RD.
PEARLAND TX 77584Phone Number: 832-419-8729**PROPERTY INFORMATION**Suit # TX 11101066Account # 004300-000033-005Legal Description: FISHER BLOCK 0-49 LOT 7.8 M
H LABEL # TEX 0008936**PROPOSED BID INFORMATION**Amount of Bid: \$2000.00

A publication fee of \$250.00, \$24.00 for fee to file the deed and the amount of Court Costs will be deducted from this figure first and then the remaining amount is the figure to be distributed to the taxing authorities.

**** The acceptance of this proposed bid sheet does not warranty nor guarantee that the proposed bid will be approved by the taxing entities****

Return completed form to

David Taylor
Felder, Gunter & Davis
1517 Trinity St
Liberty, TX 77575
Phone (936) 776-6985

LIBERTY COUNTY
TAX ASSESSOR - COLLECTOR
RICHARD L BROWN



P.O. BOX 1810
LIBERTY, TX 77575
(936) 336-4633

ACCOUNT: 004300-000033-005

2015+ Tax Statement

Statement Date: 02/26/2016	Property Location: 0000615 CONFEDERATE
Owner: CITY OF LIBERTY TRUSTEE	Acres: 0
Mailing Address: 1829 SAM HOUSTON ST LIBERTY TX 77575	Legal Description: FISHER, BLOCK O-49, LOT 7 8, M H LABEL# TEX0008936

Exemptions:

LAND VALUE	IMPROVEMENT VAL	NON-HOMESITE VAL	APPRAISED VALUE		
8,440	9,390	4,830	22,660		
Taxing Entities		Exemption Amount	Taxable Value	Tax Rate Per \$100	Base Tax
CITY OF LIBERTY		22,660	0	0.590000	0.00
LIBERTY COUNTY		22,660	0	0.578800	0.00
LIBERTY CO HD #1		22,660	0	0.090000	0.00
NAVIGATION SOUTH		22,660	0	0.017800	0.00
LIBERTY ISD		22,660	0	1.394300	0.00
WATER DISTRICT #5		22,660	0	0.059700	0.00
TOTAL BASE TAX					0.00

LAWSUIT: TX11101066

PRIOR YEARS 5,379.80

Total Amount Due 5,379.80

IF THE PROPERTY DESCRIBED IN THIS DOCUMENT IS YOUR RESIDENCE HOMESTEAD, YOU SHOULD CONTACT THE LIBERTY COUNTY TAX OFFICE REGARDING A RIGHT YOU MAY HAVE TO ENTER INTO AN INSTALLMENT AGREEMENT DIRECTLY WITH THE LIBERTY COUNTY TAX OFFICE FOR THE PAYMENT OF THESE TAXES.

*LAWSUIT HAS BEEN FILED ON DELINQUENT TAXES. CALL (936) 336-4633 FOR ADDITIONAL AMOUNT DUE.

*ADDITIONAL COUNTY SALES TAX REDUCED YOUR COUNTY AD VALOREM TAX BY \$0.00.

↓ Detach ↓

Detach and return this portion with your check payable to:

Liberty County
P.O. Box 1810
Liberty, TX 77575
(936) 336-4633

Delinquent Date: 02/01/2016

NOTE: LAWSUIT FILED AGAINST DELINQUENT TAXES. CALL (936) 336-4633.



CITY OF LIBERTY TRUSTEE
1829 SAM HOUSTON ST
LIBERTY TX 77575

2015 +Tax Statement
02/26/2016

Property Account Number
004300-000033-005

Total Amount Due \$5,379.80

OWNER: CITY OF LIBERTY TRUSTEE

PIDN: 48212

FID:
TX11101066

IF PAID IN	AMOUNT DUE
MAR	5,408.92
APR	5,438.09
MAY	5,467.16
JUN	5,496.24
JUL	5,525.49
AUG	5,554.59

Server: LIBERTY TAX

Database: LIBERTYCOUNTY

User: TAXOFCBACK09152\Owner

Form: Account Status

Date: 2/26/2016 8:28:00 AM

Account	004300-000033-005	AD #	48212	I	N
Legal	FISHER, BLOCK D-49, LOT 78, M H LABEL# TEX0008936	Owner	CITY OF LIBERTY TRUSTEE 1829 SAM HOUSTON ST LIBERTY, TX 77575		
Refresh		Stat	J		
		Sup			

