Notice of Meeting
Regular Meeting of the Keene City Council

Thursday, February 28, 2019

Gary Heinrich
Mayor

Cheryl Schram
Place II

Gwen Beeson
Mayor Pro Tem (Ward II)

James Belz
Place III

Robert G. Cooper
Ward III

Lisa Parrish
Place I

Rob Foster
Ward I

Notice is hereby given that a Regular Meeting of the City Council of the City of Keene will be held on Thursday, February 28, 2019 at 6:00 PM at the Keene City Hall, located at 1000 N Old Betsy Rd (FM 2280), Keene, Texas, in the City Council Chambers.

City Hall is wheelchair accessible. The entry ramp is at the front with entry at the front entrance to City Hall. Reasonable accommodations to furnish auxiliary aids or assistance to assist persons with special needs will be provided when forty-eight (48) hours advance notice is given. Please contact the City Secretary at 817-641-3336.
Call to order and certification of quorum

Invocation & Pledge of Allegiance to the Flags of United States and Texas Flag.

Pledge of Allegiance to the Texas Flag:  *Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible.*

1. Public Comments
   (Citizens are invited to speak on any topic; however, unless the item is specifically noted on this agenda, the City Council is required under the Texas Open Meetings Act to limit its response to one of the following: *Responding with a statement of specific factual information or reciting the City’s existing policy on that issue*; or Directing the person making the inquiry to visit with City Staff about the issue. (No Council deliberation is permitted.) Citizens are required to stand when speaking, state their name and address and the comment time is limited to three (3) minutes. *The amount of time given to the public to speak may be changed at any time at the Mayor’s discretion.*)

2. Mayor’s Comments:

3. Discussion and possible action regarding an interlocal agreement between the North Central Texas Emergency Communications District and the City of Keene, Texas for Regional 9-1-1 Service.

4. Discussion and possible action regarding the purchase of Cardinal MobileCite and Badge annual licenses.

5. Discussion and possible action regarding an amendment to the Interlocal Agreement between Johnson County and City of Keene regarding jurisdiction of plat approval in the City’s Extraterritorial Jurisdiction.

6. Discussion and possible action regarding investment accounts.

7. Department Reports:
   a) Public Works
   b) Police
   c) Fire
   d) Planning & Development
   e) Code Enforcement
8. **PUBLIC HEARING:** Consideration and possible action to amend Article VII. Off Street Parking and Loading Requirements. Title VII. Traffic Code.  
CLOSER PUBLIC HEARING.

9. Discussion and possible action to amend Article VII. Off Street Parking and Loading Requirements. Title VII. Traffic Code.

10. City Manager’s Report:
- Fire/ EMS Department
- Capital Improvement Projects
- Developments
- Drainages Projects
- Engineering Department
- Finance Department
- Grant related Projects
- Law Enforcement
- Legislative Update
- Planning Department
- Road Project
- Special Projects
- Status on Future Agenda Requests
- Transportation
- Wastewater Projects
- Water Projects
- Animal Control
- Legal matters
- Livestreaming
- Parks & Recreation

11. Discussion and requests for future items on the agenda.

12. Adjourn

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the City Council of Keene, Texas is a true and correct copy of said Notice and that I posted a true and correct copy of said notice on the official bulletin board of City Hall, a place convenient and readily accessible to the general public at all times, and that said notice was posted on or before 6:00 P.M., Monday, February 25, 2019.

_Holly Owens, T.R.M.C._

City Secretary, Holly Owens, T.R.M.C.
SUBJECT: Discussion and possible action regarding an Interlocal Agreement Between the North Central Texas Emergency Communications District and the City of Keene

1. BACKGROUND

The North Central Texas Emergency Communications District (hereafter NCT9-1-1) is the regional emergency communications district in which the City of Keene falls. NCT9-1-1 maintains and oversees regional 9-1-1 communications.

2. ANALYSIS

The City of Keene operates a Public Safety Answering Point (PSAP). This PSAP was established when the City began operations of internal 911 call answering and dispatch functions. This PSAP was maintained when the City of Keene outsourced dispatch functions to the Johnson County Sheriff's Office (JCSO), which already operated its own PSAP.

The PSAP was maintained in the City of Keene so that dispatch functions, if ever needed, could be reactivated without having to re-establish a PSAP.

This interlocal agreement establishes the responsibilities of the City of Keene while the PSAP is maintained. 9-1-1 equipment is maintained in a secured location within the police department, though it is currently unused.

3. FISCAL IMPACT

This interlocal agreement requires no expenditure of funds by the City of Keene.

4. CITY STRATEGIC GOALS:

Maintaining 9-1-1 emergency communications through the NCT9-1-1.
5. ACTION/RECOMMENDATION

Staff recommends entering into this interlocal agreement with the North Central Texas Emergency Communications District who provides funding to operate and maintain 9-1-1 service within the district.

6. ATTACHMENTS
   - Draft interlocal agreement between NCT9-1-1
INTERLOCAL AGREEMENT BETWEEN THE
NORTH CENTRAL TEXAS EMERGENCY COMMUNICATIONS DISTRICT AND
[Company]
FOR REGIONAL 9-1-1 SERVICE

Section 1: Parties and Purpose

1.1. The North Central Texas Emergency Communications District (hereinafter “NCT9-1-1”) is a regional emergency communications district and a political subdivision of the State of Texas organized under the Texas Health and Safety Code, Subchapter H, Chapter 772, as amended. NCT9-1-1 has developed an annual budget to operate and maintain 9-1-1 service within the district.

1.2. [Company] (hereinafter “Public Agency”) is a local government that operates one or more Public Safety Answering Points (“PSAPs”) that participate in NCT9-1-1 as authorized by Texas Health and Safety Code Chapter 772.

1.3. This interlocal contract is entered into between NCT9-1-1 and Public Agency pursuant to Texas Government Code Chapter 791 so that it can operate and maintain its PSAPs, upgrade 9-1-1 equipment and train its personnel to participate in the Next Generation 9-1-1 emergency communications system in the District. For purposes of carrying out NCT9-1-1’s duties and obligations under this agreement, the parties understand and agree that references to NCT9-1-1 includes its employees, officers, directors, volunteers, agents (including North Central Texas Council of Governments – hereinafter “NCTCOG”), and their representatives individually, officially, and collectively.

Section 2: Rights and Duties of the Public Agency

The Public Agency will:

2.1. Financial/Insurance
   2.1.1. Return or reimburse NCT9-1-1 any 9-1-1 funds used in noncompliance with applicable laws and/or rules within 60 days after discovery of noncompliance, unless an alternative repayment plan is approved, in writing, by both parties.
   2.1.2. Reimburse NCT9-1-1 for damage to 9-1-1 equipment caused by intentional misconduct, abuse, misuse, or negligence by Public Agency employees or other persons granted access to the PSAP, as well as acts of force majeure. This provision does not include ordinary wear and tear or day-to-day use of the equipment.
   2.1.3. Maintain accurate fiscal records and supporting documentation of all 9-1-1 funds distributed to Public Agency and all 9-1-1 funds spent by such Public Agency for 9-1-1 service, with specific detail for 9-1-1 funds received.
   2.1.4. Purchase and maintain adequate insurance policies on all 9-1-1 equipment in amounts sufficient to provide for the full replacement of such equipment in cases of loss due to anything other than daily use and normal wear-and-tear. Public Agency shall name NCT9-1-1 as an Additional Insured or equivalent for all such insurance policies.

2.2. Inventory
   2.2.1. Report any lost or stolen equipment to NCT9-1-1 immediately upon discovery.
   2.2.2. Notify NCT9-1-1 30 days in advance of disposition of equipment due to obsolescence, failure, or other planned replacement.
2.3. **Security**

2.3.1. Protect the Customer Premise Equipment (CPE), ancillary, and database maintenance/GIS equipment by implementing measures that secure the premises (including equipment room) of its PSAPs or addressing office against unauthorized entrance or use.

2.3.2. Operate within local standard procedures and take appropriate security measures as may be necessary to ensure that non-approved third-party software applications cannot be integrated into the PSAP(s)' CPE/Integrated or workstations.

2.3.3. Not attach nor integrate any hardware device (i.e. external storage devices) or software application without prior written approval of NCT9-1-1. Further, no unauthorized person shall configure, manipulate, or modify any hardware device or software application. Such authority can only be granted by NCT9-1-1.

2.3.4. Adhere to Health and Safety Code, Section 772.002(C), Confidentiality of information.

2.3.5. Ensure each person who is authorized to receive, store, process, and/or transmit CPE information has a unique identification login and be logged into such equipment identifying their legitimacy for use.

2.4. **Maintenance**

2.4.1. Maintain 9-1-1 equipment and areas ensuring cleanliness.

2.4.2. Notify NCT9-1-1’s Technical Team when there is any scheduled maintenance on commercial power backup generators at least 48 hours prior to work commencing.

2.4.3. Notify NCT9-1-1’s Technical Team immediately of any power or generator outages. If the outage affects the 9-1-1 system, trouble reporting procedures should be followed.

2.4.4. (If administrative telephone system is integrated with NCT9-1-1 equipment) Maintain a contingency plan identifying the back-up solution for the administrative telephone system. If a contingency plan is not provided to NCT9-1-1 within 30 days of contract execution, NCT9-1-1 reserves the right to remove the administrative phone lines from the 9-1-1 equipment.

2.4.5. Notify NCT9-1-1’s Technical Team of technical issues immediately upon discovery. The Public Agency will utilize one of the following methods:
   a. Via telephone by calling (888) 311-3911
   b. Via email to Support@NCT911.org
   c. Via the Trouble Ticket System (accessed by using the icon on the toolbar)
   d. Via the website at https://SCC.NCT911.org

2.4.6. Test generators at least monthly and conduct a load test at least once a year, to ensure that all NCT9-1-1 equipment remains functional.

2.5. **Geographic Information Systems (GIS) / Data**

2.5.1. Meet GIS requirements (Attachment A) in order to receive reimbursement. These requirements may be revised annually. If Public Agency cannot meet these requirements, the planned funds shall be used by NCT9-1-1 to procure/provide those services for Public Agency.

2.5.2. Acknowledge County Addressing Offices are responsible for coordinating GIS operations, policies and procedures with the cities in their county, as well as incorporating GIS data into the county datasets.

2.5.3. Provide and maintain GIS maintenance functions in return for funding through NCT9-1-1 and within the guidelines of the GIS Data Maintenance Model (Attachment B). At a minimum, Public Agency agrees to:
   a. Select a 9-1-1 Addressing Coordinator to serve as a single point of contact for NCT9-1-1.
   b. Assign street addresses and ranges, name streets, and resolve addressing conflicts and problems. County 9-1-1 Addressing Coordinator shall not allow for duplicate street and community names anywhere in the county.
   c. Provide a physical address to any citizen requesting it as long as doing so complies with local policies/procedures/ordinances.
   d. Establish efficient procedures for updating and maintaining all addressing data through review and revisions due to changes in Public Agency ordinances and/or subdivision regulations.
e. Maintain addressing/database equipment and data.
f. Adhere to Health and Safety Codes, Section 772.002 (C), Number and location identification in maintaining 9-1-1 and addressing databases.
g. Protect the confidentiality of addressing databases and of information furnished by telecommunications providers and notify NCT9-1-1 in writing within two business days of the receipt of a request for addressing databases or information made under the Texas Public Information Act.
h. Notify NCT9-1-1 in writing at least 30 days prior to a 9-1-1 office move.
i. Respond to any database errors within in 72 hours of receipt.

2.6. Training
2.6.1. Schedule telecommunications to receive 9-1-1 equipment training within 120 days of his/her hire date.
2.6.2. Ensure that telecommunications receive TDD/TTY training every six months as mandated by the Department of Justice.
2.6.3. Ensure that 9-1-1 PSAP supervisory personnel or designee attend quarterly training/meetings offered by NCT9-1-1. A minimum attendance of two meetings per year are required for each PSAP.
2.6.4. PSAP Telecommunicators, Training Coordinators, Supervisors/Managers, and other essential personnel identified by the Supervisor/Manager are required to attend CPE training associated with the implementation of new technology software. This training will be completed during specific dates and times, but there is the option to attend at other times if PSAP scheduling does not allow personnel to attend their designated time slot.
2.6.5. Request the use of training facilities by sending an email to 911OperationsTeam@NCTCOG.org and specifying the date of request, time of request and type of resources needed such as Solacom or Criticall.

2.7. Facilities
2.7.1. Meet minimum requirement for back room requirements (Attachment C). Any expenses associated with this requirement are the responsibility of the Public Agency.
2.7.2. Ensure equipment room and 9-1-1 communications area maintain a temperature between 65-85 degrees Fahrenheit.
2.7.3. Ensure 9-1-1 equipment room and communications area complies with the Americans with Disabilities Act of 1990.
2.7.4. Provide access to NCT9-1-1 staff and contracted vendors that meet CJIS requirements on a 24/7/365 basis without prior notice.

2.8. Supplies
2.8.1. Purchase supplies such as printer paper, printer ink, cleaning materials, and other expendable items necessary for the continuous operations of its PSAPs.

2.9. Monitoring/Reporting
2.9.1. Maintain financial, statistical, and ANI/ALI records adequate to document performance, costs, and receipts under this contract in accordance with applicable records retention schedules. Public Agency agrees to maintain these records at Public Agency’s offices and provide or make available for inspection upon request by NCT9-1-1.
2.9.2. Cooperate fully with all reasonable monitoring requests from NCT9-1-1 for the purposes of assessing and evaluating Public Agency’s performance under this Agreement.

2.10. Media Relations
2.10.1. Refrain from commenting on social media, to the media, or to the public about 9-1-1 service other than that provided directly by Public Agency.
2.10.2. Make every effort to communicate accurate information in social media posts and/or interaction with the media, specifically as it relates to NCT9-1-1. Public Agency must first coordinate with NCT9-1-1 before making comments on social media and/or speaking to the media regarding technology and/or service concerns.

2.10.3. Refer media directly to NCT9-1-1 for discussions related to NCT9-1-1 technology and other NCT9-1-1 program specific questions.

2.11. Operations

2.11.1. Sign the contingent PSAP agreement provided by NCT9-1-1 and provide annually as part of the site visit. Changes to contingent PSAPs must be approved by NCT9-1-1.

2.11.2. Designate PSAP supervisory personnel or a designee and provide related contact information (to include after hour contact information) as a single point of contact for NCT9-1-1.

2.11.3. Provide a minimum of 120 days’ prior notice of any change that affects the 9-1-1 system.

2.11.4. Test all 9-1-1 equipment for proper operation and user familiarity at least once per month, including tests for wireless calls, wireline calls, texts to 9-1-1 and TTYs.

2.11.5. Power cycles each 9-1-1 position at least once per each week.

2.11.6. Test all 9-1-1 TDD/TTYs for proper operation and to maintain user familiarity at least once per month.

2.11.7. Log all TDD/TTY calls and test calls.

2.11.8. Keep at least one 10-digit emergency telephone number that is not part of an automated system to be used for 9-1-1 transfer calls and default routing. These numbers shall be answered by a live person 24/7/365 and should have the ability to be call forwarded. Any change in the 10-digit emergency telephone number must be reported to NCT9-1-1 in writing. The number shall be provided to the public during 9-1-1 outages (via notification system, website, social media and/or emergency management).

2.11.9. Notify NCT9-1-1 in writing at least 90 days prior to changing emergency services providers including medical, law enforcement, and fire.

2.11.10. Submit a signed Manual ALI Request form (Attachment D) to NCT9-1-1 annually and agree to use ALI lookup feature only in the handling and processing of an emergency telephone call. Have an emergency plan for 9-1-1 communications that includes, at a minimum,

   a. Emergency generator information and how to operate said generator
   b. Documented procedures for the transfer of administrative lines when the call center is evacuated.

2.11.11. Comply with NCT9-1-1 policy and procedures for PSAP moves and changes.

2.11.12. Report discrepancies to NCT9-1-1 utilizing the tools in the dispatch mapping solution with 72 hours.

2.11.13. Ensure that each Telecommunicator logs into the 9-1-1 software at the beginning of his/her shift and logs out at the end of his/her shift.

2.11.14. Protect the confidentiality of 9-1-1 database information and of information furnished by telecommunications providers, and notify NCT9-1-1 in writing within two business days of the receipt of the request for 9-1-1 database information made under the Texas Public Information Act.

2.11.15. Be responsible for all furniture, administrative telephones, copier machines, and administrative desktop computers located within the Public Agency’s operating area.

Section 3: Rights and Duties of NCT9-1-1

NCT9-1-1 will:

3.1. Financial

3.1.1. Develop a plan to meet Public Agency needs for the establishment and operation of 9-1-1 service throughout the region served, according to standards established and approved by the NCT9-1-1 Board of Managers.

3.1.2. Provide 9-1-1 service throughout the region as funded by emergency service fees.
3.1.3. Maintain accurate fiscal records and supporting documentation of all 9-1-1 activities including specific details of funds distributed to Public Agency.

3.2. **Inventory**
3.2.1. Conduct a physical inventory of critical hardware annually and reconcile inventory quarterly.

3.3. **Maintenance**
3.3.1. Practice preventative maintenance on all NCT9-1-1 owned or leased CPE database maintenance, software, and databases including, at a minimum, backing up data as necessary. NCT9-1-1 shall be responsible for any maintenance costs on NCT9-1-1 owned or leased equipment.

3.4. **Operations**
3.4.1. Inspect contingent PSAP agreements quarterly.
3.4.2. Implement upgrades of its PSAPs equipment and software, as authorized in the current annual budget, through the appropriate NCT9-1-1 processes for the purchase of new equipment and software.

**Section 4: Effective Date and Term of Contract**

4.1. This Interlocal contract shall take effect upon dual execution and shall continue until September 30, 2019, unless sooner terminated under 8.1 Early Termination of Contract.

**Section 5: Ownership, Transference and Disposition of Equipment**

5.1. NCT9-1-1 shall establish ownership of all 9-1-1 and ancillary equipment procured with 9-1-1 funds as defined herein and located within the Public Agency’s jurisdiction. NCT9-1-1 may maintain ownership, or it may transfer ownership to Public Agency. Before any such transfer of ownership, NCT9-1-1 will evaluate the adequacy of controls of Public Agency to ensure that sufficient controls and security exist by which to protect and safeguard the equipment procured with 9-1-1 funds for the purpose of delivery of 9-1-1 calls. It is understood that the ancillary equipment may or may not be procured by NCT9-1-1 on behalf of Public Agency, according to NCT9-1-1’s Strategic Plan.

5.2. The basic equipment categories are:
   a. 9-1-1 Equipment
      • Customer Premise Equipment (CPE) — telephone equipment located at the PSAPs which may include telephones, integrated workstations, servers, ANI controllers, software, monitors, gateways, routers, and any other equipment necessary for 9-1-1 call delivery to the PSAP;
      • Telecommunications Device for the Deaf (TDD)/Teletypewriter (TTY)
   b. Database Maintenance/GIS Equipment
      • GIS workstations and software
   c. Ancillary Equipment
      • Uninterruptable Power Supply (UPS)
      • Recorders

5.3. Transfer-of-ownership documents shall be prepared by NCT9-1-1 and signed by both parties upon transference of ownership of any ancillary equipment. NCT9-1-1 shall maintain ownership of 9-1-1 CPE.

**Section 6: Relationship between the Parties, Assignment, and Subcontracting**

6.1. Public Agency is not an employee or agent of NCT9-1-1, but provides services under this agreement as an independent contractor.
6.2. Public Agency may not assign its rights or subcontract its duties, without prior written consent of NCT9-1-1. An attempted assignment or subcontract in violation of this agreement is void.

6.3. If NCT9-1-1 consents to Public Agency subcontracting its duties, each subcontract is subject to all terms and conditions of this agreement and the Public Agency agrees to furnish a copy of this agreement to each of its subcontractors.

Section 7: Records and Monitoring

7.1. NCT9-1-1 is entitled to inspect and copy, during normal business hours at Public Agency’s office, the records maintained under this contract for as long as they are maintained.

7.2. NCT9-1-1 is entitled to visit Public Agency’s offices, talk to its personnel, and audit its applicable 9-1-1 records during normal business hours to assist in evaluating its performance under the contract.

Section 8: Early Termination of Contract

8.1. NCT9-1-1 reserves the right to terminate this Agreement in whole or in part. Notice of termination shall be provided to Public Agency in writing, shall set forth the reason(s) for termination, and provide for a minimum of thirty (30) days to cure the defect(s). Termination is effective only in the event Public Agency fails to cure the defect(s) within the period stated in the notice subject to any written extensions. If the Agreement is terminated, Public Agency shall fully cooperate with NCT9-1-1 to ensure an orderly transition of services. Further, all equipment shall be returned to NCT9-1-1 in working condition and NCT9-1-1 shall only be liable for payment for services rendered before the effective date of termination. Certain reporting requirements in the Agreement shall survive termination.

Section 9: Notice to Parties

9.1. Notice under this contract must be in writing and received by the party or his/her representative or replacement, to which the notice is addressed. Notice is considered received by a party when it is:
   a. Delivered to the party personally;
   b. On the date shown on the return receipt if mailed by registered or certified mail, return receipt requested, to the party’s address as specified in paragraph 14.2 and signed on behalf of the party; or
   c. Three business days after its deposit in the United States Mail, with first-class postage affixed, addressed to the party’s address specified in paragraph 14.2.

9.2. Notices shall be sent to the following address for each party:

   If to NCT9-1-1: PO Box 5888
                      Arlington, Texas 76005
                      Attn: Mike Eastland

   If to Public Agency: [Company Address]

Section 12: General Provisions

10.1. Governing Law. This Agreement will be governed by and construed in accordance with the laws of the State of Texas, United States of America. The mandatory and exclusive venue for the adjudication or resolution of any dispute arising out of this Agreement shall be in Tarrant County, Texas.
10.2. **Hold Harmless.** To the maximum extent permitted by law, Public Agency shall defend, indemnify, and hold harmless NCT9-1-1, NCT9-1-1’s affiliates, NCTCOG and any of their respective directors, officers, employees, agents, subcontractors, successors, and assigns from any and all suits, actions, claims, demands, judgments, liabilities, losses, damages, costs, and expenses (including reasonable attorneys’ fees and court costs) (collectively, “Losses”) arising out of or relating to: (i) Services performed and carried out pursuant to the contract; (ii) breach of any obligation, warranty, or representation in the contract, (iii) the negligence or willful misconduct of Public Agency and/or its employees or subcontractors; or (iv) any infringement, misappropriation, or violation by Public Agency and/or its employees or subcontractors of any right of a third party.

Public Agency shall name NCT9-1-1 and NCTCOG, including their representatives and agents, as additional insured under the Public Agency’s general liability insurance policy or membership agreement in any governmental risk pool or other similar entity with a duty to provide a defense, and which is provided by policy or membership agreement so that NCT9-1-1 and/or NCTCOG may seek coverage upon demand by NCT9-1-1 and/or NCTCOG in the event of a covered claim.

10.3. **Limitation of Liability.** In no event shall either party be liable for special, consequential, incidental, indirect or punitive loss, damages or expenses arising out of or relating to this Agreement, whether arising from a breach of contract or warranty, or arising in tort, strict liability, by statute or otherwise, even if it has been advised of their possible existence or if such loss, damages, or expenses were reasonably foreseeable.

Notwithstanding any provision hereof to the contrary, neither party’s liability shall be limited by this agreement with respect to claims arising from breach of any confidentiality obligation, arising from such party’s infringement of the other party’s intellectual property rights, covered by any express indemnity obligation of such party hereunder, arising from or with respect to injuries to persons or damages to tangible property, or arising out of the gross negligence or willful misconduct of the party or its employees.

10.4. **Procurement.** Public Agency agrees to comply with all applicable federal, State and local laws, rules and regulations for purchases under this Agreement. Failure to do so may result in ineligibility and denial of reimbursement by NCT9-1-1.

10.5. **Force Majeure.** In the event that either party hereto is prevented from or delayed in the performance of any of its obligations hereunder by reason of force majeure, defined as acts of God, war, riots, storms, fires or any other cause whatsoever beyond the reasonable control of the party, the party so prevented or delayed shall be excused from the performance of any such obligation to the extent and during the period of such prevention or delay. The period of time applicable to such requirement shall be extended for a period of time equal to the period of time such Party was delayed. Each Party must inform the other in writing within reasonable time of the existence of such force majeure.

Waive any duty NCT9-1-1 owes Public Agency by virtue of this agreement in the event any act, event, or condition adversely impacts the cost of performance of, or adversely affect the ability of NCT9-1-1 to perform any obligation under this agreement and if such act, event or condition, in light of any circumstances is beyond the reasonable control and is not a result of the willful or negligent act, error, omission, or failure to exercise reasonable diligence on the part of NCT9-1-1 such action or inaction shall not be construed as a breach of this agreement or a willful or negligent act, error, omission or lack of reasonable diligence on the part of NCT9-1-1 such action or inaction shall not be construed as a breach of this agreement or a willful of negligent act, error, omission or lack of reasonable diligence of NCT9-1-1. Circumstances included above, by way of example only, are:

a. An act of God, landslide, earthquake, fire, explosion, flood, hurricane, tornado, sabotage, or similar occurrence, actions of a public enemy, terrorism, extortion, war, blockade, insurrection, riot or civil disturbance;

b. The failure of any appropriate governmental agency or private utility to provide and maintain utilities;
c. Any failure of title to the facilities or any placement or enforcement of any lien, charge, or encumbrance on the facilities or on any improvements thereon that is not consented to in writing by, or arising out of any action or agreement entered into by, either party to the Agreement;

d. The inability of NCT9-1-1 and its subcontractors to gain and maintain access to all areas of the facilities and/or adjoining the facilities to work is required to be performed hereunder;

e. The preemption, confiscation, diversion, destructions, or other interference by, on behalf, or with authority of a governmental body relating to a declared or asserted public emergency or any condemnation or other taking by eminent domain or similar action, in the possession of property, equipment, or materials located at the facilities, or in performance of the services to be performed by NCT9-1-1 hereunder;

f. Strikes, work stoppages, or labor disputes affecting NCT9-1-1 and any subcontractor, excluding materials suppliers, of NCT9-1-1;

g. With respect to NCT9-1-1, damage to the facilities caused by third parties not related to or under the control of NCT9-1-1, including, but not limited to, contractors and subcontractors for the NCT9-1-1; and,

h. The failure of any NCT9-1-1 subcontractor or supplier to furnish services, materials or equipment on the dates agreed to, but only if such failure is the result of an event that would constitute Force Majeure if it affected NCT9-1-1 directly, and the NCT9-1-1 is not able after exercising all reasonable efforts to timely maintain substitutes.

10.6. Entire Agreement. This Agreement and any attachments/addendums, as provided herein, constitute the entire agreement of the parties and supersedes all other agreements, discussions, representations or understandings between the parties with respect to the subject matter hereof.

10.7. Availability of Funding. Public Agency acknowledges that NCT9-1-1’s sole source of funding for this contract is the 9-1-1 fees collected by service providers and remitted to NCT9-1-1. If fees sufficient to pay Public Agency under this contract are not paid to NCT9-1-1, the suspension of services will be effective 10 calendar days after Public Agency’s receipt of notice. Upon suspension of payment, Public Agency’s obligations under this contract are also suspended until NCT9-1-1 resumes receipt of funding.

10.8. Amendments. This Agreement may be amended only by a written amendment executed by both Parties, except that any alterations, additions, or deletions to the terms of this Agreement, which are required by changes in Federal and State law or regulations or required by the funding source, are automatically incorporated into this Agreement without written amendment hereto and shall become effective on the date designated by such law or regulation.

10.9. Nondiscrimination and Equal Opportunity. Public Agency shall not exclude anyone from participating under this contract, deny anyone benefits under this contract, or otherwise unlawfully discriminate against anyone in carrying out this contract because of race, color, religion, sex, age, disability, handicap, or national origin.

10.10. Immunity. It is expressly understood and agreed that, in the execution of this Agreement, no party waives, nor shall be deemed hereby to waive, any immunity or defense that would otherwise be available to it against claims arising in the exercise of governmental powers and functions, including but not limited to sovereign and governmental immunity.

10.11. Attorney Fees. If it becomes necessary for NCT9-1-1 to employ the services of any attorney(s) to enforce the provisions of this Agreement, Public Agency agrees that NCT9-1-1 shall be entitled to recover its reasonable attorney(s) fees and costs in addition to any other relief to which it may be entitled.
10.12. **Dispute Resolution.** The parties to this Agreement agree to the extent possible and not in contravention of any applicable State or Federal law or procedure established for dispute resolution, to attempt to resolve any dispute between them regarding this Agreement informally through voluntary mediation, arbitration or any other local dispute mediation process before resorting to litigation.

At the written request of either party, each party shall appoint one non-lawyer representative to negotiate informally and in good faith to resolve any dispute arising under this contract. The representatives appointed shall determine the location, format, frequency, and duration of the negotiations.

If the representatives cannot resolve the dispute within 30 calendar days after the first negotiation meeting, the parties agree to refer the dispute to a mutually designated legal mediator. Each party shall pay half the cost of the mediation services.

The parties agree to continue performing their duties under this contract, which are unaffected by the dispute during the negotiation and mediation process.

<table>
<thead>
<tr>
<th>[Company]</th>
<th>NORTH CENTRAL TEXAS EMERGENCY COMMUNICATIONS DISTRICT</th>
</tr>
</thead>
<tbody>
<tr>
<td>By:</td>
<td>By:</td>
</tr>
<tr>
<td>Name:</td>
<td>Name: Mike Eastland</td>
</tr>
<tr>
<td>Title:</td>
<td>Title: Executive Director</td>
</tr>
<tr>
<td>Date:</td>
<td>Date:</td>
</tr>
</tbody>
</table>

Date of governing body approval: ____________________________

**Attachments:**

- **Attachment A:** Requirements for Database and GIS Maintenance
- **Attachment B:** GIS Data Maintenance Model
- **Attachment C:** Equipment Room and Electrical Requirement
- **Attachment D:** Manual ALI Request Form
Updated: December 3, 2018

The “County” shall coordinate 9-1-1 GIS activities within the county’s jurisdictional boundaries including all municipalities to develop and enhance the 9-1-1 GIS coverage required for mapped ALI, and Next Generation 9-1-1 (NG9-1-1).