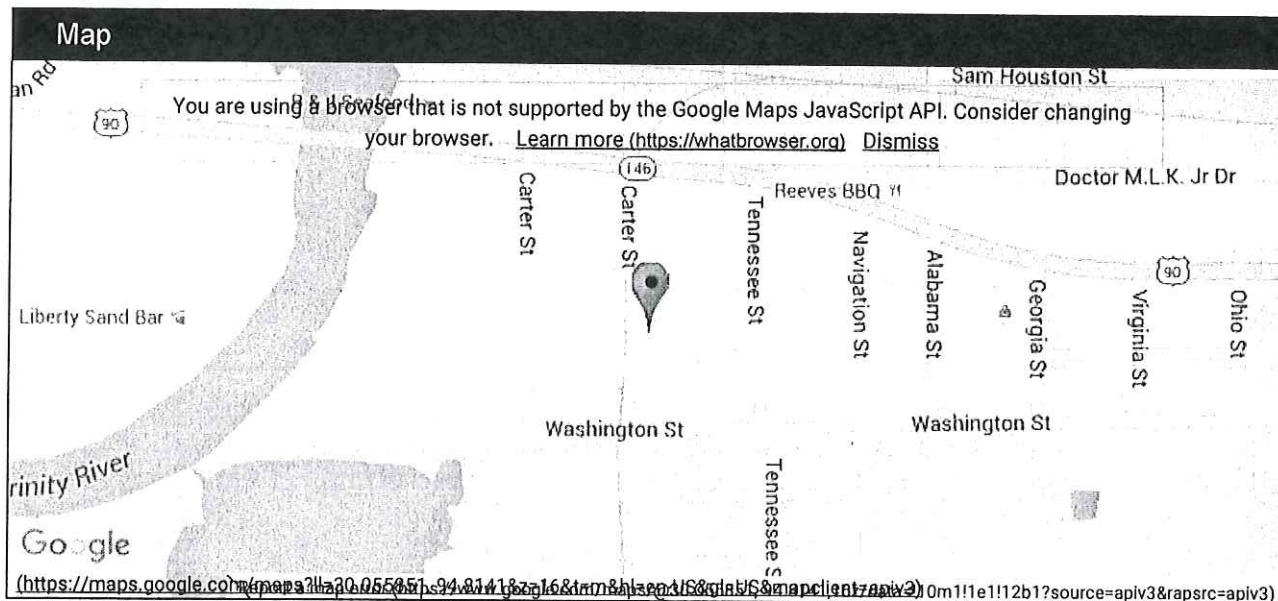
A Val	22,660	S Def		Deed		Acres	0.000000	Frozen Information		Fiduciaries	Found
L Val	8,440	E Def		Vol	0	Sq Ft	0	No Frozen		Exemptions	MISC
I Val	14,220	Ag Def	0	Page	0	Inst	0	Roll	R	NonBilled	Found
Loc	0000615 CONFEDERATE		Map#		02/26/2016	Today		Override P&I		Paid	02/01/2013

Receivables | Detail | Audit | Owner ID: 2025532 Owner %: 100

☐ Current/Due
 ☐ Prior Years
 ☒ All
 ☐ Select...

		MH		Values		Year, Unit Type			
Year	Status	Rec. Bal.	Pen. Due	Int. Due	Col. Pen	Total Due	Paid	Refund	
TOTAL		2,533.54	304.03	1,840.51	701.72	5,379.80	6,813.62	.00	
2015		.00	.00	.00	.00	.00	.00	.00	
2014		.00	.00	.00	.00	.00	.00	.00	
2013		.00	.00	.00	.00	.00	.00	.00	
2012		.00	.00	.00	.00	.00	496.61	.00	
2011	J	574.34	68.92	281.43	138.70	1,063.39	.00	.00	
2010	J	580.06	69.61	353.84	150.54	1,154.05	.00	.00	
2009	J	416.35	49.96	303.94	115.54	885.79	.00	.00	
2008	J	415.53	49.87	353.21	122.78	941.39	.00	.00	
2007	J	403.60	48.43	391.50	126.54	970.07	.00	.00	
2006	J	143.66	17.24	156.59	47.62	365.11	653.19	.00	
2005	J	.00	.00	.00	.00	.00	1,048.44	.00	
2004		.00	.00	.00	.00	.00	447.43	.00	
2003		.00	.00	.00	.00	.00	734.32	.00	
2002		.00	.00	.00	.00	.00	727.20	.00	
2001		.00	.00	.00	.00	.00	599.31	.00	
2000		.00	.00	.00	.00	.00	529.06	.00	
1999		.00	.00	.00	.00	.00	528.72	.00	
1998		.00	.00	.00	.00	.00	528.72	.00	

Property ID: 48212 For Year 2016



Account

Property ID:	48212
Legal Description:	FISHER, BLOCK O-49, LOT 7 8, MH LABEL# TEX0008936
Geographic ID:	004300-000033-005
Agent Code:	
Type:	Real
Location	
Address:	615 CONFEDERATE TX
Map ID:	39 A, 807
Neighborhood CD:	LISD01
Owner	
Owner ID:	2025532
Name:	CITY OF LIBERTY TRUSTEE
Mailing Address:	1829 SAM HOUSTON ST LIBERTY, TX 77575
% Ownership:	100.0%
Exemptions:	EX-XV - Other Exemptions (including public property, religious organizations, charitable organizations, and other property not reported elsewhere) For privacy reasons not all exemptions are shown online.

Property Values

Improvement Homesite Value:	N/A
Improvement Non-Homesite Value:	N/A
Land Homesite Value:	N/A
Land Non-Homesite Value:	N/A
Agricultural Market Valuation:	N/A
Market Value:	N/A
Ag Use Value:	N/A
Appraised Value:	N/A
HS Cap:	N/A
Assessed Value:	N/A

DISCLAIMER: Information provided for research purposes only. Legal descriptions and acreage amounts are for appraisal district use only and should be verified prior to using for legal purpose and or documents.

Property Taxing Jurisdiction

Entity	Description	Tax Rate	Market Value	Taxable Value	Estimated Tax	Freeze Ceiling
CAD	APPRAISAL DIST	N/A	N/A	N/A	N/A	N/A
CLI	CITY OF LIBERTY	N/A	N/A	N/A	N/A	N/A
GLI	LIBERTY COUNTY	N/A	N/A	N/A	N/A	N/A
HD1	HOSPITAL DISTRICT 1	N/A	N/A	N/A	N/A	N/A
NAVS	NAVIGATION-SOUTH	N/A	N/A	N/A	N/A	N/A
PR1	PRECINCT 1	N/A	N/A	N/A	N/A	N/A
SLI	LIBERTY ISD	N/A	N/A	N/A	N/A	N/A
WD5	WATER DISTRICT 5	N/A	N/A	N/A	N/A	N/A

Total Tax Rate: N/A Estimated Taxes With Exemptions: N/A Estimated Taxes Without Exemptions: N/A

Property Improvement - Building

Type: RESIDENTIAL State Code: X1 Living Area: 555.00sqft Value: N/A

Type	Description	Class CD	Exterior Wall	Year Built	SQFT
143	SCREEN PORCH	*		1943	60.00
MA	MAIN AREA	4M	WF	1943	555.00

Type: MISC IMPROVEMENTS State Code: X1 Living Area: 0.00sqft Value: N/A

Type	Description	Class CD	Year Built	SQFT
RS1	WF STORAGE	*	1977	224.00
Type: MOBILE HOME State Code: X1 Living Area: 924.00sqft Value: N/A				
Type	Description	Class CD	Year Built	SQFT
RM1	STANDARD M HOME	MH4	1977	924.00

Property Land

Type	Description	Acres	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
PRI	PRIMARY SITE	0.28	12,400.00	0.00	0.00	N/A	N/A
SI	SITE IMPROVEMENTS	0.00	0.00	0.00	0.00	N/A	N/A