Spatial Data Layers
The 9-1-1 Addressing Coordinator must develop, compile and maintain current, seamless countywide coverage for the following layers:

I. Address Structure Points
II. Road Centerlines
III. City Boundaries
IV. County Boundaries
V. Emergency Service Zones (ESZs)
VI. Emergency Service Boundaries (ESBs) such as Fire, Law, EMS, and PSAP where applicable
VII. MSAG Community Boundaries
VIII. Exchange Boundaries
IX. Fire Hydrants
X. Mile Markers
XI. PSAP Point locations
XII. Zip Code Boundaries (where possible)

The County shall provide data to the NCT9-1-1 GIS Department with 100% complete attribution for all data features containing the following information:

- Road centerlines spatially accurate to within + or − 10 feet verified by GPS, or digitized over spatially accurate Satellite or Aerial Imagery, and drawn in the correct direction for the corresponding address range;
  - The following fields at a minimum need to be attributed:
    - Data Source
    - User ID
    - Date Modified
    - Range Information (Left From, Left To, Right From, Right To, High and Low)
    - Pre-directional
    - Street Name
    - Road Type
    - Post Directional (Suffix)
    - Road Full Name
    - Road Class
    - ESN Left and Right
    - County Left and Right
    - State Left and Right

1 NCT9-1-1 will discuss editing procedures for Emergency Service Boundaries (ESBs) with the counties. In certain cases, editing of these layers will be disabled on county datasets.
SUBJECT: Discussion and possible action regarding purchase of Cardinal MobileCite and Badge annual licenses.

1. BACKGROUND

The Keene Police Department currently uses Cardinal Tracking software for its CAD/RMS and citation writing needs (Badge and MobileCite softwares). The department is currently transitioning to Central Square’s OSSI software.

2. ANALYSIS

The Keene Police Department still has a need, for both investigations and open records purposes, to have access to the Cardinal Badge database where police incident reports and accident reports are stored. Additionally, because Cardinal is the current provider of citation writing software, the KPD will be left with no ability to issue electronic citations without an alternative product.

The Keene Police Department has researched a transition to Tyler Technologies (the current municipal court software provider) and has found that the cost to implement 4 hand-held ticket writers is $19,601.

3. FISCAL IMPACT

The annual cost to maintain a single Badge read-only license is $570.60, and the annual cost to maintain licenses for the MobileCite software that is currently in KPD vehicles is $2,818.80. The total cost of maintaining these two Cardinal products for one year is $3,389.40.

4. CITY STRATEGIC GOALS:

Maintaining the ability to write electronic citations and access police and accident reports.
5. ACTION/RECOMMENDATION

Staff recommends the purchase of a Badge read-only license and MobileCite licenses from Cardinal Tracking.

6. ATTACHMENTS

- Estimate for Badge read-only license
- Estimate for MobileCite licenses
# Estimate

**Cardinal Tracking, Inc.**  
Cardinal Tracking, Inc.  
1825 Lakeway Dr Suite 100  
Lewisville, TX 75057-6046  
Phone: 972-539-9650  
Fax: 972-539-8914  
Email: accounting@cardinaltracking.com

**Bill To:**  
**Ship To:**

<table>
<thead>
<tr>
<th>Seller</th>
<th>Payment Terms</th>
<th>FOB Point</th>
<th>Carrier</th>
<th>Ship Service</th>
<th>Requested Ship Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>ML</td>
<td>Net 30</td>
<td>Origin</td>
<td>UPS Ground</td>
<td></td>
<td>02/15/2019</td>
</tr>
</tbody>
</table>

**Customer:** KEENE CITY OF-TX email invs ONLY  
**Contact:** Chief Emmett Jackson

**Notes**  
Badge capabilities will be scaled back to HISTORICAL view only.

<table>
<thead>
<tr>
<th>Item #</th>
<th>Type</th>
<th>Number / Description</th>
<th>Unit Price</th>
<th>Qty Ordered</th>
<th>Total Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Sale</td>
<td>Bu03 - Badge (POLICE RMS) BASE System Annual Software License and Customer Support Renewal Package includes Arrest, Business, Expunge, Flywriter, Incident, Master Name, Master Vehicle, Merge, NIBRS/UCR Reports, Note Search, Personnel, Property, Racial Profili</td>
<td>$539.55</td>
<td>1 ea</td>
<td>$539.55</td>
</tr>
<tr>
<td>2</td>
<td>Sale</td>
<td>Bu03a - Badge USER Licenses Annual Software License and Customer Support Renewal</td>
<td>$31.05</td>
<td>1 ea</td>
<td>$31.05</td>
</tr>
</tbody>
</table>
Cardinal Tracking, Inc.
1825 Lakeway Dr Suite 100
Lewisville, TX  75057-6046
Phone: 972-539-9650
Fax: 972-539-8914
Email: accounting@cardinaltracking.com

Approval:__________ Date:_______

PLEASE NOTE:"Hardware will be invoiced when shipped. **Shipping** charges are prepaid and billed at time of shipment."
"The remaining items will be invoiced at install or 60 days from the Order Issue Date, whichever comes first."

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
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<tbody>
<tr>
<td>Subtotal:</td>
<td>$570.60</td>
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<td>Sales Tax:</td>
<td>$0.00</td>
</tr>
<tr>
<td>Total:</td>
<td>$570.60</td>
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</tbody>
</table>
Estimate

Cardinal Tracking, Inc.
1825 Lakeway Dr Suite 100
Lewisville, TX 75057-6046
Phone: 972-539-9650
Fax: 972-539-8914
Email: accounting@cardinaltracking.com

Bill To:
CITY OF KEENE POLICE DEPT
ATTN: CHIP KRIEGER
203 W HILLCREST ST
KEENE, TX 76059

Ship To:
CITY OF KEENE POLICE DEPT
ATTN: CHIP KRIEGER
203 W HILLCREST ST
KEENE, TX 76059

Customer: KEENE CITY OF-TX*email Invs ONLY*
Contact: Chief Emmitt Jackson

<table>
<thead>
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<th>Seller</th>
<th>Payment Terms</th>
<th>FOB Point</th>
<th>Carrier</th>
<th>Ship Service</th>
<th>Requested Ship Date</th>
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<th>Number / Description</th>
<th>Unit Price</th>
<th>Qty Ordered</th>
<th>Total Price</th>
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</thead>
<tbody>
<tr>
<td>1</td>
<td>Sale</td>
<td>BU13 - MobileCite (CITATION ISSUANCE) BASE System Annual Software License and Customer Support Renewal Package includes Citation, Flywriter, Master Name, Master Vehicle, Personnel, Racial Profiling and the additional modules shown below:</td>
<td>$ 2,818.80</td>
<td>1 ea</td>
<td>$ 2,818.80</td>
</tr>
<tr>
<td>2</td>
<td>Sale</td>
<td>BU15 - MobileCite USER Licenses Annual Software License and Customer Support Renewal</td>
<td>$ 0.00</td>
<td>2 ea</td>
<td>$ 0.00</td>
</tr>
<tr>
<td>3</td>
<td>Sale</td>
<td>BU16A - MobileCite Laptop/Mobile Software W/TTScan and Nationwide DL SCAN Annual Software License and Customer Support Renewal</td>
<td>$ 0.00</td>
<td>5 ea</td>
<td>$ 0.00</td>
</tr>
<tr>
<td>4</td>
<td>Sale</td>
<td>COVERAGE DATES - RENEWAL DATES: 04/01/2019 - 03/31/2020</td>
<td>$ 0.00</td>
<td>1 ea</td>
<td>$ 0.00</td>
</tr>
<tr>
<td>5</td>
<td>Sale</td>
<td>SWL - REMINDER......PLEASE RETURN THE SIGNED AND INITIALED SOFTWARE LICENSE AGREEMENT &amp; TOTAL SYSTEM SUPPORT DOCUMENTS AS SOON AS POSSIBLE</td>
<td>$ 0.00</td>
<td>1 ea</td>
<td>$ 0.00</td>
</tr>
</tbody>
</table>
Cardinal Tracking, Inc.
1825 Lakeway Dr Suite 100
Lewisville, TX 75057-6046
Phone: 972-539-9650
Fax: 972-539-8914
Email: accounting@cardinaltracking.com

Approval: ___________________________ Date: ____________
PLEASE NOTE: Hardware will be invoiced when shipped. **Shipping** charges are prepaid and billed at time of shipment.
"The remaining items will be invoiced at install or 60 days from the Order Issue Date, whichever comes first."

February 18, 2019 9:49:19 AM CST

<table>
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<tr>
<th>Description</th>
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<tr>
<td>Sales Tax:</td>
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<tr>
<td>Total:</td>
<td>$2,818.80</td>
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### Tyler Software

<table>
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<tr>
<th>Description</th>
<th>Quantity</th>
<th>License</th>
<th>Software Total</th>
<th>Year One Maintenance</th>
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<tbody>
<tr>
<td><strong>Brazos</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Interface: Tyler Incode Court Case Mgmt System</td>
<td>1</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
</tr>
<tr>
<td>eCitation - Brazos Rapid Extension Framework - PDA</td>
<td>4</td>
<td>$3,400</td>
<td>$3,400</td>
<td>$714</td>
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<tr>
<td><strong>TOTAL:</strong></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td></td>
<td></td>
<td></td>
<td>$3,400</td>
<td>$714</td>
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### Tyler Software and Related Services - Annual

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<th>Description</th>
<th>Quantity</th>
<th>Unit Price</th>
<th>Annual Fee</th>
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<tbody>
<tr>
<td><strong>Brazos</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Brazos Hosting Fee</td>
<td>1</td>
<td>$238</td>
<td>$238</td>
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<tr>
<td><strong>TOTAL:</strong></td>
<td></td>
<td></td>
<td>$238</td>
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### Professional Services

<table>
<thead>
<tr>
<th>Description</th>
<th>Quantity</th>
<th>Unit Price</th>
<th>Extended Price</th>
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<tbody>
<tr>
<td><strong>Brazos Project Mgmt (plus per diem as needed if not remote)</strong></td>
<td>1</td>
<td>$1,000</td>
<td>$1,000</td>
</tr>
<tr>
<td>Standard Training Package</td>
<td>1</td>
<td>$3,500</td>
<td>$3,500</td>
</tr>
<tr>
<td>Incode Interface: Set Up &amp; Configuration</td>
<td>1</td>
<td>$0</td>
<td>$0</td>
</tr>
<tr>
<td><strong>TOTAL:</strong></td>
<td></td>
<td></td>
<td>$4,500</td>
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</table>

### Third Party Hardware, Software and Services

<table>
<thead>
<tr>
<th>Description</th>
<th>Quantity</th>
<th>Unit Price</th>
<th>Unit Discount</th>
<th>Total Price</th>
<th>Maintenance</th>
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<tbody>
<tr>
<td>STRY-TC7X-46MAH / Zebra EVM, TC7X Battery</td>
<td>4</td>
<td>$57</td>
<td>$0</td>
<td>$228</td>
<td>$0</td>
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<tr>
<td>SAC-TC7X-4BTPY / Zebra EVM, TC7X, 4 Slot Battery Charger</td>
<td>1</td>
<td>$122</td>
<td>$0</td>
<td>$122</td>
<td>$0</td>
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<tr>
<td>CRD-TC7X-SESEU1-01 / Zebra EVM, TC7X, 5 Bay Ethernet Cradle</td>
<td>1</td>
<td>$472</td>
<td>$0</td>
<td>$472</td>
<td>$0</td>
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<tr>
<td>CBL-DC-382A1-01 / Zebra EVM, TC7X, MC67, US DC Line Cord, Multi-Slot CRD</td>
<td>2</td>
<td>$19</td>
<td>$0</td>
<td>$38</td>
<td>$0</td>
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<tr>
<td>PWR-BGA12V50W0WW / Zebra EVM, TC7X, Power Supply for Battery Charger</td>
<td>1</td>
<td>$34</td>
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<tr>
<td>PWR-BGA12V108W0WW / Zebra EVM, TC7X, Power Supply, Multi-Slot CRD</td>
<td>1</td>
<td>$67</td>
<td>$0</td>
<td>$67</td>
<td>$0</td>
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<tr>
<td>Description</td>
<td>Quantity</td>
<td>One Time Fee</td>
<td>Recurring Fee</td>
<td></td>
<td></td>
</tr>
<tr>
<td>-----------------------------------------------------------------</td>
<td>----------</td>
<td>--------------</td>
<td>---------------</td>
<td></td>
<td></td>
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<tr>
<td>CBL-DC-375A1-01 / Zebra EVM, US DC Line Cord for Battery Charger</td>
<td>1</td>
<td>$9</td>
<td>$0</td>
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<tr>
<td>TC700H-KC11ES-NA / Zebra EVM, HH, TC70</td>
<td>4</td>
<td>$1,111</td>
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<td>AC18177-5 / Zebra, ZQ500/RW QUAD Battery Charger</td>
<td>1</td>
<td>$341</td>
<td>$0</td>
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<td>100233437 / Zebra, ZQ510, Paper, 36 rolls per case</td>
<td>1</td>
<td>$76</td>
<td>$0</td>
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<tr>
<td>P1031365-059 / Zebra, ZQ520, Battery</td>
<td>4</td>
<td>$66</td>
<td>$0</td>
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<tr>
<td>ZQ52-AUE0000-00 / Zebra, Printer, ZQ520</td>
<td>4</td>
<td>$596</td>
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<tr>
<td>Z1AE-TC70XX-SC00 / Zebra EVM, Warranty, TC70, 5 year</td>
<td>4</td>
<td>$506</td>
<td>$0</td>
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<td>Z1AE-ZQ5X-SC0 / Zebra, Warranty, ZQ500, 5 year</td>
<td>4</td>
<td>$296</td>
<td>$0</td>
<td></td>
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<tr>
<td>2384-00-00R / Zebra EVM, US AC Line Cord, grounded</td>
<td>1</td>
<td>$10</td>
<td>$0</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>TOTAL:</strong></td>
<td></td>
<td><strong>$11,701</strong></td>
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**Summary**

<table>
<thead>
<tr>
<th>Description</th>
<th>One Time Fees</th>
<th>Recurring Fees</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Tyser Software</td>
<td>$3,400</td>
<td>$714</td>
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<tr>
<td>Total Tyser Annual</td>
<td>$0</td>
<td>$238</td>
</tr>
<tr>
<td>Total Tyser Services</td>
<td>$4,500</td>
<td>$0</td>
</tr>
<tr>
<td>Total Third Party Hardware, Software and Services</td>
<td>$11,701</td>
<td>$0</td>
</tr>
<tr>
<td><strong>Summary Total</strong></td>
<td><strong>$19,601</strong></td>
<td><strong>$952</strong></td>
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</table>
SUBJECT: AMENDMENT TO INTERLOCAL AGREEMENT BETWEEN JOHNSON COUNTY AND THE CITY OF KEENE REGARDING JURISDICTION OF PLAT APPROVAL IN THE CITY’S ETJ

1. BACKGROUND/HISTORY
Sec 1-24 in the General Development Ordinance gives the City of Keene the authority to enforce subdivision of land and platting requirements in our ETJ in accordance with our General Development Ordinance.

2. FINDINGS/CURRENT ACTIVITY
Since passage of SB 6, cities in Tier 1 Counties can no longer annex properties into their city without an election. The City of Joshua, the City of Cleburne and the City of Alvarado have since given this authority back to Johnson County. Currently we would approve any plats on properties in our ETJ and Johnson County would then issue building permits.

3. FINANCIAL IMPACT
Minimal, we would no longer collect any platting application fees, usually $250.00 per application. Currently, we may approve 6 plats a year in our ETJ. However, we would save manpower hours researching each individual plat if we no longer did it. There are no fees involved with the approving of this agreement.

4. ACTION OPTIONS/RECOMMENDATION
Staff recommends approving the interlocal agreement between Johnson County and the City of Keene regarding jurisdiction of plat approval in the City’s ETJ.
5. **ENCLOSURES**

- AMENDMENT TO INTERLOCAL AGREEMENT BETWEEN JOHNSON COUNTY AND THE CITY OF KEENE REGARDING JURISDICTION OF PLAT APPROVAL IN THE CITY’S ETJ.
- **Sec. 1-24 Extra-Territorial Jurisdiction (ETJ) (General Development Ordinance)**
- **Sec. 1-30 Plat Required (General Development Ordinance)**
- 156.065 ADOPTION OF SUBDIVISION REGULATIONS

**These ordinances would have to be amended at a later date if the interlocal agreement is approved.**
Sec. 1-24. EXTRA-TERRITORIAL JURISDICTION (ETJ).

The General Development Ordinance of the City of Keene, Texas, as it now exists or may hereafter be amended, is hereby extended to all areas lying within the extra-territorial jurisdiction of the City of Keene, and the rules and regulations within this appendix governing plats and subdivision of land shall be applicable to such area within the extra-territorial jurisdiction from and after the date of final passage of this appendix. No person shall subdivide or plat any tract of land within the extra-territorial jurisdiction of the City of Keene, except in conformity with the provisions of the General Development Ordinance.

(Ord. 2009-389, passed 10-22-2009)

Sec. 1-30. PLAT REQUIRED.

(a) In accordance with the Tex. Loc. Gov’t Code § 212.004, the owner of a tract of land, located within the limits or in the extra-territorial jurisdiction of a municipality, who divides the tract in two or more parts for the purpose of sale, or to lay out a subdivision or building lots or any lots, or streets, alleys, parks or other portions intended for public use or the use of purchasers or owners of lots, shall cause a final plat to be made in accordance with this appendix and with the Local Government Code.

(b) Every structure hereafter erected or altered shall be located on a lot of record as identified on a final plat for the property.

(c) For all unplatted tracts, a master development plan, called a preliminary plat in this appendix, may be required prior to preparation of any final plat. For the purpose of subdividing a large tract which includes an extensive amount of public improvements, a preliminary plat shall be submitted identifying lots, blocks and phases to be final platted in time, as development occurs, and on the condition that all building lots and phases can stand alone in terms of public and semi-public improvements.

(d) In further subdividing a final platted lot, the lot of record must be replatted in its entirety. In addition, all replats must be considered in a public hearing in accordance with the Local Government Code.

(e) No plat or replat shall create a non-conforming use and/or condition for parking, signs or other such City regulations. If a lot or tract is being subdivided, an engineering site plan may be required if determined by staff to insure that the subdivision of property is not creating a non-conforming use and/or condition according to this appendix and other city regulations.

(Ord. 2009-389, passed 10-22-2009)
156.065 ADOPTION OF SUBDIVISION REGULATIONS.

(A) The term **SUBDIVISION** means the division of any tract of land situated within the corporate limits of the city or within the city's extra terrestrial jurisdiction (ETJ), into two or more parts for the purpose of laying out any subdivision of any tract of land or any addition to the city, or for laying out suburban lots or building lots, or any lots, and streets, alleys or parks or other portions intended for public use, or the use of purchasers or owners of lots fronting thereon or adjacent thereto for the purpose, whether immediate or future, of creating building sites. **SUBDIVISION** includes re-subdivision. **SUBDIVISION** shall also mean a tract of land intended to be built upon and for which a building permit is required.

(B) The rules and regulations attached hereto, including the attached Appendix A, **Specific Requirements and Design Criteria** is incorporated herein as if copied herein in their entirety and are hereby adopted as the subdivision regulations of the city and are made as part hereof for all purposes.

(C) No person shall create a subdivision of land, as hereinabove defined, within the corporate limits of the city or within the city's extra terrestrial jurisdiction (ETJ), without complying with the provisions of these regulations. All plats and subdivisions of any such land shall conform to the rules and regulations herein adopted.

(Ord. 2011-425, passed 6-30-2011)
THE STATE OF TEXAS §

KNOW ALL BY THESE PRESENTS

COUNTY OF JOHNSON §

AMENDMENT TO INTERLOCAL AGREEMENT BETWEEN
THE COUNTY OF JOHNSON AND THE CITY OF KEENE REGARDING
JURISDICTION OF PLAT APPROVAL IN THE CITY’S ETJ

This Amendment to Interlocal Agreement Between the County of Johnson and the City of Keene Regarding Jurisdiction of Plat Approval in the City’s ETJ (the “Amendment”) is made and entered into by and between Johnson County, Texas, a political subdivision of the State of Texas ("County") acting herein by and through its duly authorized Commissioners Court, and the City of Keene ("City"), a municipal corporation, acting herein by and through its duly authorized City Council, individually referred to as a "Party," collectively referred to herein as the “Parties” and is an amendment to the Interlocal Agreement between the County and the City signed by the City on April 4, 2002 and by the County on April 22, 2002, with an effective date of April 22, 2002, the “Agreement”) that granted City exclusive jurisdiction to regulate all subdivision plats and approve all related permits in City’s ETJ.

Recitals

WHEREAS, prior to the enactment of H.B. 1445, Texas Local Government Code §242.001 authorized City and County to exercise concurrent jurisdiction over the platting process required upon the subdivision of land within City’s extraterritorial jurisdiction (“ETJ”) located within the County; and

WHEREAS, H.B. 1445 amended Texas Local Government Code §242.001 to require that City and County agree to a procedure whereby only one governmental agency will have jurisdiction to oversee and regulate the platting process and related permits within a municipality’s ETJ; and

WHEREAS, the Interlocal Cooperation Act allows local governments to contract with one another to perform governmental functions such as platting and approval of related permits; and

WHEREAS, City and County mutually desire to be subject to the provisions of the Texas Government Code, Chapter 791, the Interlocal Cooperation Act, specifically §791.011 regarding contracts to perform governmental functions and services; and

WHEREAS, Texas Local Government Code §242.001 requires City and County to enter into a written agreement that identifies the governmental entity authorized to regulate subdivision plats and approve related permits in City’s ETJ; and

WHEREAS, City and County desire to amend the Agreement that was effective as April 22, 2002 so that County shall be granted exclusive jurisdiction to regulate
subdivision plats and approve related permits in City’s ETJ under Chapter 232 of the 
Texas Local Government Code and other statutes applicable to Counties, all of which is 
provided for in the Interlocal Cooperation Act and Texas Local Government Code 
Chapter 242.

NOW, THEREFORE, City and County, for the mutual consideration stated 
herein, agree and understand as follows:

Agreements

1. **County Granted Exclusive Jurisdiction.** County shall be granted exclusive 
jurisdiction to regulate all subdivision plats and approve all related permits in City’s ETJ 
and may regulate subdivisions under Subchapter A of Chapter 232 of the Texas Local 
Government Code and other statutes applicable to Counties, and City shall no longer 
exercise any of these functions in City’s ETJ. County shall have jurisdiction to enforce 
onsite sewage facilities under Texas Health & Safety Code Chapter 366 and 30 Texas 
Administrative Code (“TAC”) Chapter 285. County shall also have the authority to 
approve culvert and floodplain development permits pursuant to federal law.

2. **ETJ Defined.** For the purposes of this Amendment, City’s ETJ is described by 
the area indicated on Exhibit A, attached hereto and made part hereof by this reference. 
The recognition of the ETJ shall not be deemed an admission by City or County in any 
dispute with any other person or municipality regarding the boundaries of City’s ETJ.

3. **ETJ Expansion or Reduction.** In the event City’s ETJ expands, City and County 
agree that County shall continue to be granted exclusive jurisdiction to regulate 
subdivision plats and approve related permits in its ETJ, and to regulate subdivisions 
under Subchapter A of Chapter 232 of the Texas Local Government Code and other 
statutes applicable to counties. Should City expand or reduce its ETJ, City shall notify 
County of such expansion or reduction within 30 days by sending to County a copy of the 
applicable ordinance and amended Exhibit A.

4. **Notice of Plat Submittals and Approvals.**

   (a) County shall notify City of all subdivision plat applications for property 
located in City’s ETJ within the County within ten days after receipt of a completed 
application. County shall use its best efforts to comply with this paragraph; however, 
failure to comply shall not affect the validity of any subdivision plat.

   (b) County shall notify City of the approval of plats for property located in 
City’s ETJ within the County. A copy of the approved plat and any engineering plans 
shall be sent to City at the address set out in Section 10(e) within 30 days of County’s 
approval. County shall assign addresses to each lot within an approved subdivision.

5. **Plats Affected.** The plats that will be subject to this Amendment are those that 
are filed after the Effective Date, as defined herein. If the ETJ is expanded or reduced,
plats must be filed with the party who will have jurisdiction after the Effective Date. The party receiving an application for a plat approval for which the party has no jurisdiction may either direct the developer to the appropriate office or forward the application. Any rights accruing to a person under Texas Local Government Code Chapter 245 shall not be affected.

6. **Collection of Fees and Costs.** All costs involved with the approval of subdivision plats under this Amendment, including but not limited to engineering reviews and inspections of public improvements, shall be borne by County and payable out of current revenues available to County. All fees relating to subdivision plat approval shall be collected by County and retained by County.

7. **Maintenance of Roads.** County shall maintain roads constructed in the ETJ at County’s expense upon County accepting said roads for county maintenance.

8. **Effective Date.** The Effective Date shall be the date upon which both parties have approved and fully executed this Amendment.

9. **Applicable Regulations.** The subdivision rules and regulations currently enacted by County are applicable to the ETJ and are hereby established as the set of regulations to be enforced by County in the ETJ. County and City agree and understand that County may hereafter amend County’s subdivision rules and regulations and upon approval by County said amendments will be applicable in City’s ETJ. County will provide City with copies of all amendments to County’s subdivision rules and regulations proposed after the Effective Date and will notify City of all public hearings on such proposed amendments.

10. **Miscellaneous Provisions.**

   (a) This Amendment expresses the entire agreement between the parties hereto regarding the subject matter contained herein and may not be modified or amended except by written agreement duly executed by both parties.

   (b) This Amendment has been duly and properly approved by each party’s governing body and constitutes a binding obligation on each party.

   (c) This Amendment shall be construed in accordance with the laws of the State of Texas and venue for all purposes hereunder shall be in Johnson County, Texas.

   (d) If any provisions hereof is determined by any court of competent jurisdiction to be invalid, illegal or unenforceable, such provision shall be fully severable here from and this Amendment shall be construed and enforced as if such invalid, illegal or unenforceable provision never comprised a part hereof; and the remaining provisions shall continue in full force and effect.
(e) All notices required to be given by virtue of this Amendment shall be addressed as follows and delivered by certified mail, postage prepaid or by hand delivery:

City: ______________________________

_________________________________

_________________________________

Copies to:

_________________________________

_________________________________

and

_________________________________

_________________________________

County: Johnson County Judge
Roger Harmon
1 North Main Street
Cleburne, Texas 76033

Copies to:

Johnson County Public Works
1 North Main Street Suite 305
Cleburne, Texas 76033

and

Johnson County Attorney
Bill Moore
204 S. Buffalo Ave. Suite 410
Cleburne, Texas 76033

(f) This Amendment is not intended to extend the liability of the parties beyond that provided by law. Neither City nor County waives any immunity or defense that would otherwise be available to it against claims by third parties.
APPROVED BY THE CITY COUNCIL FOR THE CITY OF KEENE, TEXAS, in its meeting held on the ___ day of _____________, 2019, and executed by its authorized representative.

CITY OF KEENE, TEXAS

By: __________________________
Title: _________________________

ATTEST:

_____________________________
City Secretary

APPROVED BY THE COMMISSIONERS COURT FOR JOHNSON COUNTY, TEXAS, in its meeting held on the ___ day of ________________, 2019, and executed by its authorized representative.

JOHNSON COUNTY

By: _________________________
   Roger Harmon, County Judge

Attest:

_____________________________
Becky Ivey, County Clerk
City Council
Agenda Item Report
February 28, 2019

Contact – Cheryl Estes CPA, Finance Director
214-282-8622
finance.director@keenetx.com

SUBJECT: DISCUSS AND POSSIBLE ACTION REGARDING NEW INTEREST RATE OFFERED BY PINNACLE BANK ON THE CITY’S INVESTMENT ACCOUNT

1. BACKGROUND/HISTORY
On February 14th, the City Council voted to move the City’s investments to Logic Investment Group in order to receive the maximum amount of investment earnings on the City’s money. On February 21st, City Council voted to table the discussion for additional information.

2. FINDINGS/CURRENT ACTIVITY
Upon notifying Pinnacle Bank of the City’s intent, Pinnacle has agreed to negotiate with the City.

3. FINANCIAL IMPACT
To be determined.

4. ACTION OPTIONS/RECOMMENDATION
Management and staff are negotiating with Pinnacle Bank and will bring their final offer to Council on Thursday night.