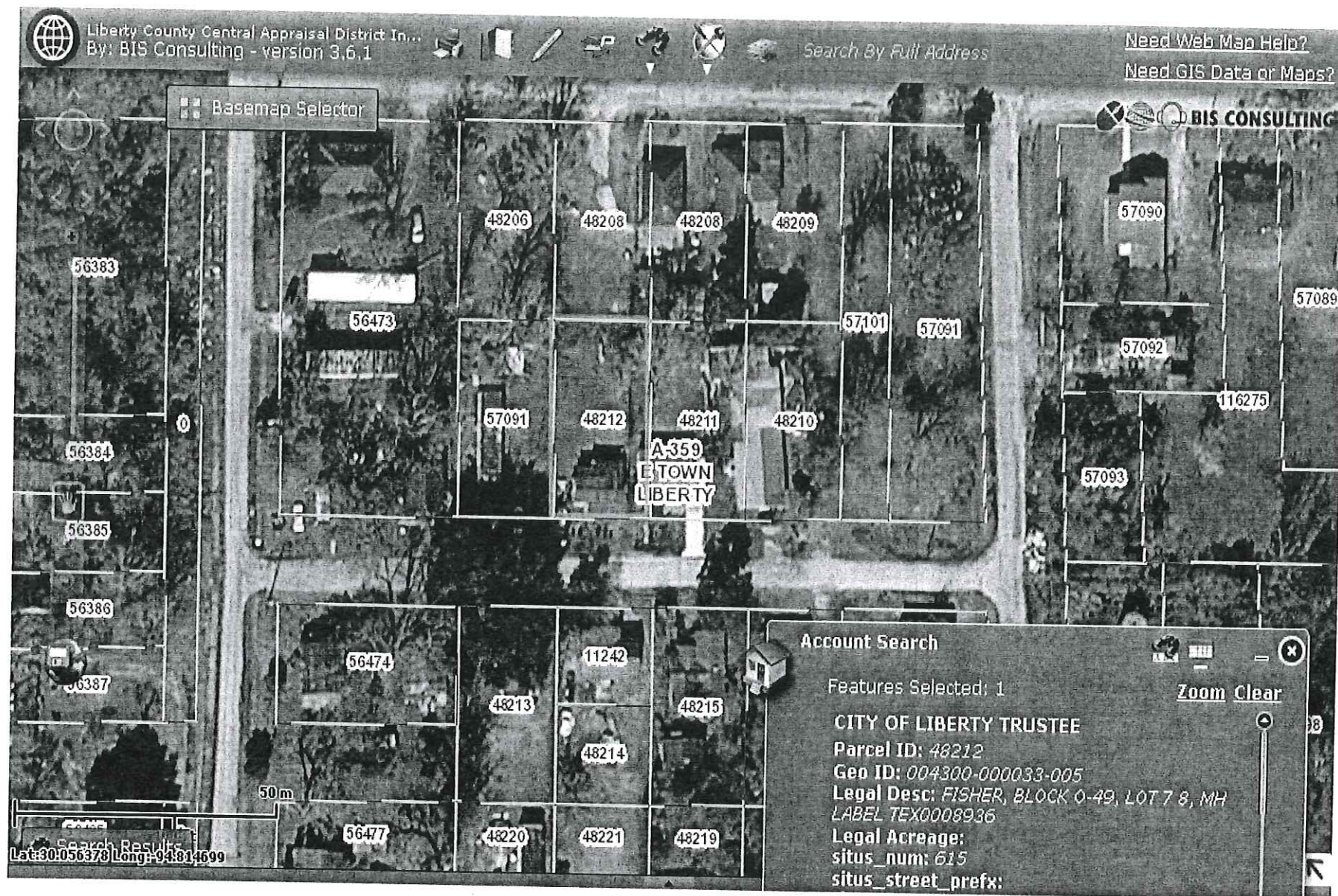
Property Roll Value History

Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap	Assessed
2016	N/A	N/A	N/A	N/A	N/A	N/A
2015	\$14,220	\$8,440	\$0	\$22,660	\$0	\$22,660
2014	\$14,220	\$8,440	\$0	\$22,660	\$0	\$22,660
2013	\$14,220	\$8,440	\$0	\$22,660	\$0	\$22,660
2012	\$14,220	\$8,440	\$0	\$22,660	\$0	\$22,660
2011	\$14,700	\$8,440	\$0	\$23,140	\$0	\$23,140
2010	\$14,700	\$8,440	\$0	\$23,140	\$0	\$23,140
2009	\$10,640	\$5,960	\$0	\$16,600	\$0	\$16,600
2008	\$10,640	\$5,960	\$0	\$16,600	\$0	\$16,600
2007	\$10,340	\$5,960	\$0	\$16,300	\$0	\$16,300

Property Deed History

Deed Date	Type	Description	Grantor	Grantee	Volume	Page	Number
11/6/2012	TAX	TAX DEED	REDMON DEXTER	CITY OF LIBERTY TRUSTEE	2012	015190	
6/10/1994	WD	WARRANTY DEED	TERRELL T C & MARY LOU	REDMON DEXTER	1521	694	0
	OT	OTHER	BOLDS EDWARD LEE & VERNELL	TERRELL T C & MARY LOU	1333	95	0
	OT	OTHER	BOLDS EDWARD LEE & VERNELL	BOLDS EDWARD LEE & VERNELL	1121	379	0
	OT	OTHER	BELL STANLEY	BOLDS EDWARD LEE & VERNELL			0

DISCLAIMER: Information provided for research purposes only. Legal descriptions and acreage amounts are for appraisal district use only and should be verified prior to using for legal purpose and or documents.





The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.5

Meeting: 03/08/16 06:00 PM

Department: Administration
Category: Property Sale

COUNCIL ACTION 2016-16

DOC ID: 3458

RESULT: APPROVED [UNANIMOUS]
MOVER: Diane Huddleston, Mayor Pro Tem
SECONDER: Libby Simonson, Councilperson
AYES: Pickett, Huddleston, Beasley, Jordan, Potetz, Simonson, Arnold





We have an offer on the following property:

Account numbers 005900-000555-004 (PID # 56474)

BEING 0.4247 acres, described as Liberty Inner Blocks, Block 127, Lot Tract 5, and being further identified in the Tax Rolls of Liberty County as Account # 005900-000555-004.

Offeror: Name: Aubrey L Williams
 Address: 5010 McKnight Rd.
 Pearland, Texas 77584
 Phone #: 832-419-8729

Tax owed:	Liberty ISD	\$ 8,462.01	=	52.78 %
	City of Liberty	\$ 3,431.15	=	21.40 %
	County	<u>\$ 4,140.71</u>	=	25.82 %

Total taxes owed: \$ 16,033.87

Offer:	\$ 4,000.00
Less court costs TX11101066	\$ 1,116.00
<u>Deed Filing Fee</u>	<u>\$ 24.00</u>
Amount to be distributed:	\$ 2,860.00

Amount to be received by Liberty ISD	\$ 1,509.51
Amount to be received by the City of Liberty	\$ 612.04
Amount to be received by County	<u>\$ 738.45</u>
	\$ 2,860.00

Total per cent recovered by 17.84 %

Total Base Tax \$ 6,098.09

Per cent of base amount recovered 46.90 %

CAD value (PID #48212) \$ 50,820.00

Percent of CAD value recovered 5.63 %

Liberty County Strike Off Property

RESALE BIDDERS INFORMATION FORM**BUYER INFORMATION**

Name: AUBREY L. WILLIAMS
Address: 5010 MCKNIGHT RD
PEARLAND TX 77584
Phone Number: 832 419-8729

PROPERTY INFORMATION

Suit # CV 69356 GLI
Account # 005900 - 000555 - 004
Legal Description: Liberty INNER BLOCKS, BLOCK 12 7 LOT TRACT 5 .4247

PROPOSED BID INFORMATION

Amount of Bid: \$ 4000.00

A publication fee of \$250.00, \$24.00 for fee to file the deed and the amount of Court Costs will be deducted from this figure first and then the remaining amount is the figure to be distributed to the taxing authorities.

**** The acceptance of this proposed bid sheet does not warranty nor guarantee that the proposed bid will be approved by the taxing entities****

Return completed form to

David Taylor
Fielder, Gunter & Davis
1517 Trinity St
Liberty, TX 77575
Phone (936) 776-6985

LIBERTY COUNTY
TAX ASSESSOR - COLLECTOR
RICHARD L BROWN



P.O. BOX 1810
LIBERTY, TX 77575
(936) 336-4633

ACCOUNT: 005900-000555-004

2015+ Tax Statement

Statement Date: 02/26/2016
Owner: LIBERTY COUNTY TRUSTEE
Mailing Address: 1923 SAM HOUSTON ST
 LIBERTY TX 77575-4800

Property Location: 0000000 CONFEDERATE AVE
Acres: 0.4247
Legal Description: LIBERTY INNER BLOCKS, BLOCK 12
 7, LOT TRACT 5, ACRES .4247

Exemptions:

NON-HOMESITE VAL	APPRAISED VALUE				
50,820	50,820				
Taxing Entities		Exemption Amount	Taxable Value	Tax Rate Per \$100	Base Tax
CITY OF LIBERTY		50,820	0	0.590000	0.00
LIBERTY COUNTY		50,820	0	0.578800	0.00
LIBERTY CO HD #1		50,820	0	0.090000	0.00
NAVIGATION SOUTH		50,820	0	0.017800	0.00
LIBERTY ISD		50,820	0	1.394300	0.00
WATER DISTRICT #5		50,820	0	0.059700	0.00
LAWSUIT: CV69356 GLI					
				TOTAL BASE TAX	0.00

PRIOR YEARS 15,963.77

Total Amount Due	15,963.77
-------------------------	------------------

IF THE PROPERTY DESCRIBED IN THIS DOCUMENT IS YOUR RESIDENCE HOMESTEAD, YOU SHOULD CONTACT THE LIBERTY COUNTY TAX OFFICE REGARDING A RIGHT YOU MAY HAVE TO ENTER INTO AN INSTALLMENT AGREEMENT DIRECTLY WITH THE LIBERTY COUNTY TAX OFFICE FOR THE PAYMENT OF THESE TAXES.

*LAWSUIT HAS BEEN FILED ON DELINQUENT TAXES. CALL (936) 336-4633 FOR ADDITIONAL AMOUNT DUE.
 *ADDITIONAL COUNTY SALES TAX REDUCED YOUR COUNTY AD VALOREM TAX BY \$0.00.

↓ Detach ↓

Detach and return this portion with your check payable to:

Liberty County
 P.O. Box 1810
 Liberty, TX 77575
 (936) 336-4633

Delinquent Date: 02/01/2016

NOTE: LAWSUIT FILED AGAINST DELINQUENT TAXES. CALL (936) 336-4633.

2015 +Tax Statement 02/26/2016

Property Account Number 005900-000555-004
--

Total Amount Due	\$15,963.77
-------------------------	--------------------

OWNER: LIBERTY COUNTY TRUSTEE
 PIDN: 56474
 FID:
 CV69356 GLI



LIBERTY COUNTY TRUSTEE
 1923 SAM HOUSTON ST
 LIBERTY TX 77575-4800

IF PAID IN	AMOUNT DUE
MAR	16,033.87
APR	16,104.01
MAY	16,174.17
JUN	16,244.30
JUL	16,314.35
AUG	16,384.56

7.A.5.a

Server: LIBERTY TAX

Database: LIBERTYCOUNTY

User: TAXOFCBACK09152\Owner

Form: Account Status

Date: 2/26/2016 8:10:33 AM

Packet Pg. 53

Account	005900-000555-004	AD #	56474	I	N
Legal	LIBERTY INNER BLOCKS, BLOCK 12 7, LOT TRACT 5, ACRES .4247	Owner	LIBERTY COUNTY TRUSTEE 1923 SAM HOUSTON ST LIBERTY, TX 77575-480		
Refresh		Stat	J		
		Sup			

A Val	50,820	S Def		Deed		Acres	0.424700	Frozen Information		Fiduciaries	0 found
L Val	12,210	E Def		Vol	0	Sq Ft	0	No Frozen		Exemptions	MISC
I Val	38,610	Ag Def	0	Page	0	Inst	0	Roll	R	NonBilled	0 Found
Loc	0000000 CONFEDERATE		Map#		02/26/2016	Today		Override P&I		Paid	07/03/2008