5. ENCLOSURES
None
Streets

27 Tons of Asphalt Used

Worked with Christina Austin to organize and facilitate the use of Community Service Workers for trash pick up on roadways in Keene

Began Hiring Process of Streets Crew Leader Position
Main / Service Line Leaks
— Shady Oak, East 4th, (2)
— Fairview, Old Mansfield,
— Honeysuckle, Happy Hollow,
— Barnes Rd., Becca, Glenn Ct.,
— Willow Bend, Oakwood, and
— Rosedale

One Sample Station –
Becca

Taps – 805b and E. 1st
Sewer

**Main Line Backups** – Hopps (During Oakwood Construction), Happy Hollow, and 311 S. College

**Taps** – East 1st St. and Happy Hollow

**Construction** – Oakwood Drive Sewer Project
Misc.

Total Work Orders Assigned
176
Cut Off List - 70
Assisting Animal Shelter with Repairs
Fleet Maintenance
TCEQ Compliance
MONTHLY REPORT
January 2019

PATROL DIVISION

ARRESTS 14

11 Arrests resulting from calls for service from the public or officer initiated contact other than traffic stops
2 Arrests resulting from officer-initiated traffic stops
6 Felony Charges: Obstruction Retaliation by Threat, Injury to a Child, POCS x2, Tampering W/ Government Records, Aggravated Sexual Assault of a Child
2 Class A or B Misdemeanor Charges: DWI, Failure to Identify
3 Class C Charges: Other agency warrants
1 Juvenile Arrest: Burglary of a Habitation W/Intent to Commit Felony

FAMILY VIOLENCE INCIDENTS 2

MISSING PERSONS 1

ACCIDENTS 13

BURGLARY 4

BURGLARY OF A MOTOR VEHICLE 0

DISTURBANCES 18

THEFT 7

FRAUD 3

HARASSMENT 3

SEXUAL ASSAULT 1

UNAUTHORIZED USE OF MOTOR VEHICLE 0
COMPLAINTS 284

Burglary in progress (1), Criminal Trespass, Missing Person, Welfare Check (21), Hit and Run, Open Door, Prowler, Suicidal Person, Discharge Firearms (3), Abandoned Vehicle, City Ordinance Violation, Custody Dispute, EMS Assist, FD Assist, Found Property, Harassment

TRAFFIC STOPS 208

Citations 129

Warnings 133

CLOSE PATROLS 301

ARRESTS

Obstruction Retaliation by Threat, Injury to a Child, POCS x2, Tampering W/ Government Records, Aggravated Sexual Assault of a Child, DWI, Failure to Identify, Other agency warrants, Burglary of a Habitation W/Intent to Commit Felony

BURGLARIES AND THEFTS

Weapons, Jewelry, Narcotics, Merchandise, Money, Alcohol, Firearms, Electronics, Documents, Firearm Accessories, Clothes, Building Materials, Fuel, Purse
## JANUARY COMPARISON 2018 VS 2019

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<td>10 Interviews - 9 Sexual abuse, 1 Physical &amp; Sexual abuse</td>
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January 2019

Patrol Division:

ARRESTS 14

- 11 Arrests resulting from calls for service from the public or officer initiated contact other than traffic stops
- 2 Arrests resulting from officer-initiated traffic stops
- 6 Felony Charges: Obstruction Retaliation by Threat, Injury to a Child, POCS x2, Tampering W/ Government Records, Aggravated Sexual Assault of a Child
- 2 Class A or B Misdemeanor Charges: DWI, Failure to Identify
- 3 Class C Charges: Other agency warrants
- 1 Juvenile Arrest: Burglary of a Habitation W/Intent to Commit Felony (cleared 3 offenses)
- FAMILY VIOLENCE INCIDENTS  2
- MISSING PERSONS   1
- ACCIDENTS  13
- BURGLARY  4 (Arrest Made)
- BURGLARY OF A MOTOR VEHICLE  0
- DISTURBANCES  18
- THEFT  7 (Arrest Made)
- FRAUD  3
- HARASSMENT  3
- SEXUAL ASSAULT  1 (Arrest Made)
- UNAUTHORIZED USE OF MOTOR VEHICLE  0
COMPLAINTS 284

Burglary in progress (1), Criminal Trespass, Missing Person, Welfare Check (21), Hit and Run, Open Door, Prowler, Suicidal Person, Discharge Firearms (3), Abandoned Vehicle, City Ordinance Violation, Custody Dispute, EMS Assist, FD Assist, Found Property, Harassment

TRAFFIC STOPS 208

Citations 129
Warnings 133

CLOSE PATROLS 301

ARRESTS

Obstruction Retaliation by Threat, Injury to a Child x3, POCS x2, Tampering W/ Government Records, Aggravated Sexual Assault of a Child, DWI, Failure to Identify, Other agency warrants, Burglary of a Habitation W/Intent to Commit Felony

BURGLARIES AND THEFTS

Weapons, Jewelry, Narcotics, Merchandise, Money, Alcohol, Firearms, Electronics, Documents, Firearm Accessories, Clothes, Building Materials, Fuel, Purse
### JANUARY COMPARISON 2018 VS 2019

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JANUARY COMPARISON 2018 VS 2019

The graph shows the comparison of crime rates for different types of crimes in January 2018 and January 2019. The categories include Assault, Burglary, UUMV (Unlawful Use of a Motor Vehicle), Theft, Robbery, Homicide, Sexual Assault, and Total. The bars represent the number of incidents for each category, with different colors indicating the year (Jan-18 and Jan-19), difference, and percent change.
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To: Mayor and Council  
From: Dan Warner, Fire Chief  
Date: 02/20/2019  
Re: Staff Report for January 2019

The following is a report of the Fire Department activities for the month of January. Additional information is available in the attached Appendices.

**Response Statistics**

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**Yearly Comparison**

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</table>
Definitions

1. **Response time**: The duration between being dispatched to first arrival on the scene.
2. **Overlapping responses**: Requests for service that occurred while Keene Fire Rescue was involved with another incident. This indicates two or more calls for service occurring at the same time and provides an approximation of the demand for emergency services in the response district.
3. **No Crew**: Keene Fire Rescue was unable to respond to a call for service in our emergency response district because the personnel were engaged on another call or calls. Another agency had to respond to this call for service from outside of our emergency response district.

Projects
EMS Feasibility/Operation study

The City Council tabled this item at the February 14th meeting.

Fire Department Parking Lot

Several bids have been provided but all are over budget. We are working with those that have come closest to the budgeted amount to get comparable quotes that meet or are below the budgeted amount.

Fire Department Shore Lines for Vehicles That Are Outside the Bays

This project is to provide electrical service for the three fire department vehicles that are parked in the front of the station. This will help to ensure that the batteries are always fully charged, and the vehicles are ready for service. Further, we intend that this will prepare the way for additional outdoor lighting of the fire station, especially the ramp area.

This project was included in the current budget. We are in the process of obtaining a new, current quote and will be moving forward with this project soon.
Appendix – A
Incident Statistics
## Incident Statistics
Start Date: 01/01/2019 | End Date: 01/31/2019

<table>
<thead>
<tr>
<th>INCIDENT COUNT</th>
<th># INCIDENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>EMS</td>
<td>115</td>
</tr>
<tr>
<td>FIRE</td>
<td>45</td>
</tr>
<tr>
<td>TOTAL</td>
<td>160</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>TOTAL TRANSPORTS (N2 and N3)</th>
<th># of APPARATUS TRANSPORTS</th>
<th># of PATIENT TRANSPORTS</th>
<th>TOTAL # of PATIENT CONTACTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>TOTAL</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
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<table>
<thead>
<tr>
<th>PRE-INCIDENT VALUE</th>
<th>LOSSES</th>
</tr>
</thead>
<tbody>
<tr>
<td>$0.00</td>
<td>$0.00</td>
</tr>
</tbody>
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<table>
<thead>
<tr>
<th>CO CHECKS</th>
</tr>
</thead>
<tbody>
<tr>
<td>TOTAL</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>MUTUAL AID</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aid Type</td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td>Aid Given</td>
</tr>
<tr>
<td>Aid Received</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>OVERLAPPING CALLS</th>
<th># OVERLAPPING</th>
<th>% OVERLAPPING</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>24</td>
<td>15</td>
</tr>
</tbody>
</table>

**LIGHTS AND SIREN - AVERAGE RESPONSE TIME (Dispatch to Arrival)**

<table>
<thead>
<tr>
<th>Station</th>
<th>EMS</th>
<th>FIRE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Station 78</td>
<td>0:06:35</td>
<td>0:06:43</td>
</tr>
</tbody>
</table>

**AVERAGE FOR ALL CALLS**

<table>
<thead>
<tr>
<th>EMS</th>
<th>FIRE</th>
</tr>
</thead>
<tbody>
<tr>
<td>0:06:37</td>
<td></td>
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</tbody>
</table>

**LIGHTS AND SIREN - AVERAGE TURNOUT TIME (Dispatch to Enroute)**

<table>
<thead>
<tr>
<th>Station</th>
<th>EMS</th>
<th>FIRE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Station 78</td>
<td>0:01:24</td>
<td>0:00:50</td>
</tr>
</tbody>
</table>

**AVERAGE FOR ALL CALLS**

<table>
<thead>
<tr>
<th>EMS</th>
<th>FIRE</th>
</tr>
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<tbody>
<tr>
<td>0:01:20</td>
<td></td>
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</tbody>
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**AGENCY**

<table>
<thead>
<tr>
<th>AVERAGE TIME ON SCENE (MM:SS)</th>
</tr>
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<tbody>
<tr>
<td>Keene Fire Dept</td>
</tr>
<tr>
<td>10:16</td>
</tr>
<tr>
<td>INCIDENT TYPE</td>
</tr>
<tr>
<td>------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>111 - Building fire</td>
</tr>
<tr>
<td>160 - Outside rubbish fire, other</td>
</tr>
<tr>
<td>321 - EMS call, excluding vehicle accident with injury</td>
</tr>
<tr>
<td>322 - Motor vehicle accident with injuries</td>
</tr>
<tr>
<td>324 - Motor vehicle accident with no injuries</td>
</tr>
<tr>
<td>412 - Gas leak (natural gas or LPG)</td>
</tr>
<tr>
<td>440 - Electrical wiring/equipment problem, other</td>
</tr>
<tr>
<td>460 - Accident, potential accident, other</td>
</tr>
<tr>
<td>500 - Service Call, other</td>
</tr>
<tr>
<td>511 - Lock-out</td>
</tr>
<tr>
<td>522 - Water or steam leak</td>
</tr>
<tr>
<td>550 - Public service assistance, other</td>
</tr>
<tr>
<td>561 - Assist police or other governmental agency</td>
</tr>
<tr>
<td>554 - Assist invalid</td>
</tr>
<tr>
<td>561 - Unauthorized burning</td>
</tr>
<tr>
<td>611 - Dispatched &amp; cancelled en route</td>
</tr>
<tr>
<td>622 - No incident found on arrival at dispatch address</td>
</tr>
<tr>
<td>851 - Authorized controlled burning</td>
</tr>
<tr>
<td>851 - Smoke scare, odor of smoke</td>
</tr>
<tr>
<td>700 - False alarm or false call, other</td>
</tr>
<tr>
<td>733 - Smoke detector activation due to malfunction</td>
</tr>
<tr>
<td>735 - Alarm system sounded due to malfunction</td>
</tr>
<tr>
<td>743 - Smoke detector activation, no fire - unintentional</td>
</tr>
<tr>
<td>911 - Citizen complaint</td>
</tr>
</tbody>
</table>

# Incidents for 78 - Station 78: 160

Only REVIEWED incidents included.
Appendix – B
Incident Types
## Incident Type Count per Station for Date Range

**Start Date: 01/01/2019 | End Date: 01/31/2019**

<table>
<thead>
<tr>
<th>INCIDENT TYPE</th>
<th># INCIDENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>111 - Building fire</td>
<td>2</td>
</tr>
<tr>
<td>150 - Outside rubbish fire, other</td>
<td>1</td>
</tr>
<tr>
<td>321 - EMS call, excluding vehicle accident with injury</td>
<td>93</td>
</tr>
<tr>
<td>322 - Motor vehicle accident with injuries</td>
<td>3</td>
</tr>
<tr>
<td>324 - Motor vehicle accident with no injuries.</td>
<td>19</td>
</tr>
<tr>
<td>412 - Gas leak (natural gas or LPG)</td>
<td>1</td>
</tr>
<tr>
<td>440 - Electrical wiring/equipment problem, other</td>
<td>1</td>
</tr>
<tr>
<td>460 - Accident, potential accident, other</td>
<td>1</td>
</tr>
<tr>
<td>500 - Service Call, other</td>
<td>1</td>
</tr>
<tr>
<td>511 - Lock-out</td>
<td>1</td>
</tr>
<tr>
<td>522 - Water or steam leak</td>
<td>1</td>
</tr>
<tr>
<td>550 - Public service assistance, other</td>
<td>1</td>
</tr>
<tr>
<td>551 - Assist police or other governmental agency</td>
<td>2</td>
</tr>
<tr>
<td>554 - Assist invalid</td>
<td>9</td>
</tr>
<tr>
<td>561 - Unauthorized burning</td>
<td>1</td>
</tr>
<tr>
<td>611 - Dispatched &amp; cancelled en route</td>
<td>12</td>
</tr>
<tr>
<td>622 - No incident found on arrival at dispatch address</td>
<td>3</td>
</tr>
<tr>
<td>831 - Authorized controlled burning</td>
<td>1</td>
</tr>
<tr>
<td>851 - Smoke scare, odor of smoke</td>
<td>1</td>
</tr>
<tr>
<td>700 - False alarm or false call, other</td>
<td>1</td>
</tr>
<tr>
<td>733 - Smoke detector activation due to malfunction</td>
<td>2</td>
</tr>
<tr>
<td>735 - Alarm system sounded due to malfunction</td>
<td>1</td>
</tr>
<tr>
<td>743 - Smoke detector activation, no fire - unintentional</td>
<td>1</td>
</tr>
<tr>
<td>911 - Citizen complaint</td>
<td>1</td>
</tr>
</tbody>
</table>

### # Incidents for 78 - Station 78: 160

Only REVIEWED incidents included.
### Incident Count per User-Defined Fields for Date Range

**Start Date:** 01/01/2019 | **End Date:** 01/31/2010

<table>
<thead>
<tr>
<th>ANSWERS</th>
<th># INCIDENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>USER-DEFINED FIELD: Was there mutual-aid received or provided?</strong></td>
<td></td>
</tr>
<tr>
<td>If so fill out following questions. Only use OTHER FD if there is no pre-filled selection or multiple FD’s. (Required)</td>
<td></td>
</tr>
<tr>
<td>No</td>
<td>108</td>
</tr>
<tr>
<td>Yes</td>
<td>52</td>
</tr>
<tr>
<td><strong>USER-DEFINED FIELD: What Department was the aid given to?</strong> (Required)</td>
<td></td>
</tr>
<tr>
<td>Alvarado FD</td>
<td>7</td>
</tr>
<tr>
<td>Ciboure FD</td>
<td>3</td>
</tr>
<tr>
<td>Joshua VFD</td>
<td>2</td>
</tr>
<tr>
<td>N/A</td>
<td>147</td>
</tr>
<tr>
<td>Other FD (Specify)</td>
<td>1</td>
</tr>
<tr>
<td><strong>USER-DEFINED FIELD: What Department was the aid received from?</strong> (Required)</td>
<td></td>
</tr>
<tr>
<td>Alvarado FD</td>
<td>8</td>
</tr>
<tr>
<td>AMR</td>
<td>25</td>
</tr>
<tr>
<td>Joshua VFD</td>
<td>1</td>
</tr>
<tr>
<td>Multiple FD’s (Specify)</td>
<td>3</td>
</tr>
<tr>
<td>N/A</td>
<td>123</td>
</tr>
<tr>
<td><strong>USER-DEFINED FIELD: If aid was given to &quot;Other FD&quot; specify here.</strong></td>
<td></td>
</tr>
<tr>
<td>N/A</td>
<td>32</td>
</tr>
<tr>
<td><strong>USER-DEFINED FIELD: If aid was received from multiple departments please list in alphabetical order. If aid was received from &quot;Other FD&quot; specify here.</strong></td>
<td></td>
</tr>
<tr>
<td>73,79</td>
<td>1</td>
</tr>
<tr>
<td>Alvarado and AMR</td>
<td>1</td>
</tr>
<tr>
<td>Alvarado, JCESD #200, Joshua</td>
<td>1</td>
</tr>
<tr>
<td>N/A</td>
<td>31</td>
</tr>
<tr>
<td><strong>USER-DEFINED FIELD: Was there a delayed chute time?</strong></td>
<td></td>
</tr>
<tr>
<td>(Over 90 seconds) (Required)</td>
<td></td>
</tr>
<tr>
<td>No</td>
<td>156</td>
</tr>
<tr>
<td>Yes</td>
<td>4</td>
</tr>
<tr>
<td><strong>USER-DEFINED FIELD: Was there a delayed response time in the City?</strong></td>
<td></td>
</tr>
<tr>
<td>(Over 6 minutes on Emergency Response) (Required)</td>
<td></td>
</tr>
<tr>
<td>No</td>
<td>157</td>
</tr>
</tbody>
</table>

Only User-Defined values selected in the CUSTOM field of an incident included. Only REVIEWED incidents included in count.
<table>
<thead>
<tr>
<th>ANSWERS</th>
<th># INCIDENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>3</td>
</tr>
</tbody>
</table>

**USER-DEFINED FIELD: If there was a delayed chute or response time please explain why in the area provided below.**

Remember this will be part of the PERMANENT RECORD.

<table>
<thead>
<tr>
<th>Description</th>
<th># INCIDENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Delayed response due to being on previous call and needing to return to the station for M-78</td>
<td>1</td>
</tr>
<tr>
<td>M-78 was responding back from a previous call.</td>
<td>1</td>
</tr>
<tr>
<td>n</td>
<td>1</td>
</tr>
<tr>
<td>N/A</td>
<td>30</td>
</tr>
<tr>
<td>SQ-78 was on a previous call.</td>
<td>1</td>
</tr>
<tr>
<td>We could not locate the lot number.</td>
<td>1</td>
</tr>
</tbody>
</table>

**USER-DEFINED FIELD: Did Support Services respond?**

<table>
<thead>
<tr>
<th>Answer</th>
<th># INCIDENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>No</td>
<td>88</td>
</tr>
<tr>
<td>Yes</td>
<td>1</td>
</tr>
</tbody>
</table>

**USER-DEFINED FIELD: What Support Services Personnel responded?**

<table>
<thead>
<tr>
<th>Name</th>
<th># INCIDENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nick Chesney</td>
<td>1</td>
</tr>
</tbody>
</table>

Only User-Defined values selected in the CUSTOM field of an incident included. Only REVIEWED incidents included in count.
Appendix – C
Volunteer Participation
### Total Incidents per Personnel for Date Range

Personnel: Halvorsen, William; Robbins, Donald; Roberts, Austin James; Stroud, Dakota C; Trabucco, Gabriel A | Sort By: Personnel | Start Date: 01/01/2019 | End Date: 01/31/2019

<table>
<thead>
<tr>
<th>Personnel</th>
<th>Count</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Halvorsen, William</td>
<td>1</td>
<td>0.03 %</td>
</tr>
<tr>
<td>Robbins, Donald</td>
<td>15</td>
<td>10.00 %</td>
</tr>
<tr>
<td>Roberts, Austin James</td>
<td>2</td>
<td>1.25 %</td>
</tr>
<tr>
<td>Trabucco, Gabriel A</td>
<td>0</td>
<td>0.00 %</td>
</tr>
<tr>
<td><strong>Sum of Individual Responses</strong></td>
<td><strong>27</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Total Incidents for Date Range</strong></td>
<td><strong>160</strong></td>
<td></td>
</tr>
</tbody>
</table>

Includes incidents where personnel responded to on or off an apparatus. Only REVIEWED incidents included.
FIRE CALLS / EMS CALLS

For 2019

- Jan: Fire Calls = 45, EMS Calls = 115
- Feb: Fire Calls = 45, EMS Calls = 115
- March: Fire Calls = 45, EMS Calls = 115
- April: Fire Calls = 45, EMS Calls = 115
- May: Fire Calls = 45, EMS Calls = 115
- Jun: Fire Calls = 45, EMS Calls = 115
- July: Fire Calls = 45, EMS Calls = 115
- Aug: Fire Calls = 45, EMS Calls = 115
- Sept: Fire Calls = 45, EMS Calls = 115
- Oct: Fire Calls = 45, EMS Calls = 115
- Nov: Fire Calls = 45, EMS Calls = 115
- Dec: Fire Calls = 45, EMS Calls = 115
## INCIDENT TYPES

### January 2019 NFIRS* Category Types and Tally

<table>
<thead>
<tr>
<th>Category Types</th>
<th>Tally</th>
</tr>
</thead>
<tbody>
<tr>
<td>100 – Fire call</td>
<td>03</td>
</tr>
<tr>
<td>200 – Overpressure rupture, explosion,</td>
<td>00</td>
</tr>
<tr>
<td>Overheat (no fire)</td>
<td></td>
</tr>
<tr>
<td>300 – Rescue and EMS incidents</td>
<td>115</td>
</tr>
<tr>
<td>400 - Hazardous conditions (no fire)</td>
<td>03</td>
</tr>
<tr>
<td>500 – Service call</td>
<td>16</td>
</tr>
<tr>
<td>600 – Good intent call</td>
<td></td>
</tr>
<tr>
<td>700 – False alarm and false call</td>
<td>05</td>
</tr>
<tr>
<td>800 – Severe weather and natural disaster</td>
<td>00</td>
</tr>
<tr>
<td>900 – Special incident type</td>
<td>01</td>
</tr>
</tbody>
</table>

* National Fire Incident Reporting System (NFIRS)
## INCIDENT STATISTICS

<table>
<thead>
<tr>
<th></th>
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<th></th>
<th></th>
<th></th>
<th></th>
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<th></th>
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</thead>
<tbody>
<tr>
<td>Total Calls</td>
<td>160</td>
<td></td>
<td></td>
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<td></td>
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<td></td>
<td></td>
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<tr>
<td>Fire Calls</td>
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<td>Overlapping Calls</td>
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<tr>
<td>No Crew Calls</td>
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</table>
## INCIDENT STATISTICS

<table>
<thead>
<tr>
<th></th>
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</tr>
</thead>
<tbody>
<tr>
<td>Total Calls</td>
<td>160</td>
<td></td>
<td></td>
<td></td>
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<tr>
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<td>EMS Transports</td>
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<tr>
<td>Revenue</td>
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<td></td>
<td></td>
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<td></td>
<td></td>
</tr>
</tbody>
</table>
# VOLUNTEER STATISTICS

<table>
<thead>
<tr>
<th>Personnel</th>
<th>Count</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Halvorsen, William</td>
<td>1</td>
<td>0.63%</td>
</tr>
<tr>
<td>Robbins, Donald</td>
<td>16</td>
<td>10.00%</td>
</tr>
<tr>
<td>Roberts, Austin James</td>
<td>2</td>
<td>1.25%</td>
</tr>
<tr>
<td>Trabucco, Gabriel</td>
<td>8</td>
<td>5.00%</td>
</tr>
<tr>
<td>Sum of Individual Responses</td>
<td>27</td>
<td>16.88%</td>
</tr>
</tbody>
</table>
PROJECTS

• EMS Feasibility Study – Tabled on 02/14/2019
• Fire Department Parking Lot
• Fire Department Electrical “Shore Lines”
Please indicate any additional information that the City Council wants to see in future monthly reports.
### Building Inspections & Permits

<table>
<thead>
<tr>
<th>PERMITS</th>
<th>OCT</th>
<th>NOV</th>
<th>DEC</th>
<th>JAN</th>
<th>FEB</th>
<th>MAR</th>
<th>APR</th>
<th>MAY</th>
<th>JUNE</th>
<th>JULY</th>
<th>AUG</th>
<th>SEPT</th>
<th>YTD</th>
</tr>
</thead>
<tbody>
<tr>
<td>MECHANICAL</td>
<td>0</td>
<td>2</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>2</td>
</tr>
<tr>
<td>ELECTRICAL</td>
<td>4</td>
<td>12</td>
<td>4</td>
<td>4</td>
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#### Permits Jan 2019 vs Jan 2018

- **Plumbing**: 8 vs 2
- **Electrical**: 4 vs 1
- **Other (Fence, C/O, Outbuilding, etc)**: 8 vs 6
## Building Inspections & Permits

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### Zoning Areas

- **1&2 Family**
- **Mobile Home**
- **Commercial**
# Building Inspections & Permits

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CIP Projects

Shady Oak Road Improvement
Sewer Project Oakwood Drive
Shady Oak
Emergency Sewer Project Oakwood Drive
SUBJECT: CODE ENFORCEMENT

1. BACKGROUND/HISTORY
   Update on Code Issues.

2. FINDINGS/CURRENT ACTIVITY
   - Cleburne Code Enforcement has not yet come out to create access database. Whenever they have availability, they will create a database.
   - Oakdale trailer Park
     I have received a complaint from a citizen regarding the park, I will be sending violation letters to owner of the property, HUD trailers, trailer owners, and tenant for miscellaneous City Ord. Violations.
   - 304 Oakwood
     Vehicle in the street in front of the house has been given a tow tag. A courtesy notice has been given regarding trash bags and debris in the front yard.
   - 2129 CR 805 – a letter was sent, and the trash furniture and debris have been removed.
   - 122 E HWY 67 – Manufactured home at the front of the property is currently being demolished.
   - 3309 Cr 805b – A partially demolished building has finally been demolished by the property owner, currently working on picking up small debris left on property. Partially demolished build had been there for at least couple years.
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SUBJECT: Discussion and possible recommendation to amend Article VII. Off Street Parking and Loading Requirements. Title VII. Traffic Code.

1. BACKGROUND/HISTORY

Council passed Ordinance 2009-389 to set general provisions for off-street parking and Ordinance 2011-430 to include paving requirements.

2. FINDINGS/CURRENT ACTIVITY

Residents have shown an interest in being able to park vehicles in the grass for the purpose of selling a personal vehicle.

3. FINANCIAL IMPACT

No financial impact to the City.

4. ACTION OPTIONS/RECOMMENDATION

Amendment to the current ordinance with an exception to allow parking a vehicle on a surface other than concrete and asphalt for the purpose of selling a personal vehicle.

5. ENCLOSURES

- Ordinance 2019-588 (new ordinance)
- Ordinance 2011-430 (existing ordinance)
- Ordinance 2009-389 (existing ordinance)
- Article VII
- Publisher’s Affidavit
- Zoning Map
ARTICLE VII. OFF STREET PARKING AND LOADING REQUIREMENTS

Sec. 1-161. GENERAL PROVISIONS.

In all districts there shall be provided at the time any building or structure is erected or structurally altered, off-street parking spaces. All parking and loading or unloading facilities, approaches, access driveways and standing or storage parking spaces for vehicles shall be paved with concrete or asphalt. This provision shall also apply to any use located on the property with no building or structure, i.e. public or private parking lots, vehicle sales and service centers and mobile home sales lots. Trailers are defined as vehicles. Single-family residential RV and boat storage are addressed in sections 15-134 and 15-135 of the Keene Code of Ordinances.

(Ord. 2009-389, passed 10-22-2009)

SEC. 1-168. RECREATIONAL VEHICLES.

(a) General regulations.

(1) Definition: the term RECREATIONAL VEHICLE as used herein shall mean Class A, Class C, travel trailer, pick-up camper or coaches, motorized dwelling, tent trailer, or trailer for transporting recreational equipment.

(2) Said vehicle shall not block any pedestrian walkway, fire hydrant or fire lane.

(3) Said vehicle shall be for personal use only.

(4) No recreational vehicles may be parked in an area or such a manner that any vegetation touches the frame of the vehicle.

(b) Recreational storage.

(1) It shall be illegal for person or persons to park or to allow being parked on any property under his or her control any recreational vehicle on any portion of a front lawn of any area which is zoned a residential district or any premises which are used for one-family, two-family or multi-family dwelling purposes unless:

   a. Said area is a part of a required driveway that provided access to a garage, carport or off-street parking area required by the zoning ordinance; or

   b. Said area is part of a side yard or rear yard.

(c) Recreational parking.

(1) No recreational vehicle shall be for living, sleeping, office or housekeeping purposes in any district except for the temporary housing of guests not to exceed more than 15 day per occurrence with no more than three occurrences per 12 months, with a 15 day interval between each occurrence.
2) No recreational vehicle may be parked on a public street or right-of-way continuously for more than 24 hours, with 24 hour intervals between each parking occurrence.

3) Class B campers are considered the same as vans, and are exempt from this appendix.

4) Pop-up campers and boats with trailers must be no closer than seven feet from the street curb and must be parked on concrete pad or runners.

(d) Recreational vehicle temporary living.

1) The terms of this section shall not be construed to apply to the parking of vehicles in a front yard or side yard where such parking is permitted in conjunction with temporary special events open to the public which may be designed from time to time by the city council.

2) No generator usage between the hours of 7:00 p.m. to 9:00 a.m. with other times no more than 70 dbl. of noise is permitted.

(Ord. 2009-389, passed 10-22-2009)

72.05 MANNER OF PARKING.

(A) An operator who stops or parks on a two-way roadway shall do so with the right-hand wheels of the vehicle parallel to and within 18 inches of the right-hand curb or edge of the roadway.

(B) An operator who stops or parks on a one-way roadway shall stop or park the vehicle parallel to the curb or edge of the roadway in the direction of authorized traffic movement with the right-hand wheels within 18 inches of the curb or edge of roadway. This division does not apply where a local ordinance otherwise regulates stopping or parking on the one-way roadway.

(C) The Chief of police, with approval of the City Council shall determine upon which streets angle parking shall be permitted and shall mark or sign such streets, but such angle parking shall not be indicated upon any federal-aid or state highway within this city unless the District Engineer with the Texas Department of Transportation has determined that the roadway is of sufficient width to permit angle parking without interfering with the free movement of traffic.

(D) Angle parking shall not be indicated or permitted at any place where passing traffic would thereby be caused or required to drive upon the left side of the street.

(E) Upon those streets which have been signed or marked for angle parking, no person shall park or stand a vehicle other than at the angle to the curb or edge of the roadway indicated by such signs or markings. Whenever parking spaces are marked by lines on the pavement, whether for parallel or angle parking, a vehicle must be parked entirely within the lines of the parking space.

(F) (1) The parking, storing or standing of an inoperable vehicle shall be prohibited, including those vehicles that vehicle licenses, state inspection sticker, or insurance have expired.

(2) The parking, standing or storage of any vehicle in the front yard, side yard, rear yard, or side yard adjacent to a street shall be prohibited.
(G) The following are exceptions:

(1) (a) A vehicle may be parked or stored in the front yard, rear yard, side yard adjacent to a street or side yard provided it is parked on a hard paved surface, not defined as a driveway, of concrete at least of sufficient size to accommodate the horizontal area projected by the extreme limits of the vehicle. A vehicle may be parked or stored on an unpaved surface in the side yard, side yard adjacent to a street or rear yard provided it is screened from public view by a six-foot high solid fence. (See General Development Ord., Section 1-92. PAVING, “Driveways.”)

(b) All parking spaces constructed for this purpose shall be constructed with a driveway adjoining an existing on-site driveway or with a driveway and approach adjoining a public right-of-way. All screening fences constructed for this purpose shall comply with setbacks contained in Chapter 157.

(2) Properties that do not have an existing concrete driveway as of the effective date of this chapter shall be exempted from this requirement. In the event of a major driveway modification a concrete driveway is required.

(3) Each single-family or two-family residence may park or store not more than one inoperable vehicle that is awaiting repair for a period not to exceed 15 days, unless extension approved by the Code Enforcement Officer. Any vehicle with body damage must be covered by a commercially available car cover, designed for make and model of damaged vehicle.

(Ord. 2011-430, passed 9-22-2011)

72.13 RECREATIONAL VEHICLES.

(A) General regulations.

(1) Definition. See section § 72.01.

(2) The vehicle shall not block any pedestrian walkway, fire hydrant or fire lane.

(3) The vehicle shall be for personal use only.

(4) No recreational vehicles may be parked in an area or such a manner that any vegetation touches the frame of the vehicle.

(B) Recreational storage.

(1) It shall be illegal for person or persons to park or to allow being parked on any property under his or her control any recreational vehicle on any portion of a front lawn of any area which is zoned a residential district or on any premises which are used for one-family, two-family or multi-family dwelling purposes unless:

   (a) The area is a part of a required driveway that provides access to a garage, carport or off-street parking area required by Chapter 157; or

   (b) The area is part of a side or rear yard, with concrete pad or runners.

(2) No more that two recreational vehicles may be parked pursuant to division (B)(1)(a) and (b) above, unless such excess (more than two) vehicles are parked in area which is part of a side
or rear yard, which is enclosed by a screening fence, of at least six feet in height, constructed so as to totally block the view into said area.

(C) Recreational parking.

1. No recreational vehicle shall be for living, sleeping, office or housekeeping purposes in any district except for the temporary housing of guest not to exceed more than 15 days per occurrence with no more than three occurrences per 12 months, with a 15-day interval between each occurrence.

2. No recreational vehicle may be parked on a public street or right-of-way continuously for more than 24 hours, with 24-hour intervals between each parking occurrence.

3. Class B campers are considered the same as vans, and are exempt from this chapter.

4. Pop-up campers and boats with trailers must be no longer than 25 feet, including tongue, to be parked on front of a residual driveway.

(D) Recreational vehicle temporary living.

1. The terms of this section shall not be construed to apply to the parking of vehicles in a front yard or side yard where such parking is permitted in conjunction with temporary special events open to the public which may be designed from time to time by the City Council.

2. No generator usage between the hours of 7:00 p.m. to 9:00 a.m. with no more than 70 dbl. of noise is permitted outside of these times.

3. See division (C)(1) above.

4. See division (C)(2) above.

(Ord. 2011-430, passed 9-22-2011)
Legal Notice Notice of Public Hearing

The Planning and Zoning Commission for the City of Keene will hold a public hearing scheduled for Monday, February 25, 2019 at 6:00 PM and will be held in the Council Chambers at 1000 N Old Betsy Rd. Cleburne, TX 76031 City Council for the City of Keene will hold a public hearing scheduled for Thursday, February 28, 2019 at 6:00 PM and will be held in the Council Chambers at 1000 N Old Betsy Rd. Cleburne, TX 76031 The Planning and Zoning Commission is a recommending body only. The City Council is authorized to approve or deny the request. Any interested person will be allowed to appear and speak at the public hearings. RE: Consideration and possible action to amend Article VII. Off Street Parking and Loading Requirements. Title VII. Traffic Code. Any questions or requests for accommodations or interpretative services for these meetings must be made 48 hours in advance for the meeting. Call 1-817-641-3336 ext. 110 or ask for the City Secretary, Holly Owens.
ORDINANCE NO. 2009-389

THE GENERAL DEVELOPMENT ORDINANCE REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Keene, Texas is a Home Rule City chartered under the laws of the State of Texas and Article XI, Section 5, of the Texas Constitution, acting by and through its duly elected council members; and

WHEREAS, the City of Keene has heretofore adopted the General Development Ordinance and ratifying establishment of the ordinance within the corporate limits and the extra-territorial jurisdiction of the City of Keene, Texas;

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

TABLE OF CONTENTS

<table>
<thead>
<tr>
<th>ARTICLE</th>
<th>PAGE</th>
</tr>
</thead>
<tbody>
<tr>
<td>I. DEFINITIONS</td>
<td></td>
</tr>
<tr>
<td>Sec. 1-1.</td>
<td>DEFINITIONS</td>
</tr>
<tr>
<td>II. GENERAL PROVISIONS</td>
<td></td>
</tr>
<tr>
<td>Sec. 1-21.</td>
<td>PURPOSE</td>
</tr>
<tr>
<td>Sec. 1-22.</td>
<td>AUTHORITY</td>
</tr>
<tr>
<td>Sec. 1-23.</td>
<td>JURISDICTION</td>
</tr>
<tr>
<td>Sec. 1-24.</td>
<td>EXTRA-TERRITORIAL JURISDICTION</td>
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<tr>
<td>Sec. 1-25.</td>
<td>SPECIAL DISTRICTS</td>
</tr>
<tr>
<td>Sec. 1-26.</td>
<td>SUBMITAL PROCEDURE</td>
</tr>
<tr>
<td>Sec. 1-27.</td>
<td>TITLE OPINION</td>
</tr>
<tr>
<td>Sec. 1-28.</td>
<td>TAX CERTIFICATE</td>
</tr>
<tr>
<td>Sec. 1-29.</td>
<td>DESIGN STANDARDS</td>
</tr>
<tr>
<td>Sec. 1-30.</td>
<td>PLAT REQUIRED</td>
</tr>
<tr>
<td>Sec. 1-31.</td>
<td>VARIANCES AND EXCEPTIONS</td>
</tr>
<tr>
<td>III. PLAN SUBMITTAL AND APPROVAL PROCEDURES</td>
<td></td>
</tr>
<tr>
<td>Sec. 1-51.</td>
<td>GENERAL PROVISIONS</td>
</tr>
<tr>
<td>Sec. 1-52.</td>
<td>REQUIREMENTS FOR SUBMITAL OF FINAL FILE COPIES</td>
</tr>
<tr>
<td>(a) Preliminary plats</td>
<td>12</td>
</tr>
<tr>
<td>(b) Final plats</td>
<td>13</td>
</tr>
<tr>
<td>(c) Engineering site plans</td>
<td>13</td>
</tr>
<tr>
<td>Sec. 1-53.</td>
<td>PARK AND OTHER PUBLIC USE DEDICATION REQUIREMENT</td>
</tr>
<tr>
<td>Sec. 1-54.</td>
<td>WHEN AN ENGINEERING SITE PLAN IS REQUIRED</td>
</tr>
<tr>
<td>Sec. 1-55.</td>
<td>ACCELERATED REVIEW FOR ENGINEERING SITE PLANS</td>
</tr>
<tr>
<td>Sec. 1-56.</td>
<td>REQUIREMENTS FOR PHASING A DEVELOPMENT</td>
</tr>
<tr>
<td>Sec. 1-57.</td>
<td>PROCEDURES FOR ISSUANCE OF BUILDING PERMIT</td>
</tr>
<tr>
<td>Sec. 1-58.</td>
<td>GRADING AND FILLING REGULATIONS</td>
</tr>
</tbody>
</table>
IV. DEVELOPMENT PROCEDURES.

Sec. 1-71. IMPROVEMENTS ON LAND SERVED BY PUBLIC IMPROVEMENTS WHICH MEET CURRENT STANDARDS........................................... 20
   (a) General Provisions .................................................. 20
   (b) Engineering Site Plan Criteria ..................................... 20

Sec. 1-72 IMPROVEMENTS ON UNPLATTED LAND SERVED BY PUBLIC IMPROVEMENTS WHICH MEET CURRENT STANDARDS........... 22
   (a) General Provisions .................................................. 22

Sec. 1-73. IMPROVEMENTS ON UNDEVELOPED LAND ........................................ 23
   (a) General Provisions .................................................. 23
   (b) Preliminary Plat .................................................... 24
   (c) Final Plat ........................................................... 25
   (d) Construction Plans .................................................. 27
   (e) Engineering Site Plan Criteria .................................... 39
   (f) Grading and Filling Plan Requirements .......................... 31

Sec. 1-74. IMPROVEMENTS ON LAND WHICH IS SERVED BY SUBSTANDARD PUBLIC IMPROVEMENTS............................... 32
   (a) General Provisions .................................................. 32
   (b) Paving ............................................................... 32
   (c) Water Lines .......................................................... 32
   (d) Fire protection ....................................................... 33
   (e) Sanitary Sewers ...................................................... 33
   (f) Septic Systems ....................................................... 33
   (g) Drainage .............................................................. 33
   (h) Open Space Requirements ......................................... 33

Sec. 1-75. CERTIFICATE OF CORRECTIONS ........................................ 33

Sec. 1-76. ABANDONMENT OF REAL PROPERTY ........................................ 34
   (a) General Provisions .................................................. 34
   (b) Additional Requirements For Certain Abandonment's ............ 34
   (c) To abandon an easement(s) ....................................... 35

V. PUBLIC IMPROVEMENTS

Sec. 1-91. CONSTRUCTION STANDARDS ............................................ 35
   (a) General Provisions .................................................. 35
   (b) Standard Specifications ............................................ 35
   (c) Construction Specifications ....................................... 35
   (d) Construction Standards ............................................ 36
   (e) Pre-Construction Meeting ......................................... 36
   (f) Construction Permit ................................................ 36
   (g) Construction Inspection Fee ....................................... 36
   (h) Exception For Utility Companies ................................ 36
   (i) Traffic Control Plan ................................................ 36
   (j) Construction Methods .............................................. 36
   (k) Material Testing .................................................... 36
   (l) Final Acceptance .................................................... 37
   (m) Partial Acceptance .................................................. 37
   (n) Conditional Acceptance ............................................ 37
   (o) As-Built Plans ..................................................... 37
   (p) Maintenance Bonds ................................................. 37

Sec. 1-92. PAVING ................................................................. 37
   (a) General Provisions .................................................. 37
   (b) Streets ............................................................... 37
   (c) Concrete Strength Requirements .................................. 39
   (d) Pavement Thickness Requirements ................................. 39
   (e) Base course .......................................................... 39
   (f) Pavement Width Requirements ..................................... 39

2009 General Development Ordinance
Pg 2 of 113
<table>
<thead>
<tr>
<th>Section</th>
<th>Description</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>1-93</td>
<td>BLOCKS</td>
<td>45</td>
</tr>
<tr>
<td>1-94</td>
<td>LOTS</td>
<td>46</td>
</tr>
<tr>
<td>1-95</td>
<td>EASEMENTS/R.O.W's</td>
<td>46</td>
</tr>
<tr>
<td></td>
<td>(a) General Provisions</td>
<td>46</td>
</tr>
<tr>
<td></td>
<td>(b) Water and Sanitary Sewer Line Easements</td>
<td>47</td>
</tr>
<tr>
<td></td>
<td>(c) Storm Drainage Easements</td>
<td>47</td>
</tr>
<tr>
<td></td>
<td>(d) Access Easements</td>
<td>47</td>
</tr>
<tr>
<td></td>
<td>(e) Slope Easements</td>
<td>48</td>
</tr>
<tr>
<td></td>
<td>(f) Parkway Cross Slope Extension</td>
<td>48</td>
</tr>
<tr>
<td></td>
<td>(g) Fire hydrant and water meter easements</td>
<td>48</td>
</tr>
<tr>
<td></td>
<td>(h) Construction Easements</td>
<td>48</td>
</tr>
<tr>
<td>1-96</td>
<td>DRAINAGE</td>
<td>48</td>
</tr>
<tr>
<td></td>
<td>(a) General Provisions</td>
<td>48</td>
</tr>
<tr>
<td></td>
<td>(b) Drainage Design of Storm Sewer Systems Based on Discharge</td>
<td>49</td>
</tr>
<tr>
<td></td>
<td>(c) Criteria For Filling In A Floodplain</td>
<td>50</td>
</tr>
<tr>
<td></td>
<td>(d) Required Technical Information To Be Submitted For City Review</td>
<td>50</td>
</tr>
<tr>
<td></td>
<td>(e) Requirements For Drainageway/Floodway As Part Of City Park System</td>
<td>51</td>
</tr>
<tr>
<td>1-97</td>
<td>WATER LINES</td>
<td>51</td>
</tr>
<tr>
<td></td>
<td>(a) General Provisions</td>
<td>51</td>
</tr>
<tr>
<td></td>
<td>(b) Water Main Categories</td>
<td>51</td>
</tr>
<tr>
<td></td>
<td>(c) Water Line Requirements</td>
<td>52</td>
</tr>
<tr>
<td></td>
<td>(d) Water Line Materials</td>
<td>53</td>
</tr>
<tr>
<td></td>
<td>(e) Backflow Devices</td>
<td>53</td>
</tr>
<tr>
<td></td>
<td>(f) Booster Pump Stations</td>
<td>53</td>
</tr>
<tr>
<td></td>
<td>(g) Oversizing and Extensions</td>
<td>53</td>
</tr>
<tr>
<td></td>
<td>(h) Meter Requirements</td>
<td>54</td>
</tr>
<tr>
<td></td>
<td>(i) Utility Location Plan</td>
<td>54</td>
</tr>
<tr>
<td>1-98</td>
<td>FIRE PROTECTION</td>
<td>54</td>
</tr>
<tr>
<td></td>
<td>(a) General Provisions</td>
<td>54</td>
</tr>
<tr>
<td></td>
<td>(b) Fire Hydrant Specifications and Coverage Requirements</td>
<td>55</td>
</tr>
<tr>
<td></td>
<td>(c) Fire Hydrant Specifications</td>
<td>55</td>
</tr>
<tr>
<td></td>
<td>(d) Fire Protection Distribution Systems</td>
<td>56</td>
</tr>
<tr>
<td>1-99</td>
<td>SANITARY SEWER LINES</td>
<td>56</td>
</tr>
<tr>
<td></td>
<td>(a) General Provisions</td>
<td>56</td>
</tr>
<tr>
<td></td>
<td>(b) Materials</td>
<td>56</td>
</tr>
<tr>
<td></td>
<td>(c) Manhole Spacing</td>
<td>56</td>
</tr>
<tr>
<td></td>
<td>(d) Manhole Size Criteria</td>
<td>57</td>
</tr>
<tr>
<td></td>
<td>(e) Minimum Pipe Size</td>
<td>57</td>
</tr>
<tr>
<td></td>
<td>(f) Parallel Sanitary Sewer Collection Systems</td>
<td>57</td>
</tr>
<tr>
<td></td>
<td>(g) Oversizing and Extensions</td>
<td>57</td>
</tr>
<tr>
<td></td>
<td>(h) Clean-Outs</td>
<td>57</td>
</tr>
<tr>
<td></td>
<td>(i) Utility Location Plan</td>
<td>57</td>
</tr>
<tr>
<td></td>
<td>(j) Additional Easements</td>
<td>57</td>
</tr>
<tr>
<td></td>
<td>(k) Emergency Maintenance</td>
<td>57</td>
</tr>
<tr>
<td></td>
<td>(l) Television Inspection</td>
<td>57</td>
</tr>
<tr>
<td></td>
<td>(m) Criteria For Repair</td>
<td>59</td>
</tr>
<tr>
<td></td>
<td>(n) Lift Stations and Force Mains</td>
<td>59</td>
</tr>
</tbody>
</table>
### ENGINEERING SITE PLANS
- OWNER'S CERTIFICATE OF DEDICATION ........................................... 91
- SIGNATURE BLOCKS FOR PRELIMINARY PLATS .................................... 92
- SIGNATURE BLOCKS FOR FINAL PLATS ............................................. 93

### APPENDIX 2.
- CERTIFICATE OF ABANDONMENT FORM ........................................... 96
- CERTIFICATE OF CORRECTION FORM .............................................. 97
- APPLICATION FOR FLOODPLAIN ....................................................... 98

### APPENDIX 3.
- AGREEMENT FOR PAYMENT IN LIEN OF CONSTRUCTION ..................... 101
- CERTIFICATE OF CORRECTION FORM .............................................. 103
- AGREEMENT FOR PERFORMANCE EXCROW FOR PUBLIC IMPROVEMENTS FOR CONSTRUCTION ............................................. 104

### APPENDIX 4.
- FEES .............................................................................................. 105

### LIST OF FIGURES & TABLES

<table>
<thead>
<tr>
<th>Figure Number</th>
<th>Description</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>PRELIMINARY PLAT APPROVAL PROCESS FLOWCHART</td>
<td>17</td>
</tr>
<tr>
<td>2.</td>
<td>FINAL PLAT APPROVAL PROCESS FLOWCHART</td>
<td>18</td>
</tr>
<tr>
<td>3.</td>
<td>ENGINEERING SITE PLAN APPROVAL PROCESS FLOWCHART</td>
<td>19</td>
</tr>
<tr>
<td>4.</td>
<td>CONTROL OF ACCESS LIMITATIONS</td>
<td>64</td>
</tr>
<tr>
<td>5.</td>
<td>CLEAR VISION AREA</td>
<td>66</td>
</tr>
<tr>
<td>6.</td>
<td>UTILITIES LOCATION PLAN (RESIDENTIAL STREET)</td>
<td>67</td>
</tr>
<tr>
<td>7.</td>
<td>RESIDENTIAL STREET (50' ROW – 31' PAVEMENT)</td>
<td>68</td>
</tr>
<tr>
<td>8.</td>
<td>COLLECTOR STREET (60' ROW – 37' PAVEMENT)</td>
<td>69</td>
</tr>
<tr>
<td>9.</td>
<td>ARTERIAL STREET (80' ROW – 49' PAVEMENT)</td>
<td>70</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Table Number</th>
<th>Description</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>STREET DESIGN CRITERIA</td>
<td>71</td>
</tr>
<tr>
<td>2.</td>
<td>WATERLINE EASEMENTS</td>
<td>72</td>
</tr>
<tr>
<td>3.</td>
<td>SANITARY SEWER EASEMENTS</td>
<td>73</td>
</tr>
<tr>
<td>4.</td>
<td>DRAINAGE EASEMENTS (ENCLOSED SYSTEM)</td>
<td>74</td>
</tr>
<tr>
<td>5.</td>
<td>WATERLINE REQUIREMENTS</td>
<td>75</td>
</tr>
<tr>
<td>6.</td>
<td>SANITARY SEWER MANHOLE SIZE</td>
<td>76</td>
</tr>
</tbody>
</table>

2009 General Development Ordinance
Pg 5 of 113
ARTICLE I DEFINITIONS

Sec. 1-1. DEFINITIONS

Amended Final Plat. A plat of a subdivision correcting the scrivener errors of a previously approved plat in accordance with the requirements of this ordinance and the Texas Local Government Code, and a copy of which has been filed for record with the County Clerk of Johnson County, Texas.

Brick Veneer. That form of construction composed of individual kiln fired brick units, stone, split face block, glass block or combination of these materials laid up unit by unit, set in mortar and installed per the adopted building code. (To utilize tilt wall and/or pre-cast concrete construction types, see section 6-181)

Building. A structure (anything constructed or erected), designed to be used as a place of occupancy, storage, or shelter.

Building Area. A portion of a lot on which single family buildings are allowed to be placed.

Building Lot. A single tract of land located within a single block which, (at time of filing for a building permit) is designed by its owner or developer as a tract to be used, developed, or built upon as a unit, under single ownership or control. It shall front upon a street or approved place. Therefore, a "building lot" may not coincide with a lot of record. A building lot may be subsequently subdivided into two or more building lots, and a number of building lots may be cumulated into one building lot, subject to the provisions of this ordinance.

Building Pad. A portion of a lot on which commercial building footprints, driveways and mutual accesses are designed and shown on the approved engineering site plan.

City. The City of Keene, Texas, and all its governing and operating bodies.

City Staff. All City employees designated by the City and by properly constituted authority to recommend and enforce the regulations contained in this ordinance.

Clear Vision Area. A part of a lot (generally corner lot) which may not be utilized for plantings, walls, fences, parking, vending machines, or other obstructions which would cause danger, as determined by the City, to traffic by obstructing the view.

Commercial Development. Any non-single family residential development requiring an engineering site plan in accordance with the General Development Ordinance.

Control of Access Line. Lines along sections of the street and alley rights-of-way which delineate areas where no driveway access will be permitted, these lines shall be shown within the limits which the City determines to be potentially unsafe for driveway access.

Corner Clip. A triangular area of additional right-of-way at street and alley intersections.

Council. The City Council of the City of Keene, Texas.

Easement. The right granted for the purpose of limited public use across, over, or under private land.

Engineer. The City Engineer of the City of Keene, or any Texas licensed civil engineer.
Engineering Site Plan. The development plan for one or more lots upon which is shown all information required by this ordinance sealed by a Texas licensed civil engineer. There are specific requirements for Engineering Site Plans. An Architectural Site Plan shall not be substituted for an engineering site plan.

Final Plat. A plat of a subdivision which has been approved in accordance with the requirements of this ordinance, and a copy of which has been filed for record with the County Clerk of Johnson County, Texas.

Fire Lane. A fire apparatus access road that is a minimum of 20 feet in width and constructed of either asphalt or reinforced concrete, sufficiently designed to support the imposed loads of fire apparatus, and provides a surface capable of being striped in accordance with current City specifications. Fire apparatus access roads will be required and maintained in accordance with the International Fire Code.

Lot of Record. A lot which is created by an approved subdivision, the plat of which has been duly recorded in the office of the appropriate county clerk.

Masonry Veneer. That form of construction composed of individual kiln fired brick units, concrete tilt-wall, stone, cement plaster (stucco), concrete block, concrete, exposed aggregate, and glass block when installed in accordance with the adopted building code.

Master Plan. The various plans for the City and its adjoining areas, as adopted by the Council, and as it may subsequently be amended, and which indicates the existing and recommended general locations of various land uses, streets, parks, and other public and private developments and improvements.

Mining. Shall mean the use of a facility or area for the extraction, removal, or stockpiling of sub-earth materials, including sand, gravel, oil, gas or other materials found under the earth. The following are not considered mining:

1. The excavation, extraction, removal, or stockpiling of earth materials for ponds or lakes, or incidental to an approved plat, or incidental to construction with a building permit, or for governmental or utility construction projects such as streets, alleys, gas, electrical, water, telephone facilities and similar projects.

2. The extraction, removal, or stockpiling of earth materials incidental to construction of landscaping, retaining walls, screening devices and similar activities consistent with the land use allowed at the site of removal.

3. Grading and filling outside the scope of an approved plat or engineering site plan when done in conjunction with an approved Grading and Fill Permit properly issued by the City of Keene.

Minor Plat. A plat of a subdivision that involves four or fewer lots which front on an existing street and do not require the creation of any new street or the extension of municipal facilities and has been approved in accordance with the requirements of this ordinance, and a copy of which has been filed for Record with the County Clerk of Johnson County, Texas.

Non-single family. As specified in the Engineering Site Plan requirements shall include all uses in all zoning districts that are not single-family or two-family residential in nature. For purposes of this definition, multi-family residential and mobile home parks shall be considered as non-single family residential and will be required to comply with the Engineering Site Plan process.

Old Town Development Plan. The development plan of one or more lots in the Old Town Center Business District, as established by the City of Keene Zoning Ordinance, upon which is shown all information required by this ordinance.
Opaque. As specified in the Screening Requirements shall mean a fence that you can not see through. A chain link fence with slats or a fabric fence is not acceptable.

Ordinances, Standards, and Codes. The official maps, master plans, ordinances, and specifications of the City of Keene.

Planning & Zoning Commission. The planning and zoning commission of the City of Keene, Texas.

Plat. A complete and exact plan, map, or drawing, on which a subdivider’s plan of a subdivision is presented and is submitted for approval, and a copy of which has been or will be filed in the office of the appropriate county clerk.

Preliminary Plat. A preliminary plan or drawing that represents a subdivider’s plan of the subdivision, showing all boundaries and location of individual properties and streets. Preliminary plats must be approved by either the Planning and Zoning Commission or City Council, as applicable.

Protected Tree. Trees that are defined by a protected tree list, by species and meeting ordinance mandated minimum caliper size.

Replat. The subdivision of any part or all of any block or blocks of a previously platted subdivision, addition or lot.

Screening Fence. A solid opaque screening fence used to screen outside storage in accordance with the screening section of this ordinance.

Screening Wall. A solid screening wall made of brick, stone or decorative concrete block to be erected at designated areas in accordance with the screening section of this ordinance.

Set Back Line. A line which a building must be set back from the property line, the street right-of-way line or easement line.

Site Improvements. All necessary site related improvements required by this ordinance.

Off Site Public Improvements. All public improvements constructed on public property.

On Site Public Improvements. All public improvements constructed on private property in public easements.

Public Improvements. All infrastructure necessary for development as required by this ordinance which include surface improvements (curbs, gutters, driveway approaches, sidewalks, paved streets, alleys, bridges, culverts, street lights, etc.) and utilities (water lines, sanitary sewer lines, storm drains, fire hydrants, etc).

Semi-Public Improvements. All improvements required by this ordinance installed on private property, other than easements, and privately maintained. (e.g. fire lanes, fire lines, on site private fire hydrants, screening devices, on site drainage, meters, and backflow devices).

Street. A way for vehicular traffic, whether designated as street, highway, thoroughfare, parkway, road, boulevard, or however otherwise designated.

Alleys. Minor ways which are used primarily for vehicular service access to back or the side of properties otherwise abutting on a street.

Alleys, Interior. Internal alleys within a subdivision not parallel to a City street.

2009 General Development Ordinance
Pg 8 of 113
**Alleys, Perimeter.** Alleys adjacent to and parallel to a City street require a screening wall between the rights-of-ways.

**Arterial Streets.** Major streets in the City's street system that serves as an avenue for the circulation of traffic onto, out of, or around the City and carry high volume of traffic, designated on the thoroughfare plan as P6D, P4D.

**Collector Streets.** Streets whose principal function is to carry traffic between residential streets and the arterial streets, but that may also provide direct access to abutting properties, including the principal entrance streets of a residential development, designated on the thoroughfare plan as C2U, and C4U.

**Controlled Access Streets.** Streets which are parallel to and adjacent to arterial streets and highways and which provide access to abutting properties and protection from through traffic.

**Cul-De-Sacs.** Short minor streets having only one vehicular access to another street and terminated by a vehicular turn-around.

**Dead End Streets.** Streets other than a cul-de-sac with only one outlet.

**Residential Streets.** Streets which are intended primarily to serve traffic within a neighborhood or limited residential district, and which is used for access to abutting properties.

**Subdivision.** The division of a parcel of land into two or more lots, or building sites for purpose of sale or building development (whether immediate or future) including one lot subdivision and all divisions of land involving dedication of streets, alleys, and easements, or change in existing streets. The term also includes re-subdivision, and the term subdivider or developer are synonymous and interchangeable, and include any person, partnership, association, firm, trustee, or agent who participate in subdivision of land within the intent, scope, and purview of this ordinance. Divisions of land for agricultural purposes in parcels of five (5) acres or more shall not be included within this definition, unless any such division of five (5) acres or more include the planning or development of a new street or access easement.

**Tract.** An unplatted parcel of land whose boundaries have been established by a recorded deed and which is recognized as a separate parcel for purpose of transfer of title.

**Tree Survey.** A drawing showing protected trees located outside of the building area on single family lots and outside of the building pad for commercial lots.

**Truck Lay.** The route Fire Department apparatus travels from a fire hydrant to all points of a structure or combustible storage area. Actual distance is measured along a paved street and/or fire lane as the apparatus would travel.

**Utility Company.** Companies, corporations and other entities who undertake transmission and distribution of electricity, gas, telecommunications, radio or television communications.

**Utility Lines.** Poles, structures, wire, aerial cables and related facilities used in transmission and distribution of electricity, telecommunications, radio or television communications.

**Utility Lines, Existing.** Poles, wires, aerial cables and other related facilities that are in place and in operation at the time of the effective date of this Ordinance.

**Utility Lines, New.** Poles, wires, aerial cables and other related facilities that are not in place and in operation at the time of the effective date of this Ordinance.

**Utility Lines, 60KV.** An electric line used for electrical distribution having a voltage rating

2009 General Development Ordinance
Pg 9 of 113
of 60,000 volts.

**Variance.** A grant of permission by the Council that authorizes a specific suspension or waiver of the rules and regulations in this ordinance.

**ARTICLE II. GENERAL PROVISIONS**

**Sec. 1-21. PURPOSE.**

The purpose of this ordinance is to provide for the orderly, safe and healthful development within the City of Keene, Texas, and to promote the health, safety and general welfare of the community.

**Sec. 1-22. AUTHORITY.**

This ordinance is adopted under the authority of the Constitution and laws of the State of Texas, and the City Charter of the City of Keene, Texas.

**Sec. 1-23. JURISDICTION.**

Provisions of this ordinance shall apply to the City Limits of the City of Keene, Texas, and any applicable Extra-Territorial Jurisdiction (ETJ) of the City of Keene, Texas.

**Sec. 1-24. EXTRA-TERRITORIAL JURISDICTION (ETJ).**

The General Development Ordinance of the City of Keene, Texas, as it now exists or may hereafter be amended, is hereby extended to all areas lying within the Extra-Territorial Jurisdiction of the City of Keene, and the rules and regulations within this ordinance governing plats and subdivision of land shall be applicable to such area within the Extra-Territorial Jurisdiction from and after the date of final passage of this ordinance. No person shall subdivide or plat any tract of land within the Extra-Territorial Jurisdiction of the City of Keene, except in conformity with the provisions of the General Development Ordinance.

**Sec. 1-25. SPECIAL DISTRICTS.**

Special districts, such as utility districts, road districts, etc., will be allowed only after approval of the City of Keene.

**Sec. 1-26. SUBMITTAL PROCEDURE.**

The submittal of plats, either preliminary or final, engineering site plans, and building permit applications shall be directed to the City of Keene Planning & Zoning Commission. Such submittals will be processed in accordance with procedures as outlined within this General Development Ordinance (Sec. 1-51) and policies adopted in conjunction therewith.

**Sec. 1-27. TITLE OPINION.**

To provide evidence that the owner has adequate title and authority to convey dedication, a Title Opinion must be submitted for all plats or actions which include dedication of land or easements to the City. Said Title Opinion must be deemed to be satisfactory by the City Attorney of the City of Keene and will be at the sole expense of the owner. In the event there is one or more lien holder(s), written
approval by the lien holder(s) must be provided to show agreement of the plat or dedication. Dedication along state routes shall be by warranty deed.

Sec. 1-28. TAX CERTIFICATE

An Original Tax Certificate must be submitted as required with all Plats, Engineering Site Plans, requests for permits for construction of public or semi-public improvements, or requests for permits for construction of private buildings. All taxes due to the City of Keene must be current at the time of approval of plats or site plans and at the time of issuance of said construction permits.

Sec. 1-29. DESIGN STANDARDS.

Standards for design of public improvements and of private improvements which directly interface with public improvements shall be as outlined in the Standard Specifications and Standard Specifications For Public Works Construction of the North Central Texas Council of Governments, Latest Edition as adopted by the City of Keene, except as otherwise noted.

Sec. 1-30. PLAT REQUIRED.

(a) In accordance with the Local Government Code, Section 212.004, the owner of a tract of land, located within the limits or in the extra-territorial jurisdiction of a municipality, who divides the tract in two or more parts for the purpose of sale, or to lay out a subdivision or building lots or any lots, or streets, alleys, parks or other portions intended for public use or the use of purchasers or owners of lots, shall cause a final plat to be made in accordance with this ordinance and with the Local Government Code.

(b) Every structure hereafter erected or altered shall be located on a lot of record as identified on a final plat for the property.

(c) For all unplatted tracts, a master development plan, called a preliminary plat in this ordinance, may be required prior to preparation of any final plat. For the purpose of subdividing a large tract which includes an extensive amount of public improvements, a preliminary plat shall be submitted identifying lots, blocks and phases to be final platted in time, as development occurs, and on the condition that all building lots and phases can stand alone in terms of public and semi-public improvements.

(d) In further subdividing a final platted lot, the lot of record must be replatted in its entirety. In addition, all replats must be considered in a public hearing in accordance with the Local Government Code.

(e) No plat or replat shall create a non-conforming use and/or condition for parking, signs or other such City regulations. If a lot or tract is being subdivided, an engineering site plan may be required if determined by staff to insure that the subdivision of property is not creating a non-conforming use and/or condition according to this ordinance and other City regulations.

Sec. 1-31. VARIANCES AND EXCEPTIONS.