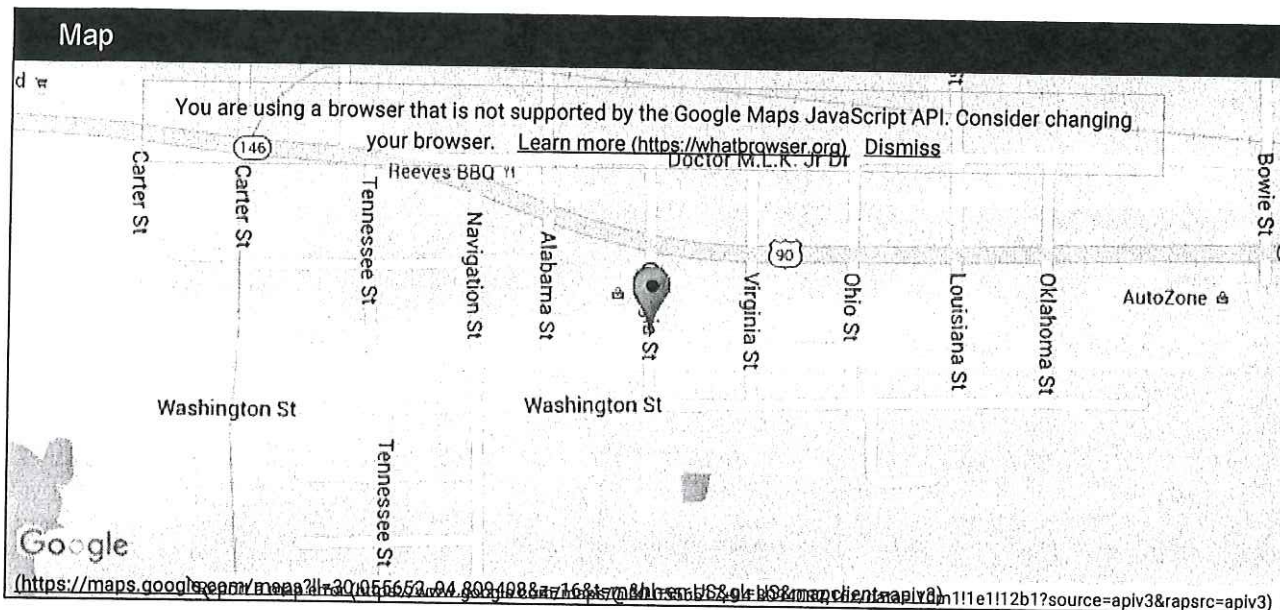
Receivables | Detail | Audit | Owner ID: 187784 Owner %: 100

Current/Due Prior Years All Select..

		Values					Year, Unit, Type	
Year	Status	Rec. Bal.	Pen. Due	Int. Due	Col. Pen	Total Due	Paid	Refund
TOTAL		6,098.09	731.79	7,051.65	2,082.24	15,963.77	15,853.36	.00
2015		.00	.00	.00	.00	.00	.00	.00
2014		.00	.00	.00	.00	.00	.00	.00
2013		.00	.00	.00	.00	.00	.00	.00
2012		.00	.00	.00	.00	.00	.00	.00
2011	J	203.26	24.39	99.60	49.09	376.34	.00	.00
2010	J	1,269.91	152.39	774.65	329.54	2,526.49	.00	.00
2009	J	795.33	95.44	580.59	220.71	1,692.07	.00	.00
2008	J	793.76	95.25	674.70	234.56	1,798.27	.00	.00
2007	J	.00	.00	.00	.00	.00	885.59	.00
2006	J	.00	.00	.00	.00	.00	869.25	.00
2005	J	.00	.00	.00	.00	.00	909.02	.00
2004	J	.00	.00	.00	.00	.00	866.04	.00
2003	J	824.56	98.95	1,195.62	317.87	2,437.00	.00	.00
2002	J	789.84	94.79	1,240.04	318.70	2,443.37	.00	.00
2001	J	719.47	86.34	1,215.91	303.26	2,324.98	.00	.00
2000	J	701.96	84.24	1,270.54	308.51	2,365.25	.00	.00
1999	J	.00	.00	.00	.00	.00	1,705.22	.00
1998	J	.00	.00	.00	.00	.00	1,000.15	.00

Liberty CAD eSearch

Property ID: 56474 For Year 2016



Property Details

Account

Property ID:	56474
Legal Description:	LIBERTY INNER BLOCKS, BLOCK 127, LOT TRACT 5, ACRES .4247
Geographic ID:	005900-000555-004
Agent Code:	
Type:	Real

Location

Address:	CONFEDERATE AVE
Map ID:	39 A, 807
Neighborhood CD:	LISD01

Owner

Owner ID:	187784
Name:	LIBERTY COUNTY TRUSTEE
Mailing Address:	1923 SAM HOUSTON ST LIBERTY, TX 77575-4800
% Ownership:	100.0%
Exemptions:	EX-XV - Other Exemptions (including public property, religious organizations, charitable organizations, and other property not reported elsewhere) For privacy reasons not all exemptions are shown online.

Property Values	
Improvement Homesite Value:	N/A
Improvement Non-Homesite Value:	N/A
Land Homesite Value:	N/A
Land Non-Homesite Value:	N/A
Agricultural Market Valuation:	N/A
Market Value:	N/A
Ag Use Value:	N/A
Appraised Value:	N/A
HS Cap:	N/A
Assessed Value:	N/A

DISCLAIMER: Information provided for research purposes only. Legal descriptions and acreage amounts are for appraisal district use only and should be verified prior to using for legal purpose and or documents.