(a) Where the City Council finds that hardship or practical difficulties may result from strict compliance with these regulations and/or the purpose of these regulations may be served to a greater extent by an alternative proposal, it may approve exceptions to these subdivision regulations so that substantial justice may be done and the public interest secured, provided that such exception shall not have the effect of nullifying the intent and purpose of these regulations. In approving exceptions, the
City Council may require such conditions and stipulations that will, in its judgment, secure substantially the objectives of the standards or requirements of these regulations.

A petition for any such exception shall be submitted in writing by the owner/agent, four weeks prior to any council meeting, to the City Administrator. The request shall state fully the grounds for the application and all facts relied upon by the applicant. All supporting exhibits, fees and documents must be included with the application. Incomplete applications will not be processed until all necessary documents are received by staff.

(b) Variances requested on the face of a plat or engineering site plan, will be scheduled for the appropriate board after staff's review. Variances requested on engineering site plans will be placed on the City Council agenda and variances on preliminary and final plats will go before the Planning and Zoning Commission first with a recommendation to the City Council.

(c) An administrative fee for processing variance requests is applicable for all requests

ARTICLE III. PLAN SUBMITTAL AND APPROVAL PROCEDURES

Sec. 1-51. GENERAL PROVISIONS

(a) All plats, site plans and plans for building construction shall be submitted with established procedures. Persons wishing to discuss specific questions in the development process should contact the building department secretary.

(b) Prior to the filing of a preliminary plat, final plat or engineering site plan, the developer/owner shall consult with the appropriate City staff review committee concerning the proposal. Staff will assist in determining whether the proposed development is generally consistent with City of Keene standards, plans and policies.

(c) Six (6) copies each of 24"x36" preliminary plats and 18"x24" final plats and 6 copies of 24"x36" engineering site plans shall be included with all formal submittals. The Building Department will review plats and site plans involving residential development and right-of-way landscaping and irrigation. The initial review period will be a maximum of fifteen (15) working days, with subsequent re-submittal reviews to be a maximum of ten (10) working days. On larger sets of plans staff may require additional time for review. The Building Inspection Division will coordinate all submittals and returns of marked-up copies, including payment of review fees, as well as acceptance of tax certificates, file copies and other required materials.

(d) All preliminary plats, final plats and engineering site plans submitted for review will be on the City's active list for a period of thirty (30) days from the date of each submittal. After the thirty (30) days period, a project will be considered abandoned and will be removed from the files. Substantial developer-initiated changes in the project from one submittal to the next that need additional review, will require payment of additional fees charges by engineer.

Sec. 1-52. REQUIREMENTS FOR SUBMITTAL OF FINAL FILE COPIES

Following completion of the review process, plats and replats must be submitted to the planning and zoning commission for final approval. In the event a variance is requested, all preliminary and final plats must have final approval by the City Council after a recommendation by the Planning and Zoning Commission. Engineering site plan approval can be granted by City staff if the site plan conforms with all applicable requirements of the City. If a variance is requested, the engineering site plan shall be forwarded directly to the City Council upon completion of staff review.

(a) Preliminary plats. Following the completion of the review process and twelve (12) days prior to the scheduled Planning and Zoning Commission meeting, the applicant must
submit final file copies. This will include ten (10) copies of 11" by 17" sheet size reductions. If development and/or construction variances are being requested, the number of 11" by 17" sheet size reductions to be submitted shall be ten (10) to allow for the additional submission to the City Council.

(b) Final plats. Following the completion of the review process and twelve (12) days prior to the scheduled planning and zoning commission meeting, the applicant must submit final file copies, all with seals and notarized signatures shall be original. This will include one (1) mylar and ten (10) copies of 11" by 17" sheet size reductions. If development and/or construction variances are being requested, the number of 11" by 17" sheet size reductions to be submitted shall be ten (10) to allow for the additional submission to the City Council. At such time when all final file copies have been submitted, as outlined in this ordinance, the plat will be considered filed with the City of Keene to be heard by the Planning and Zoning Commission, in accordance with Local Government Code, Section 212.009.

(c) Engineering site plans. Following completion of the review process, the applicant must submit one (1) original 24" by 36" sheet size mylar, signed and sealed by a Texas licensed civil engineer, to be signed by City staff members and utility companies. After all signatures are collected, two (2) blueline copies 24" by 36" sheet size must be submitted prior to a pre-construction conference. Engineering site plan construction may begin prior to final plat acceptance by the planning and zoning commission if staff review is complete and no variances are requested. If development and/or construction variances are requested, ten (10) "11 by 17" reductions must be submitted four (4) weeks in advance of the City Council meeting at which the variance request will be presented.

(d) Johnson County filing fees. For all documents to be filed at the Johnson County Clerk's Office, including all plats, deeds, easements, abandonment's, and corrections, a separate check in the exact amount of the county filing fee shall be submitted with the document(s) to be filed. The check shall be made payable to "City of KEENE".

(e) External Agency Permit Submittals. Submittals for floodplain development to F.E.M.A., and the U.S. Corps of Engineers (C.D.C. applications), can be processed concurrently with City staff approval. Submittals for TXDOT permits will be processed through City initiation (per TXDOT policy) only upon completion of City staff review. Permits are granted only to the City of Keene by TXDOT and not private developers.

Sec. 1-53. PARK AND OTHER PUBLIC USE DEDICATION REQUIREMENTS

Park Dedication for residential development shall be in accordance with the following requirements. All rights-of-way and land proposed for public use dedication associated with a current or future development shall be dedicated with a final plat. Land for park dedication purposes may be deeded to the City in advance, but will have to be included on the plat as development occurs. Rights-of-way acquisition for public improvement projects will not be affected by this requirement. One (1) acre of park area shall be dedicated for every 50 lots proposed in the final plat. The park shall be centralized within the subdivision and shall not be located along main arterial or major collector streets. The park area shall be contoured (graded) and seeded with native grass with a minimum coverage of established grass of 75% of the park area. A 6' feet wide concrete sidewalk shall be placed around the perimeter of the park with four (4) evenly spaced concrete picnic tables placed on 10' square 4" thick reinforced concrete pads.
Sec. 1-54. ENGINEERING SITE PLAN IS REQUIRED

(a) Engineering site plan approval is required for all non-single-family construction involving new buildings. Non-single-family residential engineering site plans may proceed through staff review and approval so long as a final plat has been approved or is in the process of being reviewed and approved with no variances. The land must be platted before an engineering site plan can be approved. Once the engineering site plan is approved, a temporary, 30 day construction permit for public and semi-public improvements may be issued prior to acceptance of a fully compliant final plat, as long as the final plat is scheduled for a Planning and Zoning meeting with no variances. In the event that the plat is denied, all temporary permits will be revoked. Engineering site plans must also be submitted for approval when any of the following apply to a non-single family site:

1. Change in the footprint or square footage of any structure or parking area.
2. Any change requiring additional parking and/or fire protection to the site.
3. Change in the fire lane configuration or location.
4. Addition, deletion, alteration or relocation of an existing driveway.
5. Change in grading or drainage.
6. Addition of new water or sanitary sewer services to the site.

(b) Existing legal non-conforming structures may maintain a legal non-conforming status unless one of the items listed above is triggered or unless the use or operation of the structure or property ceases or becomes vacant for a period of twelve (12) months or more, in which case, the start up of any use of the structure or property will require compliance with all applicable provisions of this ordinance, including platting and submission of an engineering site plan.

(c) Engineering site plans for any non-single family residential development for new construction or for alteration(s) to a site must be reviewed by all applicable departments. Any minor changes on the site which would otherwise trigger an engineering site plan will require submission of a copy of the approved engineering site plan, prepared in accordance with this ordinance, with the proposed change(s) drawn in. More significant changes may require full submission of a new engineering site plan in accordance with this ordinance. Engineering site plans are not required for single family residential building permits.

(d) No plat or replat shall create a non-conforming use and/or condition for parking, signs or other such City regulations. If a lot or tract is being subdivided, an engineering site plan may be required if determined by staff to insure that the subdivision of property is not creating a non-conforming use and/or condition according to this ordinance and other City regulations.

Sec. 1-55. ACCELERATED REVIEW FOR ENGINEERING SITE PLANS

An accelerated review may be utilized for the review process in limited situations. Engineering site plans submitted in accordance with this section will be reviewed within seven (7) working days; each subsequent submittal will be reviewed within five (5) working days. The following is a list of minimum requirements for invoking the special review process. Review fees are those of a regular submittal.

(a) The property must be platted as one platted lot or building lot.
(b) No City Council action is required.
(c) No public improvements other than driveways and sidewalks are required.
(d) No right-of-way or easement dedication is required.

2009 General Development Ordinance
Pg 14 of 113
Sec. 1-56. REQUIREMENTS FOR PHASING A DEVELOPMENT

Development may be phased on a plat or engineering site plan by establishing phase lines and/or lot lines. The phasing on an engineering site plan for a lot with existing developments shall not be allowed. The engineering site plan for lots with existing developments shall fully comply with the requirements of this ordinance. Each phase shall be capable of standing alone, as development occurs, and shall not be dependant on future construction associated with separate phases to meet City standards or requirements. All required public, semi-public and private improvements, as defined by this ordinance, (roads, turn lanes, deceleration lanes, RR crossings, traffic control devices, sidewalks, screening walls, etc.), shall be designed and constructed with each phase in conformance with all applicable City standards.

The pro-rated cost of Public Improvements which are deferred for the construction of future phases shall be deposited with the City of Keene prior to the scheduling of the final plat for consideration by the Planning and Zoning Commission. The pro-rated cost will be established based on the percentage of the area being developed out of the total property area and excluding all Right-Of-Way (ROW) dedications.

Sec. 1-57. PROCEDURES FOR ISSUANCE OF BUILDING PERMIT

(a) No building permit, including but not limited to permits for electrical, mechanical, plumbing, signs, fire protection, etc. (with the exception of temporary power permits associated with construction), will be issued for any residential or commercial building in the City until all public improvements associated with the subdivision are completed and accepted by the City. These public improvements constitute the basic infrastructure required to serve the subdivision and include construction of streets, drainage, water and sanitary sewer facilities as outlined in Section IV (2) (Improvements on Undeveloped Land). Simultaneous construction of public and private improvements will require City Council action. In addition, gas and electrical service shall be available to each lot prior to the issuance of a building permit.

(b) Commercial buildings have to follow additional requirements prior to obtaining a building permit. These requirements include submitting an engineering site plan for staff approval, construction and acceptance of all required public and semi-public improvements (fire lanes, fire lines, fire hydrants and other appurtenances, sidewalks, driveway approaches, right turn lanes, drainage facilities, water and sanitary sewer service connections, etc.) as shown on the approved engineering site plan.

(c) A foundation permit may be issued, on a case by case basis, based on the approved engineering site plan which adequately addresses the location and elevations of water and sanitary sewer services in relation to the proposed finish floor elevation of the building.

(d) No building construction above the slab may be commenced prior to the construction and approval of all fire lanes, fire lines, fire hydrants and other waterline appurtenances.

(e) Some items of public and semi-public improvements i.e. sidewalks, driveway approaches, right turn lanes (if applicable), grading and drainage improvements, water and sanitary sewer service connections may be constructed simultaneously with the building provided a cash escrow is deposited with the City to cover 100 percent of the cost of the improvements. A non-refundable fee of $250.00 will be charged for escrow handling. On cash escrow's where the developer satisfactorily completes all public and semi-public improvements, the City will return the entire amount escrowed plus interest earned on that escrow. If the developer fails to complete the project, and the City is to complete the project at a later date, then the amount escrowed plus the interest will be retained by the City.
(f) Three-party contracts may be considered on case-by-case basis and are subject to approval by the City Council.

Sec. 1-58. GRADING AND FILLING REGULATIONS.

(a) Prior to commencement of any grading or filling operation, the owner, developer or contractor shall secure a "grading and fill" permit properly issued by the City of Keene. Said permit will be issued only after the requirements of this section and related requirements have been met. The permit will be valid for a period of 180 days from the date of issuance. The permit may be extended in increments of 180 days, if approved, and will be valid for a maximum period of up to eighteen (18) months from the date of initial approval.

In order to apply for a permit, the applicant shall comply with the following:

(1) Submittal of a grading and/or fill plan. The plan shall comply with the applicable provisions of an grading and filling plan requirements. (Sec. 1-73 (f).

(2) Submittal of review fees and tax certificates.

(b) In addition to the requirements of an engineering site plan, the grading and fill plan must indicate the specifics of the proposed work, including areas to be excavated or filled, erosion control measures, means of ingress and egress, restoration plans, hauling routes with traffic control, and any other items deemed appropriate by City staff to fully define the work.

(c) A grading and fill permit will not be issued if the work is deemed to adversely affect drainage on adjacent or other properties, create a traffic safety problem, or be considered a mining operation. Specific use district zoning is required for mining, including such mining as sand and gravel removal.

(d) Any grading or filling operation in the floodway or floodplain will trigger additional requirements contained elsewhere within this General Development Ordinance.

(e) A grading and fill permit is not required for the addition of top soil or similar material used to spread over grassed areas in average depths of less than two inches.

(f) The contractor shall establish erosion control devices in accordance with the current Texas Pollution Discharge Elimination System (TPDES) requirements.
PRELIMINARY PLAT APPROVAL

PROCESS FLOWCHART

1) Submit 12 copies and pay all fees at this time.

2) Staff has a maximum of 15 working days to review plans after the 1st submittal (larger projects may require longer time).

3) Staff has a maximum of 10 working days to review plans on the second and subsequent submittal. (larger projects may require longer review time).

4) The Planning and Zoning Commission meets the 3rd Monday of each month on a regular basis.

5) The City Council meets every other Thursday.

* City Council may approve a variance, but all other criteria must be met before scheduling the plat for consideration by the Planning and Zoning Board.

2009 General Development Ordinance
Pg 17 of 113
FINAL PLAT APPROVAL PROCESS FLOWCHART

1) Submit 12 copies and pay all fees at this time.

2) Staff has a maximum of 15 working days to review plans after the 1st submittal (larger projects may require longer time).

3) Staff has a maximum of 10 working days to review plans after revisions are submitted.

4) The Planning and Zoning Commission meets the 3rd Monday of each month on a regular basis.

5) The City Council meets every other Thursday.

* City Council may approve a variance, but all other criteria must be met before scheduling the plat for Planning and Zoning consideration.

** Engineering Site Plans may be submitted at this time.
ENGINEERING SITE PLAN PROCESS FLOWCHART

1. Submit 12 copies and pay all fees at this time.

2. Staff has a maximum of 15 working days to review plans after the 1st submittal (larger projects may require longer time).

3. Staff has a maximum of 10 working days to review plans after revisions are submitted.

4. The City Council meets every other Thursday.

* City Council may approve a variance, but all other criteria must be met before approving the engineering site plan.

FIGURE 3
ARTICLE IV. DEVELOPMENT PROCEDURES

Sec. 1-71. IMPROVEMENTS ON LAND SERVED BY PUBLIC IMPROVEMENTS WHICH MEET CURRENT STANDARDS

(a) General Provisions. This section deals with non-single family construction on entire lots which are properly zoned and platted, and on which all of the public improvements for water, sanitary sewer, streets and drainage are constructed to current City development standards and have been accepted by the City.

(b) Engineering Site Plan Criteria. An Engineering Site Plan, signed and sealed by a Texas Licensed Professional Civil Engineer, must be submitted in accordance with City of Keene regulations and policies. Information on specific City regulations, policies and standards is contained elsewhere in this development ordinance package. Construction must be underway within 180 days from the date of formal approval and the building substantially completed within 18 months from the date of formal approval. That portion which is not substantially complete within 18 months, may be resubmitted in accordance with the most current City standards and regulations.

ALL SITE PLAN REVIEW FEES AND TAX CERTIFICATES ARE DUE AT TIME OF INITIAL SUBMITTAL.

The following is a check list for items which shall be included, as applicable, on each Engineering Site Plan submitted for review. The Engineering Site Plan shall include a cover sheet, a copy of the final plat and applicable construction drawings. An overall site layout shall be included showing general information such as building location, zoning, setbacks, etc. for reference purposes.

(1) A title block located at the bottom right hand side of the page to include project's name, addition's name, lot, block and phase designations, total acreage, zoning classification and address if available (see appendix for title block).

(2) A summary table for building square footage and total number of parking spaces required for each proposed classification and R.O.W. square footage or acreage (if applicable).

(3) Staff and utility companies signature block (see appendix).

(4) Tax certificate showing all tax payments to the City of Keene are current. Taxes must be current as of the date of formal City approval of the Site Plan.

(5) North point arrow (oriented to the top or right of the sheet) and date. Dates of revisions are also to be added with each modified set of plans.

(6) Location map 1"=1,000' (Must use City base map).

(7) Sheet size of 24" X 36".

(8) Scale of 1" = 20' maximum for lots up to 3 acres, and 1" = 40' maximum for lots exceeding 3 acres. For site plans requiring extensive grading, drainage, other site related improvements, or unusual lot configuration the office of the City Engineer shall be consulted for designating scale.

(9) Name, address and phone number of contact person of developer, owner or builder, engineer or surveyor.

(10) Distances and bearings of the lot including total land area, subdivision lot & block designation and phase lines. The entire platted lot shall be shown on the engineering site plan.

2009 General Development Ordinance
Pg 20 of 113
(11) Iron rods shall be set or found and shown on site plan.

(12) Contours with intervals of one foot (1'), referred to sea level datum, including City of Keene benchmark.

(13) Building setback lines including required setback from all water, sanitary sewer and drainage easements.

(14) Zoning of subject lot and adjoining property.

(15) Easements, deed restrictions or encumbrances which impact development of the lot.

(16) Control of access lines, corner clips and clear vision areas. Refer to Figure 4 (Control of Access Limitations), Figure 5 (Clear Vision Area), and Table 1 (Street Design Criteria).

(17) Traffic control signals, devices, striping and traffic control plan in conformance with the latest edition of the Texas Manual on Uniform Traffic Control Devices.

(18) Median openings, traffic islands, turning lanes, acceleration and deceleration lanes. Refer to Sec. 1-92 (m).

(19) Streets, alleys and easements adjacent to the site showing right-of-way and limits of paving.

(20) Driveways, sidewalks, water and sanitary sewer services, grading and drainage.

(21) Parking layout, including maneuvering as well as loading and unloading service areas and required truck berths.

(22) Screening devices.

(23) Landscaping plan, including a summary table showing number, size and type of trees and percentage of landscaping for parking areas. Irrigation plans illustrating connection to main water line through a separate irrigation meter or off of main water meter. Irrigation systems shall be designed to prevent off-site drainage nuisance.

(24) Construction details for all site improvements as defined in definitions section and as applicable.

(25) Fire protection including fire hydrants, fire lanes, fire lines and related devices.

(26) Dumpster location.

(27) Other utilities.

(28) Finished floor elevation. The builder is responsible for furnishing an engineering certification of the foundation elevation and building setbacks prior to construction of a foundation.

(29) Variances from this ordinance which may be requested shall be listed on the face of the site plan.

(30) Note stating required exterior finish

(31) Copy of the approved final plat.

(32) The contractor shall establish erosion control devices in accordance with the
current Texas Pollution Discharge Elimination System (TPDES) requirements.

(33) Traffic Control Plan, shall be submitted for all proposed construction within a street right-of-way. The traffic control plan shall incorporate all applicable Texas Department of Transportation traffic control plan sheets.

(34) Show location of all proposed free standing signage.

Sec. 1-72 IMPROVEMENTS ON PLATTED OR UNPLATTED LAND SERVED BY PUBLIC IMPROVEMENTS WHICH MEET CURRENT STANDARDS.

(a) General Provisions. This section deals with all construction on lots which are properly zoned and all of the public improvements for water, sanitary sewer, streets and drainage are constructed to current City development standards and have been accepted by the City.

ALL REVIEW FEES AND TAX CERTIFICATES ARE DUE AT TIME OF INITIAL SUBMITTAL.

The following is a check list for items which shall be included, as applicable, on each Minor Plat submitted for review:

(1) Title Block – (see appendix).

(2) For all residential subdivisions, a plan summary table, to include total acreage per phase, total number of lots and number of lots per phase and zoning classification, minimum lot size, minimum dwelling size and density per acre. A summary table of each lot area (sq.ft.) and a tree schedule in accordance with the landscaping section shall also be included.

(3) North point arrow (oriented to the top or right of the sheet) and date. Dates of revisions are also to be added with each modified set of plans.

(4) Name, address and phone number of contact person of developer, owner or builder, engineer or surveyor.

(5) Sheet size of 24" X 36" for review copies.

(6) Location map 1" = 1,000' (Must use City base map).

(7) Maximum scale of 1" = 100', (maximum scale of 1" = 200', one sheet for addressing purposes).

(8) Boundary line, accurate in scale and with exact distances and bearings, of the subject tract and each lot within the subdivision including exact acreage per lot for all non- single family developments. Location of corner pins and monuments, including description and whether found or set.

(9) Metes and bounds description of the subdivision, with exact acreage, in reference to the deed records of the County, including the volume and page of the deed for the land being platted.

(10) Lot number and Block letter designations. Building setback lines shall be shown or noted including setback lines from all water, sanitary sewer and drainage easements.

(11) Zoning of subject lot and adjacent property.

(12) The names of adjacent subdivisions and/or the names of record owners of adjoining parcels of unsubdivided land.

(13) Lines or limits designating boundaries of municipalities, counties and special

2009 General Development Ordinance
Pg 22 of 113
districts such as Municipal Utility Districts, Road Utility Districts, Levee Districts, etc.

(14) Existing streets, alleys and access easements including street names, with all curve data and widths of rights-of-way.

(15) Easements, deed restrictions or encumbrances which impact development of the lot.

(16) Control of access lines, corner clips and clear vision areas. Refer to Figure 4 (Control of Access Limitations), Figure 5 (Clear Vision Area), and Table 1 (Street Design Criteria).

(17) For all residential development, the park dedication agreement shall be finalized at the time of approval of the final plat including all dedications and/or fees to be paid at this time. The agreement, including the approval date, must be noted on the face of the plat.

(18) All land proposed for public use dedication or to be reserved for the common use of all property owners, together with conditions or limitations of such use. Such reservations and dedications must be identified with a lot and block designation except street and alley rights-of-way.

(19) The 100-year floodplain per current FEMA Flood Insurance Rate Map (FIRM), if applicable, shall be delineated. If the floodplain is not mapped, the developer is responsible for making this determination using a FEMA approved method.

(20) Flowage easements, if any, pertaining to drainage including a note regarding responsibility for maintenance.

(21) Other features which impact the subject property including, but not limited to, buildings, cemeteries, parks, landfills and monuments.

(22) Right-of-way and public property to be abandoned should be identified on the plat, but information is to be provided separately as required for creation of an abandonment ordinance.

(23) Certification by a licensed land surveyor, registered in the State of Texas, to the effect that the plan represents a survey made by him or under his direct supervision and that all the monuments and corner pins shown exist and are correctly described.

(24) A certification of ownership and dedication of all streets, alleys, parks, easements and other public ways, signed and acknowledged before a notary public by the owner, trustee(s) or person(s) duly authorized to sign the plat. This will include any lienholder(s) on the property (see appendix).

(25) City of Keene signature block (See appendix).

Sec. 1-73. IMPROVEMENTS ON UNDEVELOPED LAND

(a) General Provisions. This section deals with both single-family and non-single family construction on lots which are properly zoned but which have not been platted, and on which the public improvements for water, sanitary sewer, paving and drainage are not in place.

ALL REVIEW FEES, AND TAX CERTIFICATES WHEN APPLICABLE, ARE DUE AT TIME OF INITIAL SUBMITTAL.

A Preliminary Plat and Final Plat may not be submitted for simultaneous review. Substantial changes in a subdivision may require submission and formal approval of a revised
preliminary plat.

(b) Preliminary Plat. A Preliminary Plat will be required on all unplatted tracts which do not conform with tract dimensions shown in current Central Appraisal District records, or which involve dedication or construction of City streets, drainage ways or utilities. The approval of the Preliminary Plat by the City shall be effective for a period of 180 days after the date of formal approval and a final plat may be submitted consistent with the approved preliminary plat. Following the 180 day period the preliminary plat will be valid for a period up to eighteen (18) months from preliminary plat approval date if it complies with all updated City standards and regulations. Following an eighteen (18) month period after the approval of a preliminary plat, the plat or any portion of the plat which has not had final plat approval by the Planning and Zoning Commission, will be considered invalid and removed from the files.

For tracts over 100 acres, prior to the expiration of the eighteen (18) month period, a request for one year extension may be submitted for approval to the City Council if there are no changes to the preliminary plat and/or City standards and regulations.

The following is a check list for items which shall be included, as applicable, on each Preliminary Plat submitted for review:

(1) Title Block (see appendix)

(2) For all residential subdivisions, a plan summary table, to include total acreage per phase, total number of lots and number of lots per phase and zoning classification, minimum lot size, minimum dwelling size and density per acre.

(3) North point arrow (oriented to the top or right of the sheet) and date. Dates of revisions are also to be added with each modified set of plans.

(4) Name, address and phone number of contact person of developer, owner or builder, engineer or surveyor.

(5) Sheet size shall be 24" X 36".

(6) Location map 1" = 1,000' (Must use City base map).

(7) The maximum scale on preliminary plats shall be 1" = 100', except that non-residential tracts over 100 acres may be drawn to a maximum scale of 1" = 200'.

(8) Abstract(s) and Survey(s) of subject tract.

(9) Abstract and Survey lines.

(10) Boundary line, accurate in scale, of the subject tract.

(11) The layout, building setback lines including setbacks from water, sanitary sewer and drainage easements and approximate dimensions of proposed lots, blocks, etc.

(12) Lot number, Block letter designations and acreage of each lot.

(13) Zoning of subject lot and adjoining property.

(14) Contours with intervals of two feet (2') or less, referred to sea level datum, including benchmark.

(15) The names of adjacent subdivisions and/or the names of record owners of adjoining parcels of unplatted land.

(16) Lines or limits designating boundaries of municipalities, counties, and special districts such as Municipal Utility Districts, Road Utility Districts, Levee Districts, etc.

2009 General Development Ordinance
Pg 24 of 113
(17) Existing and proposed sanitary sewer and water system shown for a distance which impacts the subject property.

(18) Other utility systems, proposed and existing, including private transmission lines.

(19) A drainage plan of the proposed and existing drainage systems shall be submitted for review and comment. The drainage plan shall include: all drainage areas (on-site and off-site) that affect the area being platted. Both in its natural state and in the ultimate development, location of lines, inlets, existing and proposed easements, proposed drainage rights-of-way, all required drainage calculations in accordance with City of Keene Drainage Criteria Manual. In addition, the 100 year floodplain, if applicable, shall be delineated.

(20) Existing and proposed streets and alleys, including widths of right-of-way and pavement. Street names shall provide continuity with existing streets. Where a development abuts or contains a street shown on the City's Thoroughfare Plan, the preliminary plat shall include a proposed dedication of right-of-way in accordance with the requirements of the Thoroughfare Plan.

(21) Cross-section of proposed streets and alleys showing the width of pavement, type of pavement and location and width of sidewalks.

(22) Easements, deed restrictions or encumbrances which impact development of the lot.

(23) Control of access lines, corner clips and clear vision areas. Refer to Figure 4 (Control of Access Limitations), Figure 5 (Clear Vision Area), and Table 1 (Street Design Criteria).

(24) Traffic control signals, devices and striping.

(25) Median openings, turning lanes, acceleration and deceleration lanes.

(26) For residential developments, park dedication provisions are to be addressed by the Park Board prior to approval of the preliminary plat. The park dedication agreement shall be noted on the face of the plat with the approval date.

(27) All land proposed for public use dedication or to be reserved for the common use of all property owners, together with conditions or limitations of such use, and must be identified with a lot and block designation except street and alley rights-of-way.

(28) Other features which impact the subject property including, but not limited to, buildings, cemeteries, parks, landfills and monuments.

(29) Phase lines must be clearly delineated, with improvements capable of standing alone as development occurs and not depending on future construction to meet City standards or requirements. See Section 6-56 for Phasing requirements.

(30) Requested variances from this ordinance shall be listed on the face of the plat.

(31) City of Keene signature block. (See appendix )

(c) Final Plat. A Final Plat will be required upon final City approval of a Preliminary Plat. Final plats shall substantially conform with approved Preliminary Plats, or a revised Preliminary Plat must be submitted for formal approval. On a tract which conforms with tract dimensions shown in current Central Appraisal District records but which has not been formally platted, a Final Plat will be required prior to or at the time of submission of an Engineering Site Plan.

ALL REVIEW FEES AND TAX CERTIFICATES ARE DUE AT TIME OF INITIAL SUBMITTAL.

Review copies of the Final Plat, plus final construction plans for construction of 2009 General Development Ordinance

Pg 25 of 113
public improvements associated with the plat, shall be submitted simultaneously in accordance with this General Development Ordinance and policies of the City of Keene. The construction plans are an integral part of the final plat. A tree survey shall be required to accompany a final plat if construction plans are required to be submitted.

The following is a check list for items which shall be included, as applicable, on each Final Plat submitted for review:

1. Title Block (see appendix).

2. For all residential subdivisions, a plan summary table, to include total acreage per phase, total number of lots and number of lots per phase and zoning classification, minimum lot size, minimum dwelling size and density per acre. A summary table of each lot area (sq.ft.) and a tree schedule in accordance with the landscaping section shall also be included.

3. North point arrow (oriented to the top or right of the sheet) and date. Dates of revisions are also to be added with each modified set of plans.

4. Name, address and phone number of contact person of developer, owner or builder, engineer or surveyor.

5. Sheet size of 24" X 36" for review copies.

6. Location map 1" = 1,000' (Must use City base map).

7. Maximum scale of 1" = 100', (maximum scale of 1" = 200', one sheet for addressing purposes).

8. Boundary line, accurate in scale and with exact distances and bearings, of the subject tract and each lot within the subdivision including correct acreage per lot for all non-single family developments. Location of corner pins and monuments, including description and whether found or set.

9. Metes and bounds description of the subdivision, with exact acreage, in reference to the deed records of the County, including the volume and page of the deed for the land being platted.

10. Lot number and Block letter designations. Building setback lines shall be shown or noted including setback lines from all water, sanitary sewer, and drainage easements.

11. Zoning of subject lot and adjacent property.

12. The names of adjacent subdivisions and/or the names of record owners of adjoining parcels of un-subdivided land.

13. Lines or limits designating boundaries of municipalities, counties, and special districts such as Municipal Utility Districts, Road Utility Districts, Levee Districts, etc.

14. Existing and proposed streets, alleys and access easements, including street names, with all curve data and widths of rights-of-way. Street names shall provide continuity with existing streets. Where a development abuts or contains a street shown on the City’s Thoroughfare Plan, the final plat shall include the dedication of right-of-way and construction of said streets in accordance with the requirements of the Thoroughfare Plan. Where it is determined by City staff to be impractical to construct one half (½) of the street, the developer shall escrow the full monetary value of these improvements prior to the approval of the final plat/replat.