Property Taxing Jurisdiction						
Entity	Description	Tax Rate	Market Value	Taxable Value	Estimated Tax	Freeze Ceiling
CAD	APPRAISAL DIST	N/A	N/A	N/A	N/A	N/A
CLI	CITY OF LIBERTY	N/A	N/A	N/A	N/A	N/A
GLI	LIBERTY COUNTY	N/A	N/A	N/A	N/A	N/A
HD1	HOSPITAL DISTRICT 1	N/A	N/A	N/A	N/A	N/A
NAVS	NAVIGATION-SOUTH	N/A	N/A	N/A	N/A	N/A
PR1	PRECINCT 1	N/A	N/A	N/A	N/A	N/A
SLI	LIBERTY ISD	N/A	N/A	N/A	N/A	N/A
WD5	WATER DISTRICT 5	N/A	N/A	N/A	N/A	N/A
Total Tax Rate: N/A Estimated Taxes With Exemptions: N/A Estimated Taxes Without Exemptions: N/A						

Property Improvement - Building

Type: RESIDENTIAL State Code: X1 Living Area: 683.00sqft Value: N/A

Type	Description	Class CD	Exterior Wall	Year Built	SQFT
111	OPEN FRAME PORCH	*		1958	80.00
114	FRAME UTILITY	*		1958	20.00
143	SCREEN PORCH	*		1946	72.00
MA	MAIN AREA	4M	WF	1946	683.00

Type: RESIDENTIAL State Code: X1 Living Area: 688.00sqft Value: N/A

Type	Description	Class CD	Exterior Wall	Year Built	SQFT
114	FRAME UTILITY	*		1955	75.00
111	OPEN FRAME PORCH	*		1946	72.00
MA	MAIN AREA	4M	WF	1946	688.00

Type: RESIDENTIAL State Code: X1 Living Area: 683.00sqft Value: N/A

Type	Description	Class CD	Exterior Wall	Year Built	SQFT
114	FRAME UTILITY	*		1955	80.00
111	OPEN FRAME PORCH	*		1946	72.00
MA	MAIN AREA	4M	WF	1946	683.00

Property Land

Type	Description	Acres	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
CL	CORNER LOT	0.42	18,499.00	0.00	0.00	N/A	N/A

Property Roll Value History

Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap	Assessed
2016	N/A	N/A	N/A	N/A	N/A	N/A
2015	\$38,610	\$12,210	\$0	\$50,820	\$0	\$50,820
2014	\$38,450	\$12,210	\$0	\$50,660	\$0	\$50,660
2013	\$38,450	\$12,210	\$0	\$50,660	\$0	\$50,660
2012	\$38,450	\$12,210	\$0	\$50,660	\$0	\$50,660
2011	\$38,450	\$12,210	\$0	\$50,660	\$0	\$50,660
2010	\$38,450	\$12,210	\$0	\$50,660	\$0	\$50,660
2009	\$22,460	\$9,250	\$0	\$31,710	\$0	\$31,710
2008	\$22,460	\$9,250	\$0	\$31,710	\$0	\$31,710
2007	\$21,850	\$9,250	\$0	\$31,100	\$0	\$31,100

Property Deed History

Deed Date	Type	Description	Grantor	Grantee	Volume	Page	Number
3/1/2011	SD	SHERIFF'S DEED	FISHER CHARLES W EST INC	LIBERTY COUNTY TRUSTEE	2011	002678	
	OT	OTHER	FISHER CHARLES W EST	FISHER CHARLES W EST INC	1041	251	0

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The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.6

Meeting: 03/08/16 06:00 PM

Department: Administration
Category: Miscellaneous Issues

ORDINANCE 2016-6

DOC ID: 3459 A

AN ORDINANCE AMENDING THE CODE OF ORDINANCES, ARTICLE 1.08, ISSUANCE OF CITATIONS; PROVIDING FOR AN EFFECTIVE DATE; AND DISPENSING WITH THE REQUIREMENT OF SECTION 3.10 OF THE HOME RULE CHARTER THAT THIS ORDINANCE BE READ ON TWO SEPARATE DAYS.

WHEREAS, the City Council of the City of Liberty, Texas seeks to promote the public health, safety, morals and general welfare of the municipality and the safe, orderly, and healthful development of the City;

WHEREAS, the City Council finds that state law does not provide rules and regulations relating to issuance of citations in criminal cases stemming from local ordinances by non-peace officers;

WHEREAS, the City Council desires to enact an ordinance which authorizes Animal Control Officers to issue citations to provide for the enforcement of the Code of Ordinances and other Codes and Ordinances of the City as provided herein;

WHEREAS, pursuant to Texas Local Government Code Section 51.001, the City has general authority to adopt an ordinance or police regulation that is for the good government, peace or order of the City, and is necessary or proper for carrying out a power granted by law to the City; and

WHEREAS, the City Council finds that it is necessary and proper for the good government, peace or order of the City to adopt an ordinance regulating the issuance of citations in criminal cases stemming from local ordinances by non-peace officers.