15. Easements, deed restrictions or encumbrances which impact development of the lot.

2009 General Development Ordinance
Pg 26 of 113
(16) Control of access lines, corner clips and clear vision areas. Refer to Figure 4 (Control of Access Limitations), Figure 5 (Clear Vision Area), and Table 1 (Street Design Criteria).

(17) For all residential development, the park dedication agreement shall be finalized at the time of approval of the final plat including all dedications and/or fees to be paid at this time. The agreement, including the approval date, must be noted on the face of the plat.

(18) All land proposed for public use dedication or to be reserved for the common use of all property owners, together with conditions or limitations of such use. Such reservations and dedications must be identified with a lot and block designation except street and alley rights-of-way. R.O.W. dedication square footage and acreage must be listed on the plan.

(19) The 100-year floodplain per current FEMA Flood Insurance Rate Map (FIRM), if applicable, shall be delineated. If the floodplain is not mapped, the developer is responsible for making this determination using a FEMA approved method.

(20) Flowage easements, if any, pertaining to drainage including a note regarding responsibility for maintenance.

(21) Other features which impact the subject property including, but not limited to, buildings, cemeteries, parks, landfills and monuments.

(22) Right-of-way and public property to be abandoned should be identified on the plat with additional information being provided separately as required for the creation of an abandonment ordinance.

(23) Certification by a licensed land surveyor, registered in the State of Texas, to the effect that the plan represents a survey made by him or under his direct supervision and that all the monuments and corner pins shown exist and are correctly described.

(24) A certification of ownership and dedication of all streets, alleys, parks, easements and other public ways, signed and acknowledged before a notary public by the owner, trustee(s) or person(s) duly authorized to sign the plat. This will include any lienholder(s) on the property (see appendix).

(25) City of Keene signature block (See appendix).

(26) Variances from this ordinance shall be listed on the face of the plat.

(d) Construction Plans. Three (3) sets of construction plans shall accompany submittal of any final plat. The construction plans shall be considered as an integral part of the final plat and will be reviewed accordingly. Plans shall contain engineering data for the construction of all public improvements (water, sanitary sewer, storm sewer and paving) consistent with current City development standards and master plans. Construction must be underway within 180 days from the date of formal approval and substantially completed within 18 months from the date of formal approval. That portion which is not substantially complete within 18 months, must be resubmitted in accordance with the most current City standards and regulations

(1) Plans and profiles shall be drawn on sheets measuring 24" x 36" overall dimensions.

(2) Maximum scale for all construction plans shall be 1" = 40' horizontal and 1" = 4' vertical. (e.g. 1" = 50' horizontal & 6' vertical are not acceptable) Construction plans for street reconstruction shall be drawn to a 1" = 20' scale.

(3) North point arrow oriented to top or right of the sheet.
(4) Date: (Dates of revisions to be added with each modified set of plans).

(5) Bench mark description to sea level datum (to be obtained from City Engineer's office). In the event a bench mark is not available near the project site, a temporary bench mark shall be established based on the City's bench mark.

(6) Typical cross-sections of proposed streets and alleys drawn to a maximum scale of 1" = 10' horizontal and 1" = 2' vertical, and drawn from beyond right-of-way to beyond right-of-way.

(7) Proposed street and alley pavement sections shall include: thickness of pavement, base course, subgrade, pavement cross-slope, parkway cross-slope, location and width of sidewalks, typical location of underground utilities.

(8) Plan and profile of each street and alley with top of curb grades for streets and center lines for alleys. The plan view shall show all existing features and the profile view shall include the existing ground. The profile gradelines and cross-sections of intersecting streets should be adjusted to provide a smooth junction and proper drainage.

(9) A drainage area map to a maximum scale 1" = 200', (1" = 1000' if over 500 acres) of all areas contributing storm water runoff or drainage within and surrounding the proposed subdivision. The drainage area map shall include size of areas, storm frequency, duration data, amounts of runoff, points of concentration and any additional data necessary for the proper design of drainage facilities.

(10) A plan and profile of proposed storm sewer showing hydraulic gradient and hydraulic data, pipe grades and sizes, manholes, inlets, pipe connections, culverts, outfall structures, bridges, ditches.

(11) A plan and profile of the proposed water distribution system showing pipe sizes, location of valves, fire hydrants, fittings and other appurtenances, including installation and backfill details.

(12) A plan and profile of the proposed sanitary sewer system with pipe grades and sizes, manholes, cleanouts and other appurtenances, including installation and backfill details.

(13) All profiles shall include the elevation of other utility crossings.

(14) Each plan and profile sheet shall be signed and sealed by a Texas Licensed Professional Civil Engineer.

(15) Trench Safety Plan, prepared by a Texas Licensed professional engineer, and soil analysis shall be provided with all construction plans when required by State or Federal law.

(16) The City of Keene reserves the right to require corrections to plans based on actual field conditions which are found to be contrary to the information shown on the plans.

(17) The Engineer certifying the plans is responsible for the accuracy and completeness of plans submitted for review and construction.

(18) Finished floor elevation, proposed grading and drainage for all single-family lots. The builder is responsible for furnishing a certification of the foundation elevation and building setbacks prior to construction of a foundation.

(19) Traffic Control Plan, shall be submitted for all proposed construction within a
street right-of-way. The traffic control plan shall incorporate all applicable Texas Department of Transportation traffic control plan sheets.

(20) The developer is responsible for submitting a street lighting plan in accordance with this ordinance. The City will coordinate the installation of the street lighting system with the electrical service provider.

(21) External Agency Permit Submittals. Submittals for floodplain development to F.E.M.A., and the U.S. Corps of Engineers (C.D.C. applications), can be processed concurrently with City staff approval. Submittals for TXDOT permits will be processed through City initiation (per TXDOT policy) only upon completion of City staff review. Permits are granted only to the City of Keene by TXDOT and not to private developers.

(22) The contractor shall establish erosion control devices in accordance with the current Texas Pollution Discharge Elimination System (TPDES) requirements.

(e) Engineering Site Plan Criteria. An Engineering Site Plan, signed and sealed by a Texas Licensed Professional Civil Engineer, must be submitted in accordance with City of Keene regulations and policies. Information on specific City regulations, policies and standards is contained elsewhere in this development ordinance package. Construction must be underway within 180 days from the date of formal approval and the building substantially completed within 18 months from the date of formal approval. That portion which is not substantially complete within 18 months, may be resubmitted in accordance with the most current City standards and regulations.

ALL SITE PLAN REVIEW FEES AND TAX CERTIFICATES ARE DUE AT TIME OF INITIAL SUBMITTAL.

The following is a checklist for items which shall be included, as applicable, on each Engineering Site Plan submitted for review. The Engineering Site Plan shall include a cover sheet, a copy of the final plat and applicable construction drawings. An overall site layout shall be included showing general information such as building location, zoning, setbacks, etc. for reference purposes.

(1) A title block located at the bottom right hand side of the page to include project's name, addition's name, lot, block and phase designations, total acreage, zoning classification and address if available (see appendix for title block).

(2) A summary table for building square footage and total number of parking spaces required for each proposed classification and R.O.W. square footage and acreage being dedicated (if applicable).

(3) Staff and utility companies signature block (see appendix).

(4) Tax certificate showing all tax payments to the City of Keene are current. Taxes must be current as of the date of formal City approval of the Site Plan.

(5) North point arrow (oriented to the top or right of the sheet) and date. Dates of revisions are also to be added with each modified set of plans.

(6) Location map 1"=1,000' (Must use City base map).

(7) Sheet size of 24" X 36".

(8) Scale of 1" = 20' maximum for lots up to 3 acres, and 1" = 40' maximum for lots exceeding 3 acres. For site plans requiring extensive grading, drainage, other site related improvements, or unusual lot configuration the office of the City Engineer shall be consulted for designating scale.

2009 General Development Ordinance
Pg 29 of 113
(9) Name, address and phone number of contact person of developer, owner or builder, engineer or surveyor.

(10) Distances and bearings of the lot including total land area, subdivision lot & block designation and phase lines. The entire platted lot shall be shown on the engineering site plan.

(11) Iron rods shall be set or found and shown on site plan.

(12) Contours with intervals of two feet (2') or less, referred to sea level datum, including City of Keene benchmark.

(13) Building setback lines including required setback from all water, sanitary sewer and drainage easements.

(14) Zoning of subject lot and adjoining property.

(15) Easements, deed restrictions or encumbrances which impact development of the lot.

(16) Control of access lines, corner clips and clear vision areas. Refer to Figure 4 (Control of Access Limitations), Figure 5 (Clear Vision Area), and Table 1 (Street Design Criteria).

(17) Traffic control signals, devices, striping and traffic control plan in conformance with the latest edition of the Texas Manual on Uniform Traffic Control Devices.

(18) Median openings, traffic islands, turning lanes, acceleration and deceleration lanes. Refer to Sec. 1-92 (m).

(19) Streets, alleys and easements adjacent to the site showing right-of-way and limits of paving.

(20) Driveways, sidewalks, water and sewer services, grading and drainage.

(21) Parking layout, including maneuvering as well as loading and unloading service areas and required truck berths.

(22) Screening devices.

(23) Landscaping plan, including a summary table showing number, size and type of trees and percentage of landscaping for parking areas. Irrigation plans illustrating connection to main water line through a separate irrigation meter or off of main water meter. Irrigation systems shall be designed to prevent off-site drainage nuisance.

(24) Construction details for all site improvements as defined in definitions section and as applicable.

(25) Fire protection including fire hydrants, fire lanes, fire lines and related devices.

(26) Dumpster location.

(27) Other utilities.

(28) Finished floor elevation. The builder is responsible for furnishing an engineering certification of the foundation elevation and building setbacks prior to 2009 General Development Ordinance
construction of a foundation.

(29) Variances from this ordinance which may be requested shall be listed on the face of the site plan.

(30) Note stating required exterior finish.

(31) Copy of the approved final plat.

(32) The contractor shall establish erosion control devices in accordance with the current Texas Pollution Discharge Elimination System (TPDES) requirements.

(33) Traffic Control Plan, shall be submitted for all proposed construction within a street right-of-way. The traffic control plan shall incorporate all applicable Texas Department of Transportation traffic control plan sheets.

(f) Grading and Filling Plan Requirements. This section covers the requirements and procedures prerequisite to obtaining a grading permit. Grading or on-site preparations for grading are prohibited prior to the issuance by the City of a grading permit. Grading permits that involve tree removal will only be issued when accompanied by an approved final plat with construction plans and/or an approved engineering site plan. All activities associated with this plan shall be completed within eighteen (18) months of the date of formal approval. A six month extension may be granted on a case by case basis when requested in writing.

ALL REVIEW FEES AND TAX CERTIFICATES ARE DUE AT TIME OF INITIAL SUBMITTAL.

Construction plans are required to be submitted and approved prior to the issuance of a grading permit. The following is a list of items and requirements which shall be addressed and complied with on the construction plans.

(1) A title block located on the bottom right hand corner of the sheet, to include project name; lot, block and subdivision if appropriate; zoning classification and physical address, if available.

(2) Construction plans shall be furnished on 24" x 36" mylar sheets. Review plans shall be submitted on 24" x 36" prints.

(3) The plan layout shall be orientated with the north arrow up or to the right on the sheet.

(4) Location map drawn to 1" = 1000'. The City base map shall be used.

(5) The plan scale shall be suitable to show clearly the proposed grading. In no case shall the plans be drawn smaller than 1" = 100'.

(6) Name, address and telephone number of the property owner, developer and engineer. The engineer shall also stamp, sign and date the drawings. The engineer must be a Texas Licensed Professional Civil Engineer.

(7) Contours, with intervals of two feet or less, of the existing site.

(8) Streets, alleys, sidewalks, rights-of-way, easements, utilities, and drainage on or near the site. Excessive fill or cut on existing or proposed utilities will not be allowed.

(9) A detailed erosion control plan, for both during construction and post construction.
(10) A detailed traffic control plan, where applicable. The traffic control plan shall conform to TMUTCD and shall include truck routes.

(11) All Trees shall be shown.

(12) Construction entrance details including locations, materials and cross section, along with specifications for maintaining clean streets.

(13) Fences and other physical features.

(14) Grading plan including finished contours and/or grades.

(15) Any other items stipulated by City staff which may be considered site specific and needed to fully review the proposed construction and protect surrounding properties and the traveling public.

(16) Any other appropriate items cited in this General Development Ordinance.

(17) Hauling/trucking from or to the site will not be allowed during rainy conditions or when muddy conditions exist. Grading, loading and unloading will not be allowed during windy conditions such that dust could cause a problem to anyone.

(18) Prior to commencement of work, the contractor shall attend a preconstruction meeting with City staff at a time and place approved by City staff.

(19) A grading permit will not be issued for mining operations.

(20) The contractor shall establish erosion control devices in accordance with the current Texas Pollution Discharge Elimination System (TPDES) requirements.

Sec. 1-74. IMPROVEMENTS ON LAND WHICH IS SERVED BY SUBSTANDARD PUBLIC IMPROVEMENTS

(a) General Provisions. This section deals with lots or tracts which are served by one or more existing substandard public improvements including water, sanitary sewer, streets or storm drainage. Such developments must meet these required minimum standards in order to obtain a building permit for a new building or if an addition is being made to an existing building. In reviewing the required Engineering Site Plan, the City staff will note areas which fail to meet minimum standards. If in the opinion of the City staff, on a case-by-case basis, these minimums are not adequate, more extensive improvements may be required as necessary. Additionally, each of the lots or tracts must follow all City master plans for streets, utilities, parks and other public improvements. Where it is determined by City staff to be impractical to construct one half (½) of the street, the developer shall escrow the full monetary value of these improvements prior to the approval of the final plat/replat.

(b) Paving. Minimum street right-of-way of 50 feet shall be required. Other street related items which must meet current standards as outlined in this development ordinance package include: corner clips, clear vision areas, control of access lines, traffic signals & controls, 30" wide concrete curb & gutter, driveways and sidewalks.

(c) Water Lines. If development is to occur on land which is currently served by substandard water utilities, the owner, developer or applicant may be required to improve the existing system to current requirements. The standard for improvement shall be based on the following criteria:
(1) Existing line sizes vs. current required line sizes.

(2) Existing materials vs. current required materials.

(3) The ability to service both potable and fire protection needs.

All projects will be considered on a case by case basis.

(d) Fire protection. Inadequate or substandard water line size may require additional fire hydrants or other measures in order to provide adequate fire protection on a case-by-case basis.

(e) Sanitary Sewers. If improvement is to occur on land which is served by a substandard sanitary sewer utilities, the owner, developer, or applicant may be required to improve the existing system to current requirements. The standard for improvement shall be based on the following criteria:

(1) Existing line vs. current line sizes requirements.

(2) Existing materials vs. current material requirements.

(3) The ability to service the sanitary sewer requirements of the development and existing service areas. Inflow and infiltration studies may be required for the area as determined by the City of Keene. All projects will be considered on a case by case basis.

(f) Septic Systems. Application for construction of a septic system must be submitted to the Texas Commission on Environmental Quality (TCEQ). Application, fees, tests, design and on-site inspections must be submitted and coordinated with the TCEQ. The tract of land must consist of one (1) acre or more. Prior to issuance of a Certificate of Occupancy by the City of Keene, the City must be in receipt of: (1) Approved septic system permit by the TCEQ, (2) Approved design by the TCEQ, (3) Approved final inspection by the TCEQ. Septic systems will not be permitted within the City limits of Keene where any part of the platted lot or tract is within 300 feet of an existing City sanitary sewer line. The requirements to connect to the City’s sewer system shall be enforced even if the improvements must include a lift station, force main or both. This requirement will not be enforced in instances where City staff determines that the connection is impractical.

(g) Drainage. Development(s) adjacent to an existing ditch, within street right-of-way, shall provide for an enclosed storm sewer system on-site and discharge into the ditch by means of a pipe system. If an adequate outfall condition is unavailable (whether a ditch or storm sewer system) developments may be allowed to discharge into street rights-of-way; runoff not to exceed the original amount. Drainage easements shall be provided by plat or by separate instrument for all storm drainage facilities up to an adequate outfall condition (if on-site), capable of containing the 100 year flood event.

(h) Open Space Requirements. Standards for parks and open space must be provided in accordance with the City of Keene Subdivision Ordinance and other applicable ordinances or policies.

Sec. 1-75. CERTIFICATE OF CORRECTIONS.

When an amending plat is proposed for the correction of a plat which has been filed of record, and when the sole purpose of the amending plat is for one or more of the following, then a certificate of correction may be filed of record (see appendix). This section shall apply only if the sole purpose of the amending plat is:
(1) To correct an error in any course or distance shown on the prior plat.

(2) To add any course or distance that was omitted on the prior plat.

(3) To correct an error in the description of the real property shown on the prior plat.

(4) To indicate monuments set after death, disability or retirement from practice of the engineer or surveyor charged with responsibilities for setting monuments.

(5) To show the proper location or character of any monument which has been changed in location or character or which originally was shown at the wrong location or incorrectly as to its character on the prior plat.

(6) To correct any other type of scrivener or clerical error or omission as previously approved by the City Planning and Zoning Commission or the Keene City Council; such errors and omissions may include, but are not limited to, lot numbers, acreage, street names, and identification of adjacent recorded plats.

(7) To relocate one or more lot lines or to correct an error in courses and distances of lot lines between one or more adjacent lots where the owner or owners thereof join in the application for plat amendment and where the number of lots remains unchanged and provided that such amendment does not attempt to remove recorded covenants or restrictions and does not have a material adverse affect on the property rights of the other owners in the plat.

Sec. 1-76. ABANDONMENT OF REAL PROPERTY

(a) General Provisions. An Abandonment Ordinance is required for abandonment of any public right-of-way. Any easement may be abandoned with a Certificate of Abandonment (see appendix) in accordance with paragraph (c) below. Requests for abandonment shall be made in writing to the City Administrator. The City will file with the County all documents that are required to record the transaction. A current application fee must accompany all requests and the Johnson County filing fees shall be submitted with a separate check. If applicable, fair market value will be established by the City based on information, acceptable to the City. Should appraisals be required, the cost shall be paid in advance by the applicant. Any relocation, adjustment or other construction shall be the financial responsibility of the applicant.

The following information must be attached:

(1) Metes and bounds description of the property to be abandoned.

(2) Exhibit showing the subject abandonment.

(3) Letters of Release from utility companies, if applicable.

(4) Application fee made payable to City of Keene.

(5) Filing fee made payable to Johnson County Clerk.

(b) Additional Requirements For Certain Abandonment’s.

(1) Abandonment of an improved street or alley:

a. Fair market value of the real property and the improvements which are to be removed or converted to private use.
b. Dedication of easements for any facilities which are to remain.

(2) Abandonment of street or alley right-of-way (unimproved):
   a. Fair market value of the real property.
   b. Dedication of easements for any facilities which are to remain.
   c. Compensation for detriment to the remainder.

(3) Abandonment of a part of an occupied easement where the reduction in easement will adversely affect the operation and maintenance of the facility:
   a. Fair market value of the released area.
   b. Compensation for detriment to the remainder.

(4) Abandonment of an occupied easement in exchange for another easement at the request of the property owner:
   a. Fair market value of the difference in value if the abandoned easement is greater than that received.
   b. Reserved.

(c) To abandon an easement(s) in exchange for an equivalent easement(s) or when it is determined that an easement(s) is no longer necessary and an adequate easement(s) is provided to serve the property, a Certificate of Abandonment (see appendix), or such other documents as may be legally required, will be filed of record. This certificate will be filed after all information for abandonment of an easement on real property has been submitted and a final determination for abandonment has been made by the City Administrator.

ARTICLE V. PUBLIC IMPROVEMENTS

Sec. 1-91. CONSTRUCTION STANDARDS.

(a) General Provisions. All improvements shall be in conformance with the City's construction standards and specifications except as may be otherwise provided. The City's specifications includes Standard as well as Special specifications. The City's construction standards consists of those various drawings identified as City of Keene Construction Standards and issued by the City. Public improvements, semi-public improvements, and private improvements constructed in public rights-of-way and easements shall be constructed in conformity with this ordinance. The requirements of this ordinance are considered minimum requirements and are not intended to replace good engineering judgment or practices.

(b) Standard Specifications. Standard Specifications of the City of Keene are the "Standard Specifications for Public Works Construction" as published under the authority of the North Central Texas Council of Governments. This publication, latest edition, along with the amendments and Special Provisions to the document, approved or issued by the City, shall comprise the Standard Specifications.

(c) Construction Specifications. Construction Specifications are those construction specifications which are not covered by the Standard Specifications. Special Specifications shall be required for all projects having items of construction not adequately covered by the Standard Specification. All Special Specifications shall be subject to review and approval by City officials.
(d) Construction Standards. Construction Standards are those drawings identified as City of Keene Construction Standards and issued by the City. Detailed construction plans shall be required for all items of construction not covered by the City's construction standards. In the event of conflict the Standard Specifications shall be superseded by the provisions and requirements of this document. Only the item or items of conflict shall be affected. All other provisions and requirements shall stand.

(e) Pre-Construction Meeting. The contractor for each project, or for any phase, shall notify the City of the intent to commence work. Sufficient notice shall be given so that a pre-construction conference may be held. No work shall commence except as specifically authorized at the pre-construction meeting.

(f) Construction Permit. The City will issue a permit for all public works construction to be constructed within rights-of-way and easements. The permit will be issued based on approved engineering plans. No work requiring a permit shall be started until a permit is duly issued.

(g) Construction Inspection Fee. Prior to the issuance of any public works construction permit the City will collect all applicable fees in accordance with the City of Keene Fee Ordinance.

(h) Exception For Utility Companies. Utility companies are not required to secure a permit for repairs and day to day maintenance operations but shall notify the City. Utility companies will be required, by this ordinance, to get a permit without fee for new developments and for all relocation's.

(i) Traffic Control Plan. Each set of construction plans submitted to the City for review and approval shall include a traffic control plan. The plan shall provide for the safe handling of traffic through and in the area of construction. Construction, signing, barricades, etc., shall be in conformance with the Manual of Uniform Traffic Control Devices where applicable.

(j) Construction Methods. All utility lines installed under paving shall be installed by a method other than open cut, except as specifically approved by the City. City staff may approve, on case-by-case basis, open cuts under any one of the following conditions:

1. The main to be connected onto is under paving. In this case, the open cut shall be limited to the area of the main, the remaining installation to be by other than open cut.

2. A boring machine cannot be used because of space limitations.

3. The size of the utility line is too large to be economically feasible to be installed by methods other than open cut.

4. Conditions are such that it would be impossible or impractical to install the utility line by means other than open cut.

In the event the open cut method is approved, the pavement shall be removed in complete panels and replaced with early yield high strength concrete in accordance with the approved plans. The traffic control plan shall adequately address the safe handling of traffic through the area of the open cut.

(k) Material Testing. The developer is responsible for providing all material testing services required for the proposed development. The required testing shall be performed by a geotechnical testing laboratory company under the supervision of a licensed professional engineer. The procedures and criteria for testing are generally outlined in North Central Texas Council of Governments (NCTCOG) standard specifications. A copy of the test results shall be furnished to the City.

2009 General Development Ordinance
Pg 36 of 113
(l) **Final Acceptance.** Final acceptance is the formal approval by the City. It will be made in writing based on the finding that the improvements have been satisfactorily installed and that all administrative requirements have been satisfied.

(m) **Partial Acceptance.** The City will not accept any part of any development prior to the completion and acceptance of the entire development.

(n) **Conditional Acceptance.** The City may issue a letter of conditional acceptance upon the determination by the City that unusual conditions warrant such acceptance and that the City will not be adversely affected.

(o) **Record Drawings.** Prior to final acceptance, the Developer's Engineer shall furnish the City the original drawings, revised to depict as-built conditions. The plans shall be marked "Record Drawings" on each plan sheet and shall be signed and dated by the Engineer. The Engineer shall certify that the plans accurately show the work as actually constructed. The Engineer will not be responsible for materials used in the construction or workmanship; only the geometrics and elevations of paving, drainage and sanitary sewer improvements, and the horizontal locations of water lines as evidenced by locations of water valves, vaults, fire hydrants, etc.

The record drawing plans shall include a certification that all lot, right-of-way, and easement lines have been marked as evidenced by the setting of iron rods; except that easement lines parallel to staked lot and right-of-way lines are not required to be marked by iron rods.

(p) **Maintenance Bonds.** Prior to final acceptance, the developer shall furnish the City an acceptable one-hundred percent (100%), two (2) year maintenance bond. The maintenance bond shall cover all items of construction dedicated to the City.

**Sec. 1-92. PAVING.**

(a) **General Provisions.** All streets shall be concrete or asphalt type pavement. The paving of streets, alleys, turning lanes, driveways and sidewalks shall be in accordance with this section and the construction standards of the City of Keene. Temporary asphalt streets, connections and driveways will be considered on an individual basis and shall be constructed in accordance with approved plans. All street construction shall be in accordance with the criteria and design standards shown on Street Design Criteria, Table 1. See Figures 7-9 for typical sections.

(b) **Streets.** The arrangement, character, extent, width, grade and location of all proposed streets shall conform to the Master Thoroughfare Plan of the City of Keene. Design of such streets shall take into consideration existing and planned streets, topographic conditions, public convenience, safety and the relationship of uses which will be served by the streets. The developer is responsible for the dedication of the right-of-way and construction of all street(s) within the development and one-half of the street(s) which abuts the development. Where it is determined by City staff to be impractical to construct one half (½) of the street, the developer shall escrow with the City the full monetary value of these improvements prior to the approval of the final plat/plat. Any off-site street required, by the platting process, to provide adequate access to the development shall be the entire responsibility of the developer. These provisions shall apply in all cases including where there is an existing sub-standard street.

When not shown in the City's Master Thoroughfare Plan, all proposed streets shall:

(1) Provide for the continuation or appropriate projection of existing streets.

(2) Conform to a plan for the neighborhood approved or adopted by the City to meet a particular situation where topographical or other conditions make continuation of, or conformance to existing streets impractical.
(3) Be laid out so that street right-of-way lines intersect at 90 degrees and so that no street curvature is closer to the point of intersection of right-of-way lines than 35 feet on residential streets and 50 feet on collector and arterial streets.

(4) Make use of existing median openings in the thoroughfares without any alterations to them and provide necessary minimum left-turn lane storage lanes for entry into subdivisions along both traveled ways, as necessary.

No residential and collector (2-lane) street intersection with arterial streets shall be allowed within 350 feet of a major arterial street intersection (4 lane undivided and above) and/or within proposed right turn lane limits.

Residential streets shall be laid out in a manner to discourage use by through traffic. Jogs and offsets at intersections measuring less than 150 feet in residential streets and 200 feet in undivided collector streets, measured between centerlines, are prohibited. This provision shall not apply if the intersecting street is a divided street and a median opening is not provided for either street. Street right-of-way widths shall conform to the City's Master Thoroughfare Plan. In no case shall a street right-of-way be less than 50 feet.

Half streets shall be prohibited, except where necessary to the reasonable development of the subdivision in conformance with the other requirements of these regulations and where the City finds it will be practicable to require the dedication of the other half when the adjoining property is subdivided or platted. When a half street has already been provided, the remaining portion of the street shall be platted within such subdivision. Where part of a residential or collector street is being dedicated along a common property line, the first dedication shall be one-half of the proposed street right-of-way plus five (5) feet, with a minimum of 20 feet of pavement width to be constructed.

Dead end streets shall not be longer than 1000 feet in length, measured from the intersecting centerline to the radius point of the cul-de-sac turnaround unless approved by City Council upon the recommendation of the City Engineer and Planning & Zoning Commission. All dead end streets shall terminate with an approved cul-de-sac having an outside minimum radius of 60 feet from the right-of-way line.

At the intersection of street right-of-way lines a triangular area per the street design standard table shall be dedicated for right-of-way. In the event the streets intersect at other than 90 degrees, as approved by the granting of a variance, the required dimensions may be increased as determined by the City. At the intersection of a street right-of-way line and an alley right-of-way line, a 15-foot triangular area (measured along each projected right-of-way) shall be dedicated for right-of-way. In the event the street right-of-way and the alley right-of-way intersect at other than 90 degrees, as approved by a granting of a variance, the 15-foot dimension shall be increased as determined by the City.

The reservation in private strips of land at the end of, or adjacent to, proposed or existing streets and intended for the purpose of controlling access to property, shall be prohibited.

Street grades shall be set at a minimum of 0.60 percent and a maximum of six percent (6.0%) for all streets other than residential streets, which may be set at a maximum of seven percent (7.0%). The minimum street grade will not apply to non-curbed streets. Streets cross slope shall be three percent (3.0%).

Control of access lines, at street intersections, for driveway locations, to be shown on all plats and engineering site plans, shall be in accordance with the guidelines shown on the following table. All dimensions are measured to the near radius point(s) of the driveways. See Figure 6, Control of Access Limitations.
MINIMUM DISTANCES FROM INTERSECTION OF RIGHT OF WAY LINES

<table>
<thead>
<tr>
<th>Street Classification</th>
<th>Approaching Intersection</th>
<th>Leaving Intersection</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td>50 feet</td>
<td>50 feet</td>
</tr>
<tr>
<td>Collector</td>
<td>75 feet</td>
<td>50 feet</td>
</tr>
<tr>
<td>Arterial</td>
<td>100 feet</td>
<td>75 feet</td>
</tr>
</tbody>
</table>

Proposed streets intersecting existing streets shall be designed and constructed so as to eliminate dips and humps. This may require removal and replacement of a section of the existing street to the extent required to provide uniform pavement profiles that will accommodate emergency vehicles entering the intersection. It must be assumed that emergency vehicles will not come to a stop before entering the intersection, even though the intersection may be controlled by stop signs. Where future intersections are known, the initial construction shall take into account the requirements of this section so that the cross street may be constructed without the necessity to reconstruct the street initially constructed.

(c) Concrete Strength Requirements. The minimum compressive strength shall be 3500 PSI at 28 days except that in intersections and in areas where hand finishing is required the minimum compressive strength shall be 3750 PSI. The minimum cement ratio shall be 5.5 sacks per cubic yard, except in intersections and in areas where hand finishing is required the minimum cement ratio shall be 6.0 sacks per cubic yard. The use of fly ash shall not be permitted. Early yield high strength concrete shall have a compressive strength of 4200 psi at 3 days for panel replacements. The minimum current ratio for early yield high strength concrete shall be 8 sacks per cubic yard.

(d) Pavement Thickness Requirements. Residential streets and residential alleys shall be a minimum of six inches in thickness. Commercial streets and commercial alleys shall be a minimum of eight inches in thickness. Streets and alleys serving both residential and commercial shall be a minimum of eight inches in thickness. All alleys shall be considered commercial except those serving only single family and two family zoning classifications and uses.

Where right turn, left turn or deceleration lanes are added to existing streets, the pavement thickness shall be ten inches.

(e) Base course. All street and alley paving shall be placed on a base course compacted to a minimum of 95% of Standard Proctor. The base course thickness shall be a minimum of six inches and shall consist of lime or cement stabilization as recommended in the geotechnical report. In small areas where stabilization is not practical, the base course shall consist of six inches of compacted flexible base (95% Standard Proctor) or four inches of asphalt base as directed by the City. Where the geotechnical report identifies area having high sulfates, the base course shall consist of four inches of asphalt. All base courses shall be on compacted subgrades. Added pavement thickness may not be substituted for base course.

(f) Pavement Width Requirements. The minimum pavement width for residential streets shall be 31 feet measured back to back of curbs. The use of rollover curbs are only allowed for front entry residential uses. This use requires a variance approved by the Keene City Council. When rollover curbs are approved, the minimum standard width shall be 33 ft measured back to back of curbs with a 60' right-of-way.

Commercial streets shall be a minimum of 37 feet measured back to back of curbs. Wider street paving shall be constructed to provide the number of through lanes, left turn lanes, right turn lanes, acceleration, and deceleration lanes as required and shown as part of the City's Master Thoroughfare Plan.

(g) Curbs

(i) Monolithic Curbs. All streets shall be constructed with a monolithic curb continuous on
each side of the street pavement. Monolithic curbs shall be six (6) inches in height and six (6) inches wide, in accordance with the appropriate construction standard.

(ii) Rollover/Mountable Curbs. The use of rollover curbs are only allowed for front entry residential uses. This use requires a variance approved by the Keene City Council. When rollover curbs are approved, the minimum standard width shall be 33 ft measured back to back of curbs. The geometry of the rollover curb shall be approved by the City Engineer prior to submitting to Council for variance.

(h) Sidewalks. Four (4) foot sidewalks shall be constructed along both sides of all streets with 50' and 60' right-of-ways and five (5) foot sidewalks shall be constructed along both sides of the street with 80' right-of-ways in accordance with Texas Accessibility Standards (TAS). Sidewalks shall be included on construction plans and on engineering site plans.

Sidewalks shall be located one foot from the right-of-way line where possible, but in no instance closer than three feet from the back of curb. Developers of tracts of land served by sidewalks not meeting the requirements of this ordinance, or not structurally sound, shall be responsible for removing the existing sidewalks and constructing new sidewalks to meet current requirements. The dedication of additional right-of-way or easement may be required to provide adequate space for the construction of sidewalks. Along state routes, a right-of-way or sidewalk easement shall be dedicated to the City of Keene and the sidewalk shall be constructed within this right-of-way or easement.

Sidewalks adjacent to screening walls, or any other feature, shall be five (5) feet in width and shall be constructed as an integral part of the screening wall or feature. In areas of high pedestrian traffic (such as at schools and churches), or as designated by the City, a six (6) foot wide sidewalk shall be provided. Sidewalks across bridges shall be continuous and approved safety features shall be incorporated into the design to adequately protect pedestrian traffic.

Sidewalks shall be constructed as part of the infrastructure improvements associated with the developments. Sections of sidewalk construction, at locations approved by the City, may be delayed until development of adjacent lots. Instances in which sidewalk construction may be delayed include the front and side yards of residential and commercial properties where subsequent building construction would likely damage the sidewalk. Sidewalks shall be constructed at street intersections, areas of existing high pedestrian traffic and drainage locations which would not be subject to destruction during later development of the adjacent lot. In areas where sidewalk construction is delayed, grading shall be in full conformance with the typical section.

Off-site sidewalks to a maximum distance of 1,000 feet shall be constructed as part of the residential (including apartments) infrastructure where required to provide pedestrian access to existing sidewalk networks. If the distances exceed 1,000 feet, the City will construct the length of sidewalk in excess of 1,000 feet. Off-site sidewalks may be constructed of asphalt in accordance with the City's standard details in areas where further development is imminent or as directed by the City engineer. Asphalt sidewalks shall be required and replaced with concrete sidewalks as part of the engineering site plan process.

(i) Driveways. All driveways in the City of Keene shall be constructed by City permit only. A permit will be granted only after due consideration of safety, traffic flow, and conflicts with existing and proposed facilities. In addition to the above, access to state controlled highways shall require State permits. The design or location of driveways shall be in accordance with control of access guidelines at street intersections. The contractor shall construct the proposed driveway within five (5) days of the sawcut and removal of the existing pavement.

(1) Residential driveway approaches shall follow these guidelines:
a. Driveways will not be permitted onto any streets except residential streets.

b. Width shall be 12 feet (minimum) and 24 feet (maximum), plus a 5 foot radii (if access is onto street) or a 5 foot flare (if access is onto alley).

c. The radius or flare point at the street or alley of any driveway shall not extend beyond the property line(s).

d. All driveway approaches shall be constructed in accordance with the City standard driveway construction details.

e. Maximum slope of a residential driveway shall not exceed 8 percent within the right-of-way and 14 percent beyond the right-of-way line.

f. For driveways 6' packed base for asphalt or 4' packed base for concrete.

(2) Commercial driveway approaches shall follow these guidelines:

a. Required widths:

1) One Way: 15 feet plus 20-foot radii.

2) Two Way: 30 feet maximum plus 20-foot radii.

A maximum width of 35 feet plus 25-foot radii will be allowed for commercial and industrial sites where significant truck traffic is projected and at designated truck entrances.

b. Maximum slope of a commercial driveway shall not exceed eight percent within the right-of-way and ten percent beyond the right-of-way. The minimum spacing (measured to the near radius points of the driveways) between driveways along:

1) Arterial streets shall be 75 feet on the same platted lot, and 50 feet between adjacent lots.

2) Collector streets shall be 50 feet.

c. All two-way driveways shall intersect streets at 90 degrees.

d. Adequate site distances and on-site maneuvering shall be available from every driveway. The parking lot and driveways shall be so designed to allow vehicles to exit the street in a forward manner; park, load and unload totally within the site, and shall enter onto the street in a forward manner. In no instance shall vehicles back into the street right-of-way.

e. All driveway approaches shall be constructed in accordance with the City standard driveway construction details.

f. Driveways on State maintained highways shall meet the Texas Department of Transportation minimum requirements and must be approved by the City based on the finding that the driveway will not create a traffic safety hazard or jeopardize quality of traffic handling. Such factors as vehicular speed, existing traffic patterns, existing and proposed driveway and ramp locations, and existing and future street intersections, shall be considered.

g. Concrete driveways shall be poured with a three-day cure design mix.
Under special circumstances, a longer cure time may be specified by the City. (3) Driveway Permit Application. Applications for a driveway permit can be made as part of the Engineering Site Plan request or as a separate request. Driveway permit applications shall contain sufficient information to allow the City to fully assess the adequacy of the proposed driveway design. A commercial or multi-family driveway permit application for arterial and collector streets shall include, at a minimum, the following:

a. Drawn to the maximum scale of 1" = 40'.

b. The dimensions, locations and design of the driveway(s) being requested.

c. The location of any building or structure, either existing or proposed.

d. List uses on commercial lots (such as office, retail store, gas station, etc.).

e. The parking lot layout with the proposed internal circulation pattern. There shall be a minimum of 40 feet between the street and the internal traffic lane at driveway locations.

f. All existing or proposed driveways, gutters, storm sewers, manholes, fire hydrants, utility poles, service fixtures, etc., which may affect driveway operations.

g. Any existing driveways or curb cuts located on adjacent lots or lots across the street.

h. All of the geometric design features of the roadway itself, including the presence of a median, the number and width of travel lanes, the presence of a shoulder or a parking lane, etc.

i. The distances to intersecting streets.

(j) Turning Lanes. Left turn lanes shall be provided on all approaches to intersections when four or six lane streets cross (as shown on the City's current Thoroughfare Plan). Left turn lanes shall also be provided along all divided streets where median openings provide access to streets, alleys or driveways.

Right turn/deceleration lanes shall be provided on all approaches to intersections of four or six lane streets, and to approaches where a two lane collector street intersects a four or six lane street (as shown on the City's current Thoroughfare Plan). Right turn/deceleration lanes shall also be provided at driveways to all commercial developments of five (5) acres or more. When multiple entries from different streets are proposed for a commercial development of five acres or more, and based on the projected traffic patterns of the site, staff may waive this requirement at one or more driveways.

a. Existing platted lots with at least 225 feet of street frontage and located mid-block and away from street intersections will provide a modified deceleration lane measuring 170 feet. Where properties are located near major street intersections, additional control of access limitations will apply as outlined in this ordinance. In the event a developer elects to have more than one driveway, a continuous deceleration lane will be required and where no provision to add a deceleration lane exists, the driveway will be subjected to an exit only condition.

b. Existing platted lots with 225 feet or less street frontage and no provision to acquire

2009 General Development Ordinance
Pg 42 of 113
additional street frontage will be exempt from the deceleration lane requirements except that a minimum turn-in radius of 40 feet will be required. Where properties are located near major street intersections, additional control of access limitations will apply as outlined in this ordinance.

The street frontages, as outlined above, are defined as frontages usable for access which are free of physical barriers such as bridges, culverts, guardrails, etc.

The minimum length of left turn lanes, right turn lanes and deceleration lanes shall be 100 feet except at locations specifically identified by the City as needing less than 100 feet. All left turn lanes along divided streets at approaches to four or six lane streets shall be a minimum of 200 feet in length.

The developer shall be responsible for the dedication of all rights-of-way for the construction of all turning lanes. The City will be responsible for the construction of right and left turn lanes at intersections where the property is developed. The developer shall be responsible for all other construction of turning lanes at intersections where the property is undeveloped.

(k) Alleys. Alleys are not allowed in residential areas. In commercial areas alleys are not required in areas where other definite and assured provisions are made for off-street maneuvering, loading, unloading and parking. Off-street maneuvering in commercial areas means that all vehicles shall exit the street in a forward manner; shall park, load, and unload totally within the site; and shall enter onto the street in a forward manner. In no instance shall vehicles back into the street right-of-way.

All interior alleys shall be a minimum of eighteen (18) feet width of right-of-way and a minimum of twelve (12) feet in width of paving; paving to be centered within the right-of-way.

All perimeter alleys to be a minimum of twenty (20) feet width right-of-way and a minimum of twelve (12) feet in width of paving.

Alleys shall be laid out so that they intersect street at 90 degrees, and be designed so that no alley curvature shall be closer than 20 feet to the point of intersection of street and alley right-of-way lines. In the event the alley and street right-of-way intersect at other than 90 degrees, as approved by granting of a variance, the required dimensions may be increased as determined by City officials.

Alley turn-outs shall have paving radii of a minimum of ten (10) feet to the back of curb. The alley invert shall be no more than four (4) inches except at points of sidewalk intersection, where the maximum invert shall be three (3) inches.

Alley intersections and sudden changes in alignment shall be avoided, but where necessary, lot corners shall be cut off at least fifteen feet (15) on each tangent to permit safe vehicular movement.

All residential alley cuts shall be made onto residential streets. All commercial alley cuts shall conform to the minimum control of access distances as shown in Section 1-92(b).

Dead-end alleys may be allowed in phased residential developments with adequate turn-around facilities, as determined by the City. All alleys shall be paved and the paving shall conform to "Improvements" section of this ordinance.

Fences constructed on any lot, specifically corner lots, will be subject to, and shall conform to the visibility range requirements contained in the fence ordinance. Additional clear zone may be required by the City Engineer.

(l) Major Traffic Carriers. In addition to the various other requirements, thoroughfares
classified as Major Traffic Carriers on the City of Keene Thoroughfare Plan shall also meet the following criteria:

(1) Traffic Signals:
   a. Minimum spacing of one-quarter mile except where approved by the City, based on an engineering study.
   b. Preference will be given to street intersections over private development driveways.
   c. Turn lanes and geometrics shall be designed for maximum safety and efficiency of the intersection.

(2) Median Openings:
   a. Full median openings shall be at minimum spacings of one-quarter mile except where approved by the City based on an engineering study.
   b. Mid-block median openings shall be designed to restrict cross-access. (This allows for left turns along the thoroughfare, but not from the cross street/driveway.)

(3) Driveways:
   a. A deceleration lane is required on all driveways. No access will be allowed within the stacking/transition segments of a deceleration/right-turn lane. Multiple driveways, where approved, shall be served with a weaving/auxiliary lane.
   b. The radius for entering traffic (onto the thoroughfare) shall be 40-foot minimum and the radius for traffic from the thoroughfare shall be 20-foot minimum.

(4) Intersections: Right-turn lanes and traffic islands at intersections shall be provided and designed to allow traffic turning right to enter the cross street after yielding. (A yield sign would be installed and the turning traffic would not go through the traffic signal.)

(5) Modifications to Deceleration Lanes: Driveway connections proposed on major traffic carriers shall be subject to the following:
   a. All unplatted tracts of land along major traffic carriers, during the platting process, will create no lot with less than 300 feet of street frontage to provide a full deceleration lane measuring 210 feet, or all access to these properties shall be by mutual access easements which provide a full deceleration lane. Where properties are located near major street intersections, additional control of access limitations will apply as outlined in this ordinance. In the event a developer elects to have more than one driveway, a continuous deceleration lane will be required and where no provision to add a deceleration lane exists, the driveway will be subjected to an exit only condition.
   b. Existing platted lots with at least 225 feet of street frontage and located mid-block and away from street intersections will provide a modified

2009 General Development Ordinance
Pg 44 of 113
deceleration lane measuring 170 feet. Where properties are located near major street intersections, additional control of access limitations will apply as outlined in this ordinance. In the event a developer elects to have more than one driveway, a continuous deceleration lane will be required and where no provision to add a deceleration lane exists, the driveway will be subjected to an exit only condition.

c. Existing platted lots with 225 feet or less street frontage and no provision to acquire additional street frontage will be exempt from the deceleration lane requirements except that a minimum turn-in radius of 40 feet will be required. Where properties are located near major street intersections, additional control of access limitations will apply as outlined in this ordinance.

The street frontages, as outlined above, are defined as frontages usable for access which are free of physical barriers such as bridges, culverts, guardrails, etc.

(m) **Stamped Concrete.** At locations where median and island pavement is required, a stamped (imprinted concrete paving) and patterned surface with coloring shall be installed in accordance with the City specifications.

(1) In addition to the requirements of the Standard Specifications, median and island pavement installation shall be performed in accordance with either Patterned Concrete Industries, Inc. or Bominate Corporation standard installation specifications. Street pavement shall meet city specifications for stamped - patterned concrete.

(2) Median and island pavement which is installed in different phases as required by a total development shall utilize the same pattern, color and installation technique as other phases within the project.

(n) **Lane Closures.** In instances where the proposed construction necessitates the closure of an existing travel lane, the construction plans shall include specifications for traffic control and a work sequence to minimize the effect on existing traffic. As a minimum, early strength concrete shall be specified along with a work sequence whereby lane closures are of minimal duration. Specific details will be reviewed by City staff and approval will be based on the finding that every step has been taken to accomplish the purpose of this section. Depending on conditions associated with the particular site, City staff may alter those requirements where it is determined that existing traffic will not be significantly affected. On major thoroughfares, a cash bond may be required as a guarantee by the contractor that the specifications will be complied with to the fullest.

**Sec. 1-93. BLOCKS**

(a) The length, widths and shapes of blocks shall be determined regarding provision of adequate building sites suitable to the special needs of the type of use proposed as well as needs for convenient access, circulation, control, and safety of traffic. In residential subdivisions, street design shall follow a combination of several design features to include shorter streets, curvilinear streets, a maze-like street network to discourage cut-through traffic in the neighborhood. Direct connectors between thoroughfares will not be allowed. Size, shape and topographic conditions of the development may be reviewed by staff in a conceptual manner to identify the best possible design features prior to the preliminary plat stage.

(b) Where no existing subdivision controls block lengths, Arterial blocks shall be a minimum of 660 feet and a maximum of 2,600 feet in length. Blocks in multi-family, commercial and industrial zoned developments shall be a minimum distance of 500 feet and a maximum distance of

2009 General Development Ordinance
Pg 45 of 113
1,800 feet.

(c) Blocks in single family and two-family zoned developments shall not contain more than 18 platted lots on either side between intersections and shall not exceed a maximum distance of 1,800 feet. When conditions prevent the installation of streets to address block lengths, a fire control easement of 40 feet may be allowed to define the appropriate block length. One fire control easement may be used per block. No structures may be allowed within such easement.

(d) In the event a property owner is platting only major street rights-of-way for dedication and construction, the requirements stated herein shall be met with final plating of the property into lots and blocks.

(e) All distances specified shall be measured along the center line of the street right-of-way between the center point of street intersections.

Sec. 1-94. LOTS

(a) All lots shall conform to the requirements of this ordinance and the City’s Zoning Ordinance. Double frontage lots in residential areas shall have a front building line on both streets. Each single family, town-house or duplex lot shall adjoin a public street. Single family or duplex lots shall not face arterial streets or designated two and four-lane collector streets, and no required parking shall be allowed within the required front yard, except for front entry structures. All other lots shall adjoin a public street or may be served by an access easement or private street. Such access easement or private street shall meet the same minimum standards as required for a fire lane, although the easement or private street itself may not be a required fire lane. Side lines of lots shall be approximately at right angles to straight street lines and radial to curved street lines.

(b) In subdivisions where buildings are to be served by septic tanks, the size of lots shall be sufficiently large to accommodate adequate drainage fields and to meet the standards set forth by the Texas State Department of Health and the City of Keene.

(c) No lot existing at the time of the passage of this ordinance shall be reduced in area or depth below the minimum requirements set forth herein except when such a lot is platted for a Planned Unit Development.

(d) A lot which had construction thereon or had been platted prior to the adoption of this ordinance, which is reduced in size to less than herein required by reason of the widening of an abutting street by the City or other governmental agency, may be used for dwelling purposes. In such instance, the minimum lot area or depth requirements shall be computed on the basis of the original lot size prior to the street widening.

(e) Front entry development corner lots (if approved by a variance from City Council), shall have a 75 ft minimum width because of the 50 ft control of access requirement.

Sec. 1-95. EASEMENTS/ R.O.W’s

(a) General Provisions. Easements and/or R.O.W.’s shall be provided for all City owned public facilities (water, sanitary sewer and storm drainage) and shown on subdivision plats. Easements and/or R.O.W.’s for utilities shall be a minimum of fifteen (15) feet in width, except as otherwise provided. Where a subdivision is bounded by a watercourse, drainage way, channel or stream, there shall be provided a storm sewer easement or drainage right-of-way conforming substantially to the lines of such watercourse or of such width to provide for any future construction plus fifteen (15) feet on each side, except for open channels having a capacity of less than 500 cfs.
In situations where a City owned utility lies within its own prescribed minimum easement and a privately owned utility (electric, gas, telephone, cable) is located, underground or overhead, adjacent to and outside the City easement, it would be agreeable to the City that such easements may be mutually shared for ingress-egress and for temporary storage of equipment or materials.

In situations where two City utility systems are to be installed separately in parallel easements, the maximum width of the easements may be reduced by a combined total of five feet.

In residential subdivisions, separate easements of at least seven and one-half (7.5) feet for all other utilities, such as electric, telephone, natural gas and cable T.V. shall be provided as required and where necessary.

In single-family residential subdivisions, City owned utilities shall be located within a prescribed right-of-way and shall not be located within easements. If an existing City owned utility is located within a dedicated easement prior to the development of a single-family subdivision, the developer shall convert the easement into a right-of-way or relocate the utility into a street right-of-way.

(b) Water and Sanitary Sewer Line Easements. (Not applicable to single-family residential subdivisions) Refer to Table 2 (Waterline Easements) or Table 3 (Sanitary Sewer Easements) for proper easement widths for different pipe sizes at different depths of cover.

A ten (10) foot building setback is required from all pressured utility line easements. A five (5) foot building setback is required from all non-pressured utility line easements. Lots platted prior to November 20, 1989 will be reviewed by City staff on case by case basis. The setback requirements may be reduced to the extent determined practical by staff after consideration of line size, location, depth and proposed use of the subject lot.

(c) Storm Drainage Easements. (Not applicable to single-family residential subdivisions). Refer to Table 4 (Drainage Easements) for determining proper widths.

A five (5) foot building setback is required from all storm drainage easements, except a twenty (20) foot building setback applies to drainage easements containing an open channel. Lots platted prior to November 20, 1989 will be reviewed by City staff on case by case basis. The above requirements may be reduced to the extent determined practical by staff after consideration of line size, location, depth and proposed use of the subject lot.

Additional widths may be required depending upon the engineering design, size, depth, soil conditions and other criteria as determined by the City Engineer or his representative.

(1) Storm Drainage Easements, Open Channels-Less Than 500 CFS. Storm drainage easements for open channels shall be designed to the widths required to convey the 100 year design frequency flows plus an additional 15 foot width beyond the top of bank on one side to provide for maintenance equipment access. All widths shall be determined and substantiated by drainage calculations in accordance with the City of Keene Drainage Criteria Manual. Rights-of-way shall be dedicated in residential subdivisions and drainage easements will not be accepted.

(2) Storm Drainage Easements, Open Channel-Over 500 CFS. Not applicable (Right-of-Way required).

(d) Access Easements. In lieu of street frontage, non-residential lots may be accessed by means of an access and utility easement. Such easement must be dedicated by a plat and filed with the County Clerk. Such easement must be maintained by the owners and shall in no way be the responsibility of the City. Such easements shall be in good repair and
shall be maintained by all responsible property owners. The width of such easements shall be sufficient to accommodate a minimum 24 feet of paving. The need for such easements shall be determined by following the usual platting process established in this ordinance.

(e) **Slope Easements.** Slope easements or extension of parkway cross slopes (2%) shall be required in areas of new development, where significant earth (cut or fill) slopes extend into private property beyond street right-of-way lines. These slopes are required for the stability of the roadway sections, effective erosion control, drainage, and maintenance. At developer's option, either of the following alternates shall be followed:

1. The slope easement width will be determined as follows:

<table>
<thead>
<tr>
<th>HEIGHT OF FILL OR CUT (FEET)</th>
<th>MAXIMUM SLOPE</th>
<th>SLOPE EASEMENT REQUIRED</th>
</tr>
</thead>
<tbody>
<tr>
<td>0 - 3.0</td>
<td>4H:1V</td>
<td>None</td>
</tr>
<tr>
<td>3.1 - 10.0</td>
<td>4H:1V</td>
<td>From R-O-W line to limit of slope</td>
</tr>
<tr>
<td>10.1 - 15.0</td>
<td>4H:1V</td>
<td>From R-O-W line to limit of slope</td>
</tr>
<tr>
<td>Over 15.0 feet to be determined by City from Right-Of-Way line to the limit of slope</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

2. Other maintenance-free slope protection methods (e.g. Concrete rip-rap, retaining walls, etc.) may be utilized for slopes steeper than 3:1.

(f) **Parkway Cross Slope Extension.** The parkway cross slope (2%) shall be extended an additional ten (10) feet beyond the right-of-way line to the hinge point of the slope for cut or fill slopes in excess of three (3) feet in height. No easements or additional right-of-way will be required. The additional parkway and cut or fill slope shall be landscaped as required to equal the adjacent public parkway in accordance with the landscaping requirement of this ordinance.

(g) **Fire hydrant and water meter easements.** A blanket easement of five (5) foot radius from the center point of all fire hydrants and a five (5) foot radius from the center point of all other appurtenances (fire hydrant valves, water meters, meter boxes) shall be granted to the City, for each platted lot in the City. This blanket easement shall be noted on the final plat and will be used for the purpose of constructing, reconstructing, inspecting and maintaining the above named appurtenances.

(h) **Construction Easements.** The developer, at his own cost, shall be responsible for obtaining appropriate temporary construction easements or letters of agreement from adjacent property owners for the proper construction of streets, drainage, water and sewer facilities and provide such documentation to the City.

**Sec. 1-96. DRAINAGE**

(a) **General Provisions.** The design, size, type and location of all storm drainage facilities in the City of Keene shall be in accordance with the City Drainage Criteria Manual requirements. The developer and his engineer shall bear total responsibility for the adequacy of design. The approval of a given drainage facility in no way relieves the developer of his responsibility. All storm drainage structures and improvements shall be designed for the case of ultimate watershed development. Prior to any channel improvement or storm water detention design, the office of the City Engineer shall be consulted regarding preferred flood control strategies for the watershed of interest.

Drainageways and/or floodways for all open channels and creeks where the accumulated storm run-off is more than 500 C.F.S. shall be dedicated to the City, except in non-residential areas where the property owner is to maintain the channel unless as otherwise approved by the City. The width of the drainage right-of-way will be determined by the City on a case-by-case basis.
basis. Right(s)-of-Way(s) shall encompass all areas having a ground elevation one foot above the water surface elevation based upon the design flood or the top of the high bank or channel edge whichever is greater. The right-of-way shall also include at least a 15-foot wide maintenance strip along both sides of the channel or, if the City Administrator/City Manager so allows, at least a 20-foot wide maintenance strip along one side of the channel. Streets, alleys, bike paths, etc., alongside the channel can serve as all or part of the maintenance right-of-way provided they are unobstructed.

All drainage outfalls into the City-maintained drainage rights-of-way/creeks shall be designed to discharge at the flow lines of creeks. The design shall include proper erosion control measures and velocity controls. No discharges will be permitted near the tops of creek banks. Only pipe outfalls (no flumes) will be allowed in the City-maintained drainage rights-of-way. Creek banks disturbed during the construction of storm sewer outfalls shall be properly restored, compacted, seeded and/or sodded to the satisfaction of the City's P.A.L.S. Department. It is recommended that the owners/developers conduct a field meeting with parks department staff during preliminary plat/preliminary engineering stage to identify the locations for proposed drainage outfalls. It shall be the owner/developer's responsibility to remove trash, debris, fallen trees, etc., and to restore and repair creek banks prior to the dedication of drainage rights-of-way and acceptance of the subdivision.

All drainage structures or improvements in the City of Keene shall be designed to properly accommodate the runoff from a storm event of 100-year frequency.

If a site discharges more than 2 CFS of storm water over the right-of-way at each drive approach, an onsite storm drainage system shall be required for connection to an existing public storm sewer system, if public storm sewer is available near the site and has the capacity to handle the 100 year future discharge.

A storm drainage system will be required to connect into a public storm sewer system near the site which is capable of handling the 100 year future discharge.

If the public storm sewer system has inadequate capacity for 100 year storm discharges, the developers have the following design option:

(1) Option A: To upgrade the public storm sewer system to accommodate the 100 year storm discharges from their site as well as any offsite future 100 year discharges upstream of their property, at their own expense. The City may participate in these costs subject to availability of funds (up to a maximum of 50%).

(2) Option B: To design their onsite storm sewer system for a total runoff to include: a) 100 year onsite developed runoff, b) 100 year offsite drainage coming into the property under existing (undeveloped) conditions. The resulting excess discharges (above the capacity of public system) shall be retained or detained onsite, to reduce peak runoff so the existing public drainage system will not be overloaded.

Downstream development(s) that have exercised Option B will be protected from upstream development(s) by the City (within their own jurisdiction) by enforcing the same option on them to provide retention or detention for their discharges in excess of pre-development conditions.

Drainage improvements in residential developments shall be located within rights-of-way. Street and alley layouts shall be arranged such that the drainage can be provided within the rights-of-way. In the event drainage improvements must be located outside street and alley rights-of-way, a drainage right-of-way shall be dedicated.

(b) Drainage Design of Storm Sewer Systems Based on Discharge. The drainage system design shall be based on the following criteria:

2009 General Development Ordinance
Pg 49 of 113
(1) An enclosed storm sewer shall be provided in all areas where the quantity of the accumulated storm run-off does not exceed two hundred (200) c.f.s.

(2) In drainage courses where the accumulated storm run-off is more than two hundred (200 c.f.s. and less than five hundred (500) c.f.s. either an enclosed storm sewer system or a concrete line channel shall be constructed.

(3) In drainage courses where the accumulated storm run-off is more than five hundred (500) c.f.s., the drainage improvements may be either an enclosed storm sewer system, a concrete line channel or a composite channel. The composite channel design shall consist of a concrete channel bottom of a minimum 12 foot width and concrete slope paving along both sides of the channel to the limits of a 10 year design frequency. This provision does not apply when no improvements to the drainage course is proposed and the channel is left in its natural state.

(4) All streets shall be protected from flooding in accordance with this ordinance and the City's Drainage Criteria Manual. Inlets shall be provided along all streets at maximum spacings of six hundred (600) feet. The maximum gutter flow from a high point on any street to the first inlet shall be six hundred (600) feet.

(c) Criteria For Filling In A Floodplain. An area of special flood hazard is defined as the land in the floodplain within a community subject to a one (1) percent or greater chance of flooding in any given year. On water courses not covered by the FEMA Flood Insurance Rate Map (FIRM), the special flood hazard area shall be determined by an appropriate floodplain analysis. The results of such an analysis must be reviewed and accepted by the office of the City Engineer prior to design.

All construction or construction-related activity which is proposed to take place in a special flood hazard area shall be subject to the conditions of this ordinance and any amendments thereto, of the City of Keene. A Development Permit is required to ensure conformance with the provisions of these ordinances. In addition, the following specifications shall also be observed:

(1) There shall be no increase in the 100 year water surface elevation on any property upstream, downstream, or on the opposite bank (unless developer owns both banks) from the proposed site caused by construction activity in the floodplain. The floodplain may be altered only to the extent permitted by equal conveyance reduction on both sides of channel. The property owner/developer shall be required to provide technically acceptable proof (such as a backwater analysis) that this restriction has not been violated.

(2) Any increase in mean stream flow velocity shall be limited so as not to exceed the open channel velocity limitations delineated in Section 7 of the Drainage Criteria Manual. In addition, there shall be no increase in erosion activity on any property upstream, downstream, or on the opposite bank from the proposed sites caused by construction activity in the floodplain. The owner or developer shall be required to provide technically acceptable proof (such as backwater analysis) that this restriction has not been violated.

(3) The toe of any fill slope shall parallel the direction of flow.

(4) Maximum unreinforced fill slope shall be 3:1 unless approval for a steeper grade is received from the office of the City Engineer. Vertical walls, terracing, and other slope treatments will be acceptable subject to approval of construction plans by the office of the City Engineer.