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

Section 1: Section 1.08.001 of the Code of Ordinances of the City of Liberty is amended to read as follows:

Section 1.08.001. Title; purpose; applicability

- (a) Title. This article shall be cited as the citation issuance ordinance.
- (b) Purpose. This article provides procedural and substantive rules relating to the issuance of citations by non-peace officers to defendants accused of violating criminal ordinances of the city. The mandates and process established by this article were specifically designed to achieve the

effective and efficient administration of the city's code enforcement program through the improved operation of the city's municipal court.

- (c) Applicability. This article applies to the issuance of citations alleging criminal violations within the jurisdiction of the municipal court. The procedures of this article apply only to offenses alleged to occur on or after the date of enactment.

Section 2: Section 1.08.002 of the Code of Ordinances of the City of Liberty is amended to read as follows:

Section 1.08.002. Definitions

- (a) General rules of construction. Words and phrases used in this article shall have the meanings set forth in this section. Terms that are not defined below, but are defined elsewhere in the Code of Ordinances, shall be given the meanings set forth in the code. Words and phrases not defined in the Code of Ordinances shall be given their common ordinary meaning unless the context clearly requires otherwise. When not inconsistent with the context, words used in the present tense shall include the future tense, words in the plural number shall include the singular number (and vice versa), and words in the masculine gender shall include the feminine gender (and vice versa). The word "shall" is always mandatory, while the word "may" is merely directory. Headings and captions are for reference purposes only.
- (b) Specific Definitions.
 1. Animal Control Officer. The individual appointed by the chief of police to act in that capacity, or any officer of the city police department.
 2. Citation. An ordinance violation notice and notice to appear before the city municipal court, as provided for in this article.
 3. Person. Any individual, association, firm, corporation, governmental agency, political subdivision, or legal entity of any kind.

Section 3: Section 1.08.003 of the Code of Ordinances of the City of Liberty is amended to read as follows:

Section 1.08.003. Administration

- (a) Relation to related laws. A citation issued pursuant to this article does not relate to the issuance of a citation by a peace officer pursuant to article 14.06(d) of the Code of Criminal Procedure or section 543.003 of the Texas Transportation Code.

- (b) Authority to issue citations. Pursuant to this article, and the scope of their assigned duties, a citation may be issued by any of the following individuals so designated by the city council;
 - (1) Animal Control Officer
- (c) Form and contents of citations. A citation issued under this section must be in a form approved by the municipal court judge that includes the following information:
 - (1) The name, address, date of birth, driver's license number or identification number and physical description, and telephone number of the person cited;
 - (2) The offense and ordinance section for which the person is charged;
 - (3) The date and location of the offense;
 - (4) A statement requiring the person receiving the citation to appear at municipal court on or before the appearance date indicated on the citation;
 - (5) A statement of the person's promise to respond to the citation, pursuant to article 27.14 of the Code of Criminal Procedure, by the appearance date indicated on the citation, including a place for the person cited to provide the person's signature; and
 - (6) The signature and identification number of the person issuing the citation.
- (d) Pleading subsequent to issuance of citation. All pleas arising from the issuance of a citation under this article shall be made pursuant to article 27.14 of the Code of Criminal Procedure.

Section 4: Section 1.08.004 of the Code of Ordinances of the City of Liberty is amended to read as follows:

Section 1.08.004. Offenses; penalty

- (a) Violation of promise to appear. A person issued a citation, as authorized by this article, commits an offense if the person fails to appear or enter a plea pursuant to section 1.08.003(d) on or before the appearance date indicated on the citation.
- (b) Interference with or obstruction of issuance. A person commits an offense if the person interferes with or obstructs the issuance of a citation under this article.

- (c) Provided false information. A person commits an offense if the person gives a false or fictitious name, address, or other information to an individual authorized to issue a citation under this article.
- (d) Penalty. Each violation under this article is a misdemeanor offense punishable upon conviction by a fine not to exceed five hundred dollars (\$500.00) per offense. For violations that govern fire safety, zoning, or public health and sanitation, including dumping of refuse, the fine may not exceed two thousand dollars (\$2,000.00) per offense. Each day shall constitute a separate offense.

Section 5: That the requirement contained in Section 3.10 of the Home Rule Charter of the City of Liberty, Texas that all ordinances be read on two days is hereby dispensed with.

Section 6: This Ordinance shall be in full force and effect from and after the date that it has been published in the newspaper on two separate dates.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Liberty, this _____ day of _____, 2016.

Carl Pickett, Mayor

ATTEST:

Dianne Tidwell, City Secretary

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Libby Simonson, Councilperson
SECONDER:	Frank Jordan, Councilperson
AYES:	Pickett, Huddleston, Beasley, Jordan, Potetz, Simonson, Arnold



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.C.1

Meeting: 03/08/16 06:00 PM

Department: Administration
Category: Executive Session Items

COUNCIL ACTION 2016-17

DOC ID: 3460

RESULT: **APPROVED [6 TO 1]**
MOVER: Libby Simonson, Councilperson
SECONDER: Dennis Beasley, Councilperson
AYES: Pickett, Huddleston, Beasley, Jordan, Simonson, Arnold
NAYS: Louie Potetz