(d) Required Technical Information To Be Submitted For City Review. The engineer shall
be required to submit for City review appropriate hydraulic and hydrologic design calculations and technical information as provided by the North Central Texas Council of Government (NCTCOG). This includes at a minimum:

<table>
<thead>
<tr>
<th>Drainage Structure Type</th>
<th>Required Submittal</th>
</tr>
</thead>
<tbody>
<tr>
<td>Open Channels</td>
<td>All information delineated in Section 7 of the Design Manual.</td>
</tr>
<tr>
<td>Culverts</td>
<td>All information delineated in Section 8 of the Design Manual.</td>
</tr>
<tr>
<td>Storm Sewers (including inlets)</td>
<td>All information delineated in Sections 5 and 6 of the Design Manual.</td>
</tr>
<tr>
<td>Storm Water Storage Facilities</td>
<td>All information delineated in Section 9 of the Design Manual.</td>
</tr>
<tr>
<td>Construction in a Flood Hazard Zone</td>
<td>Hydraulic calculations and/or computer runs providing no increase of flood elevation or erosion activity on neighboring property. Landscaping plan specifying plans for erosion control on cut and fill slopes and restoration of excavated areas. Information required under the current ordinance (Flood Damage Prevention Ordinance) relating to the issuance of a Development permit.</td>
</tr>
</tbody>
</table>

The Office of the City Engineer may require additional technical backup information.

(e) Requirements For Drainageway/Floodway As Part Of City Park System. Where the City has designated a floodway or floodplain as a dedicated drainageway or part of the City Park system, the following shall be provided:

(1) Parallel streets fronting along the park or dedicated drainageway;

(2) Cul-De-Sacs which provide public access fronting on the park; and,

(3) Loop streets which provide public access fronting on the park.

In the above cases, the Park Board shall have the right to review and approve the proposed street alignment fronting on City Parks and shall in cases where the alignment is unsatisfactory, negotiate a satisfactory alignment with the Developer and the City Engineer.

Sec. 1-97. WATER LINES.

(a) General Provisions. This section deals with general requirements for water line construction in the City of Keene. All water lines shall be sized and designed in accordance with the City Water Distribution System Master Plan. All construction shall be in accordance with City standard specifications and construction standards. Other pertinent requirements for water connections, oversizing, main extensions, backflow and cross connections, water restrictions, conservation, impact fee and other water related fees are included in the Water and Sewer Regulations Ordinance. The Texas Department of Health, Texas Commission on Environmental Quality (TCEQ), and the Environmental Protection Agency must be consulted for their regulations and specifications, where required.

(b) Water Main Categories. Water lines in the City of Keene are categorized as:

(1) Distribution Lines- sizes 6 inches through 14 inches (nominal diameter).
(2) Transmission Lines- sizes 16 inches through 48 inches or over (nominal diameter).

Distribution lines shall be of sufficient size to provide adequate water for potable and fire protection needs. Transmission line sizes are as shown on the City Water Distribution System Master Plan.

The City Water Distribution System Master Plan may be periodically revised to meet the current demands as well as future needs as development occurs.

(c) Water Line Requirements. The Waterline Requirements Table of this section provides the basic water line requirements. These requirements are considered minimum.

The owner/developer shall be required to install at his own expense, all water lines up to twelve (12) inch size, including all engineering costs. It shall be the developer's responsibility to determine the demand of the subject development. All off-site water mains required to connect service to the subdivision shall be installed at the expense of the developer up to twelve (12) inches. The owner shall also be responsible for obtaining easements, when required, from other property owners for off-site water main connections.

All water lines shall be designed to complete a looped system to avoid dead-end lines. Valves shall be placed at or near the ends of mains in such a manner that a shut down can be made for a future main extension without causing a loss of service on the existing main.

Valve and fire hydrant spacing as shown on the Waterline Requirements Table is considered minimum. Additional valves and fire hydrants may be required as determined by the City.

The following shall apply to the installation of all water lines:

1. All water lines shall be installed within a City street right-of-way or when necessary, within an easement that is contiguous to the right-of-way.
2. Water lines shall not be installed within a TXDOT right-of-way. A water line easement that is contiguous to the TXDOT right-of-way shall be provided.
3. The City reserves the right to consider alternate alignments on a case-by-case basis when field conditions warrant.

Water lines within residential developments shall be installed within rights-of-way. All water lines shall be shown on plan and profile sheets to the same scales as required for paving improvements. Should a water line exist in an easement prior to rezoning of the property for residential use or prior to development of the property for residential use, then the existing line shall be either relocated to rights-of-way at the developer's cost or the existing easement shall be dedicated to the City as right-of-way.

Waterline crossings at all street intersections designated Arterial or larger (except service connections) shall be encased in a steel encasement pipe (class, length and size as determined by the City). Valves may be required at both ends at street crossings, if the crossing is utilized for both domestic service and fire protection needs.

Waterline crossings at existing streets in an established neighborhood would be required to be dry-bored with encasement requirements at street intersections and none at mid-block or between intersections.

All service lines shall be installed for each lot, with a suitable marker placed at the point of stub-out for reference in advance of street paving, sidewalk construction or any other item of street construction or home construction. Service lines shall be provided with a corporation at the main and an angle meter stop at the property line. A suitable reference
marked "W" (minimum letter height of two inches) shall be chiseled or some other City approved method on the face of the curb, or on pavement where there is no curb.

Service connections will not be permitted on transmission mains or fire hydrant leads unless authorized by the City.

Services lines 3/4" and 1" in size shall be placed in 2" Sch. 40 PVC piping for all road crossings from 1' beyond back of curb to 1' beyond back of curb.

Meter boxes shall be set by Developers Contractor and shall be located within a five-foot radius blanket easement on private property.

(d) Water Line Materials. All water line materials (pipes and fittings) shall conform with AWWA standards. New water line construction shall not consist of 10 or 14 inch pipes.

(1) Water lines of twelve (12) inches (nominal) or less in diameter shall be one of the following:
   a. Ductile iron pipe, cement lined, bituminous coated, class 50 with polyethylene encasement.
   b. P.V.C. AWWA standard C900 class 150 (D.R. 18).

(2) Water lines larger than twelve (12) inches (nominal) diameter shall be one of the following:
   Note: Concrete pipe manufacturers shall make all proposed pipe connections.
   a. Ductile iron pipe, cement lined, bituminous coated class 50, with polyethylene encasement.
   b. Reinforced concrete pressure pipe, steel cylinder pipe (RCCP) AWWA standards C303.
   c. Pre-stressed concrete pressure pipe, AWWA standard C301.
   d. PVC AWWA standard C905 class 235 (D.R. 18).

(3) Fittings shall be either gray or ductile cast iron and shall be cement lined inside and bituminous coated on the outside. Fittings for reinforced concrete cylinder pipe shall be specially manufactured in accordance with AWWA standards.

(e) Backflow Devices. Approved Double Check Detector Check Valves must be installed on all privately maintained fire lines, at locations approved by the City.

Requirements for backflow devices other than fire lines are governed by the Backflow Prevention Ordinance and the Water and Sewer Regulations Ordinance of the City of Keene.

(f) Booster Pump Stations. The City of Keene will operate and maintain only those booster pump stations and force mains which serve the public. Booster pump stations and force mains serving private developments shall be privately maintained.

(g) Oversizing and Extensions. The City of Keene may elect to oversize certain mains as required or as depicted in the current Water Distribution System Master Plan. The City of Keene may participate on lines greater than 12" (inches) if the demand of the project is less than or equal to a 12 inch line capacity, and the line is depicted on the Water Distribution System Master Plan.

If development requires lines exceeding 12" (inches) to service the area, the City of
Keene may participate in the oversizing above the size needed to supply the development.

If a project requires the City of Keene participation, and if City of Keene funds are available, the developer, owner, builder, or applicant shall design the project and submit the approved plans for bidding by the City of Keene. If City of Keene funds are not available, the developer may design and construct the project subject to an agreement for connection and reimbursement. See: Water and Sewer Regulations Ordinance.

Water extensions may be granted to private entities on a case by case basis as approved by the City of Keene City Council. Water extensions outside the City of Keene may be granted to neighboring municipalities or governmental entities as approved by the City of Keene City Council.

(h) **Meter Requirements.** Each connection to service individual or multiple spaces or structures shall be metered by an approved device with radio read meter capabilities. Meters from \( \frac{3}{4}'' \) (inches) up to and including 2" (inches) shall be purchased through the City of Keene (See Fee Ordinance). Meters greater than 2" shall be approved by the City of Keene and purchased by the developer, builder, owner, or applicant and dedicated to City of Keene.

Individuals installing water meters shall pay administration fees, meter costs, meter deposits and capital recovery fees. Meters installed for City owned buildings or street medians are exempt from capital recovery fees. Capital recovery fees shall not be required for fire protection water lines.

All meters shall be dedicated to the City of Keene except devices classified as private and utilized for sub-metering.

All required meters, backflow device boxes, and valves shall be approved by the City of Keene. Temporary water service for all water requirements shall be metered by a City of Keene Temporary Meter, excluding the water necessary for flushing and disinfecting purposes. Procedure for obtaining a temporary meter is addressed in the Water and Sewer Regulations Ordinance.

(i) **Utility Location Plan.** Water lines shall be installed in accordance with the utility location plan except as otherwise approved by the City.

**Sec. 1-98. FIRE PROTECTION**

(a) **General Provisions.** The Fire Marshal will review all plans and specifications of all proposed developments and will ensure adequate fire protection is provided.

If, in the opinion of the Fire Chief, adequate fire protection requires additional fire hydrants and water lines to serve proposed developments, he will direct the owner of the property, in writing, to locate at pre-designated positions on the property a fire hydrant or hydrants and adequate water lines to provide adequate fire protection at the owner's own expense. The location and number of fire hydrants and water lines shall be situated as to afford adequate fire protection to all buildings located or proposed to be located on the property. Such installation to be completed in such reasonable period of time as the Fire Chief may direct.

(b) **Fire Hydrant Specifications and Coverage Requirements.**

(1) **Commercial or Industrial Areas.**

a. Fire hydrants shall be located no more than a 150 foot truck lay to all points of any structure or combustible storage area on the lot.

b. Fire hydrants located on the opposite side of a street, designated as four
lane or larger on the current City Thoroughfare Plan, shall not be considered acceptable for meeting hydrant coverage requirements.

c. Fire hydrants shall be positioned to allow trucklays to follow normal traffic flow patterns to the site either by street or fire lane.

(2) Residential Areas.

a. Fire hydrants shall be placed on block corners or near the center of the block to place every structure within a 500' truck lay from fire hydrant coverage.

b. Fire hydrants located on the opposite side of a street, designated as four lane or larger on the current City Thoroughfare Plan, shall not be considered acceptable for meeting hydrant coverage requirements.

c. Fire hydrants shall be positioned to allow trucklays to follow normal traffic access to the site.

(3) Fire hydrant "blue reflective markers" shall be installed by the developer on all streets, fire lanes and paved access easements to indicate fire hydrant locations. Fire hydrant markers shall be installed in the middle of the nearest traffic lane adjacent to the hydrant. When hydrants are installed at ninety degree turns along fire lanes or mutual access easements, markers shall be placed on private street(s), fire lane(s) or mutual access easement(s) immediately adjacent to the fire hydrant.

c. Fire Hydrant Specifications. All fire hydrants must meet required City of Keene Standard Fire Hydrant Specifications

(1) All fire hydrants shall have one (1) 4.5" pumper nozzle and two (2) 2.5" hose nozzles with the City's standard threads; shall have a main barrel valve opening of not less than 5.25"; and shall be placed on mains of not less than 6" in diameter. Six inch (6") gate valves shall be placed on all fire hydrant leads. All fire hydrants shall have a valve at the main with flange to flange fittings.

(2) All fire hydrants shall be of a "break-away" design in accordance with City of Keene Standard Fire Hydrant Specifications.

(3) Each hydrant shall have a minimum of two primer coats. The final coat of paint on the body of all hydrants shall be a silver color of an approved aluminum paint. The top and outlet caps of all fire hydrants shall be painted by the developer with a machine implement paint or approved equal, in accordance with NFPA color code as follows:

   a. Blue – 1,500 gpm or greater
   b. Green – 1,000 to 1,499 gpm
   c. Orange/Yellow – 500 to 999 gpm
   d. Red – 499 gpm or less
   e. Black - dead

(d) Fire Protection Distribution Systems. Water distribution systems shall be of sufficient size to provide adequate water for fire protection to the development and shall conform to the City's Water Distribution System Master Plan. Maintenance of private water lines and fire hydrants is the responsibility of the property owner.
(1) Residential Areas.

a. **Sizes and Allowable Dead End Lengths.** In residential areas the minimum water line size shall be 8". Dead end lines over 600' in length will not be allowed.

b. **Valves.** Additional isolation valves may be required to be installed depending upon the configuration of the system as determined by the City.

c. **Construction Standards.** All water line construction shall conform to construction standards located elsewhere in this ordinance.

(2) Commercial Areas.

a. **Sizes and Allowable Dead End Lengths.** In commercial areas the minimum water line size shall be 8". Dead end lines will not be allowed.

b. **Water Line Requirements For Fire Protection.** The owner developer shall provide either a public or private water line distribution system for fire protection as approved by the City Fire Marshall.

Perpendicular crossings of underground public water lines may be allowed under driveways and sidewalks to provide protection/domestic service to the site. All crossings shall meet construction standards applicable with all provisions of this ordinance.

c. **Valves.** Additional isolation valves may be required to be installed depending upon the configuration of the system as determined by the City.

d. **Construction Standards.** All water line construction shall conform to construction standards located elsewhere in this ordinance.

Sec. 1-99. SANITARY SEWER LINES.

(a) **General Provisions.** The design, size, type, and location of all sanitary sewer lines shall be in accordance with the Wastewater Collection System Master Plan, City of Keene standard construction drawings, regulations, standards specifications, this ordinance and good engineering practice. In addition, the design and construction methods shall meet or exceed Texas Commission on Environmental Quality (TCEQ) and Environmental Protection Agency regulations. The Water and Sewer Regulations Ordinance of the City of Keene shall also be adhered to in regards to the design and construction of sanitary sewer lines.

All sanitary sewer lines shall be installed within rights-of-way or sanitary sewer easements. Sanitary sewer lines may not be located in easements in the yard of any residential lot. Should a line exist in an easement prior to the rezoning of the property for residential use or prior to development of the property for residential use, then the existing line shall be either relocated to City right-of-way at developer expense, or the existing easement shall be dedicated to the City as right-of-way.

(b) **Materials.** Sanitary sewer lines 12 inches in diameter and less shall be PVC SDR-35 for depths less than 10 feet. When PVC pipe is used for depths exceeding 10 feet, the pipe material shall be PVC SDR-26. Lines larger than 12 inches diameter shall be as specified by the City. Manholes can either be poured-in-place or pre-cast.

(c) **Manhole Spacing.** Manholes shall be provided at all points of directional change, including the P.C. and P.T. on horizontal curves. Manholes shall be provided at vertical
points of intersection (vertical curves are generally not allowed). All sanitary sewer lines shall terminate at a manhole. See Table 6 for spacing criteria.

(d) **Manhole Size Criteria.** Sanitary sewer manhole size criteria is established based on depth/diameter/maximum allowable pipe connection/pipe size relationship. The criteria is given in the Sanitary Sewer Manhole Size Table 6.

(e) **Minimum Pipe Size.** The minimum size of sanitary sewer lines shall be 8 inches in diameter for lines which are to be maintained by the City.

(f) **Parallel Sanitary Sewer Collection Systems.** Residential or commercial sanitary sewer collection lines shall be designed to not exceed maximum depths of 12'-0" measured from finished grade to the bottom of the pipe. Depths greater than 12'-0" will only be permitted when parallel sanitary sewer collection lines to serve properties on both sides of the street are provided. The City Engineer shall be consulted to determine the location and design criteria of the parallel lines prior to final design.

(g) **Oversizing and Extensions.** The City of Keene may elect to oversize certain mains as required or as depicted in the most recent Waste Water Collection System Master Plan. The City of Keene may participate on lines greater than 12" (inches) if, (1) the demand of the project is less than or equal to a twelve 12 inch line capacity; and, (2) shown on the Wastewater Collection System Master Plan.

If a project involves City participation and if City funds are available, the developer, owner, builder, or applicant shall design the project and submit the approved plans for bidding by the City. If City funds are not available, the developer may design and construct the project subject to an agreement for connection and reimbursement. SEE: Water and Sewer Regulations Ordinance. If a development requires lines exceeding twelve (12) inches to serve the area, the City may participate in the oversizing above the size needed to supply the development.

During the process of development, the owner(s) of the subject property shall extend sewer mains by constructing the necessary sewer line within proper easements, at their sole expense, to serve the adjacent property, when the adjacent property or any portion thereof, are considered to be in the same sewer basin. The construction of the lines shall extend along the frontage or through the property to the furthest point possible, where the adjacent property can readily tie into the system.

Sanitary sewer extensions outside the City of Keene will not be granted to private entities. Sanitary sewer extensions outside the City of Keene may be granted to neighboring municipalities or governmental entities as approved by the City Council.

(h) **Clean-Outs.** A clean out, directed toward the main, shall be provided on all services at the property line or easement line.

(i) **Utility Location Plan.** Sanitary sewer lines shall be installed in accordance with the utility location plan except as otherwise approved by the City.

(j) **Additional Easements.** Additional easements for sanitary sewer lines shall be dedicated along State controlled routes and along other routes when the right-of-way is not sufficient to adequately provide for the orderly construction and maintenance of the sanitary sewer improvements.

(k) **Emergency Maintenance.** When conditions warrant, the City may perform maintenance operations during the warranty period. The cost of such maintenance shall be paid for by the developer/contractor.

(l) **Television Inspection.**

(1) The developer or contractor shall, at its own expense, perform a television
inspection of all sanitary sewer gravity lines prior to acceptance by the City. Repairs shall be made if required and the television inspection repeated as many times as needed until the line is deemed acceptable. Prior to final acceptance, the developer or its contractor shall escrow funds as specified in the City of Keene Fee Ordinance to cover the cost of a second television inspection. If the developer or its contractor performs the second television inspection in accordance with the terms stated hereinafter, the escrow shall be refunded less administrative costs.

(2) The developer or contractor shall use color video tape in all television inspections.

(3) The developer or contractor may employ a firm qualified in the type of work to make the television inspections, or if qualified and acceptable to the City, he may perform the inspection himself.

(4) The City of Keene Inspector must be present during the television inspection, unless specifically otherwise authorized in writing.

(5) The visual inspection by photographic means of the sanitary sewer mains shall commence after the compaction of backfill, the air test, and the mandrill test are completed.

(6) The jet ball technique may be used to remove all foreign debris and silt, prior to photographic inspection.

(7) The second visual inspection by the developer or contractor shall be made no sooner than the 20th month and no later than the 22nd month after the date of the Letter of Acceptance of the subdivision by the City. In the event the developer or contractor shall refuse or fail to complete the second inspection within time permitted, the City shall use the escrowed funds previously described to cause completion of the inspection. Such inspection shall be made no later than 23 months after acceptance of the subdivision.

(8) All television equipment used shall be approved by City Staff resolution.

(9) All information gathered must be legible, clearly understandable, and of good picture quality.

(10) A run sheet shall be made, and it shall be compatible with the electronic recordings noting deficiencies.

(11) By audio on the electronic recordings, the operator must note the date and time the recording is made, note the developer or contractor’s name, project name, and contract number, note the name of company performing the inspection, if other than the developer or contractor, and the operator’s name, note the location, line, designation, main size, and direction of run, identify every 50-foot station, identify the station of each manhole and identify deficiencies and include station number.

(12) The sewer mains must be televised from manhole to manhole in a downstream manner.

(13) All sanitary sewer mains must be laced with water. The television inspection must be done immediately following the lacing of the main with no water flow.

(14) One recording per visual photographic inspection shall be furnished to the City of Keene.

(15) Must provide electronic recording.
(16) All electronic recordings and run sheets shall be submitted to the City Inspector for storage and inspection by the City. All recordings and run sheets shall become the property of the City of Keene.

(m) Criteria For Repair. The developer shall make repairs if the City Inspector notes problems, including but not limited to the following:

(1) Pulled or slipped joints.
(2) Water infiltration.
(3) Cracked or damaged pipe.
(4) If standing water is found in pipes of gradients equal to or greater than 0.7 percent.
(5) In pipes of gradients less than 0.7 percent, a maximum one-half (1/2) inch of standing water will be allowed in eight (8) inches through twelve (12) inches diameter pipes; and a maximum ten (10) percent of pipe size or three (3) inches, whichever is less in pipes greater than twelve (12) inches diameter.
(6) Structural damage to pipe.

The City shall review the visual photographic tape and notify the developer or contractor of required repairs.

If repairs are required, another television inspection of the repaired area shall be made after the repairs are complete, at the developer or contractor's expense. Repairs shall be made to the satisfaction of the City of Keene.

(n) Lift Stations and Force Mains. The City of Keene will operate and maintain only those lift stations and force mains which serve the public. Lift stations and force mains serving private developments shall be privately maintained.

(o) Sanitary Sewer Services. No sanitary sewer service of less than four inches in diameter shall be connected to a City-maintained sanitary sewer main. Services of six inches in diameter or larger shall connect to sanitary sewer lines only at manholes. An "S" shall be or some other City approved method on the face of the curb or on pavement where there is no curb, to identify the exact location of the sanitary sewer service. A sanitary sewer service shall be stubbed out to all residential lots to a point, eight (8) feet minimum, within the lot. The elevation of all services shall be shown on the plans and shall be established such that the lot will be adequately served. For connection fees, see the City's Fee Ordinance.

Sec. 1-100. EROSION CONTROL.

(a) General Provisions. Private property owners, developers, or builders shall implement erosion control measures in accordance to all requirements of TPDES permit TXR150000 and NCTCOG requirements and standard details and in accordance with the following guidelines.

(1) Maximum use shall be made of vegetation to minimize soil loss.
(2) Natural vegetation shall be retained wherever possible.
(3) Where inadequate natural vegetation exists, or where it becomes necessary to remove existing natural vegetation, temporary controls shall be installed promptly to minimize soil loss and insure that erosion and sedimentation does not occur.
(4) **Erosion control plans shall be submitted to City Engineer for approval prior to actual construction.**

(5) Wastes or disposal areas and construction roads shall be located and constructed in a manner that will minimize the amount of sediment entering streams and City storm sewers.

(6) When work areas or material sources are located in or adjacent to live streams, such areas shall be separated from the stream by a dike or other barrier to keep sediment from entering a flowing stream. Care shall be taken during the construction and removal of such barriers to minimize the sediment transport into a stream.

(7) Should preventative measures fail to function effectively, the applicant shall act immediately to bring the erosion and/or siltation under control by whatever additional means are necessary.

(8) Runoff shall be diverted away from construction areas as much as possible.

(9) Developers, builders, or owners of property shall permanently stabilize all disturbed areas prior to final acceptance of the subdivision, project, and/or structure. Stabilization shall be accomplished through the use of perennial vegetative cover or other permanent means, such as channel lining, retaining wall, etc.

(b) **Permanent Erosion Control.** Permanent erosion controls are installed at or near end of the construction project when no further disturbance of the area will occur. The purpose of these controls is to permanently minimize soil loss. Methods used to achieve minimal soil loss include: restoring ground cover, building retaining walls for steep slopes, or reducing wave or water action by lining channels or shorelines with gabions, jute mats, vegetation, or similar materials. Examples of typical permanent measures are vegetation cover using perennial plants, headwalls, stilling basins, riprap, tree wells, gabions, matting along channels, retention lakes, terracing, and retaining walls.

(c) **Temporary Erosion Control.** Temporary erosion control methods are used to abate sediment runoff from construction sites. The application of control devices can yield significant water quality and drainage benefits at a minimal cost to the developer. The erosion control measures can be grouped as barriers, filter devices, or routing devices.

(d) **Erosion Control Barriers.** The erosion control methods that can be classified as barriers include:

1. Straw Bale Sediment Barrier;
2. Sandbag Sediment Barrier;
3. Check Dam; and
4. Sediment Trap.

These measures trap sediment and prevent high runoff velocities which cause erosion.

The straw bale and the sandbag sediment barriers can reduce sediment loads significantly. A sandbag barrier is more durable and should be used to withstand more intense storm events. Siltation berms and check dams are not as effective for sediment removal as the other types of barriers and operate best in storm events of limited intensity.

(e) **Erosion Control Filters.** Filtering methods can be used in place of barriers. Filter devices allow runoff to pass through but retain sediment by filtration. The types of filters available are:

2009 General Development Ordinance
Pg 60 of 113
(1) Filter Berm;
(2) Filter Fence;
(3) Filter Inlet; and
(4) Vegetation Filter Strip.

Excellent sediment removal can be achieved using a filter berm, fence, or inlet. The filter berm is constructed of rock and therefore is capable of withstanding heavier storm events than the filter fence or filter inlet. In general, the vegetation filter strip will operate less effectively than the other devices.

(f) Routing Devices. Only one method, the flexible downdrain, is classified strictly as a routing device. The purpose of the device is to convey waters down steep slopes or across highly erodible soils.

Some of the methods classified under Erosion Control Barriers can be used as routing devices to protect erodible areas. Sandbag sediment barriers and straw bale sediment barriers are both suitable for this purpose.

A routing device is an erosion prevention tool that can eliminate erosion problems on steep slopes and other critical areas. It is not designed to capture any solids already moving with the water.

(g) Performance. Erosion from construction sites can be a significant water quality problem. Developing areas are cleared of vegetation during construction leaving the soil exposed and susceptible to erosion. Runoff then transports eroded sediment from these areas and deposit it downstream. The accumulation of silt in streams and ponds is a form of water pollution that is unattractive and impedes drainage.

Prevention is a key aspect of erosion control. Many of the control methods presented herein can be placed in a manner that will protect highly erodible areas such as steep slopes. The prevention of erosion requires prior planning to ascertain the placement of selected control methods. The rewards of this planning will be a significant reduction in soil loss. Not only can soil loss be prevented, but eroded soil can be recovered on the construction site and used for fill.

The particulate material in construction site runoff is generally heavier and larger than particulates in urban runoff. These attributes facilitate the removal of the material whether the removal is by settling in a sediment trap or by filtration through a filter fence. Temporary sediment traps, filters, and routing devices can effectively control erosion for construction sites if properly applied. These methods are used in an effort to control temporary increases in sediment loads.

A quantifiable assessment of performance is difficult because the nature of erosion control is more preventative than corrective. A rough assessment of performance can be conducted by comparing the soil loss from a site with controls to the loss from a comparable site without controls.

(h) Design Considerations. Sediment traps and flexible drains are flow collection devices that will require hydraulic design. An estimate of the peak design flow rate and runoff volume is necessary for proper sizing of these management methods. Runoff volume and peak flow are calculated based on the design storm. Design storms for temporary erosion control structures shall be based on the ten (10) year return frequency.

The design storm frequency for construction sites should consider several factors including:
(1) The length of time and size of construction activity;

(2) The severity of damage that could result to downstream waters if the design storm is exceeded; and,

(3) Local concerns toward environmental protection.

(i) Enforcement. Should proper erosion controls fail or become inoperative, the City shall notify the owner, builder, or developer of the violation in writing. The owner, builder, or developer has five (5) days after being notified to begin correcting the problems. If no corrections are started, the City may revoke the development permit, building permit, or withhold issuance of a certificate of occupancy or final acceptance.

Sec. 1-101. PRIVATE UTILITIES.

(a) General Provisions. In the course of development the services of other private utility agencies may be required. In addition, gas, electrical and fiber optic service shall be available to each lot prior to the issuance of a building permit.

(1) Telephone

(2) Gas

(3) Electric

(4) Cable

(5) Fiber Optic

(b) Underground Utilities. In areas where no overhead utility lines currently exist, all new utility lines shall be placed underground.

In areas where overhead utility lines exist, the utility companies may augment, upgrade, repair, replace and maintain as necessary.

Fiber optic cable conduit shall be installed in all new subdivisions prior to acceptance of the subdivision improvements by the City of Keene.

The utility companies shall be responsible for developing administrative policies and cost reimbursement procedures for the installation and extension of underground facilities. These policies should permit the utility companies to recover the cost differential between the cost of extending and installing overhead and underground service, in the event the City or a developer requests such facilities from the utility companies.

All utilities shall be constructed and installed in accordance with current standards of the City of Keene and the utility companies. No utility shall be constructed closer than two (2) feet to any curb.

When crossing public roads all private utilities shall be placed in casing underneath the road from right-of-way line to right-of-way line.

Adequate easement shall be provided at the time of platting for all underground utilities.

Sec. 1-102. MISCELLANEOUS CONSTRUCTION.

(a) General Provisions. The developer shall be responsible for the construction, or payment in lieu of construction, of all traffic control devices, railroad crossings and bridges.
within or adjacent to the development.

(b) Traffic Control Devices. Traffic control devices include traffic signage, street name signs, pavement markings, school beacons, traffic signals, and all related items. All traffic control devices as shown on plans and approved by the City shall be installed by the developer(s) at their sole cost, unless otherwise directed. Any developer or property owner requesting the installation of a traffic signal shall pay 100% cost for the design and construction. If the City, upon evaluation of the needs and justified warrants of the proposed signal, shall help coordinate the approval process on its own thoroughfares, as well as the TXDOT routes. Any developer whose development necessitates the modification of an existing traffic signal shall pay for 100 percent of the total cost of the design and construction of the modifications to the traffic signal, roadway approaches, signage and all related items.

(c) Street Lighting. The standard city streetlight shall be a 100 watt high pressure sodium fixture mounted on an ornamental pole for residential areas, and a 200 watt high-pressure sodium fixture mounted on an ornamental pole for all major roadways. Underground conduit shall be used.

The developer shall submit a proposed street lighting plan as part of the construction plans for public improvements. The street lighting plan shall be approved by the Public Works Department prior to the commencement of construction. Streetlights may be required to be installed at 500 foot intervals along all streets. Additionally, streetlights are required to be installed at street intersections, cul-de-sac's, bridges, railroad crossings and other selected points when the City determines that a streetlight is needed for traffic safety.

Streetlights will typically be located in easements adjacent to rights-of-way on residential and undivided streets. On divided streets, streetlights with dual mast arms and fixtures will be located within the median.

Once the proposed street lighting plan is approved, the Public Works Department will arrange for the installation of all street lighting with the appropriate electrical utility company. The developer shall be responsible for all costs associated with the installation of the proposed street lighting system. The City will pay the monthly charges for all required streetlights.

Any streetlights that exceed the standards listed above must be located on private property and on a separately metered service. Installation cost, maintenance, and the monthly electrical charges will be the responsibility of the property owner.

The above requirements do not apply to signalized intersections where the streetlights are an integral part of the traffic signal, or to streetlights located within Texas Department of Transportation rights-of-way.

(d) Railroad Crossings. The developer shall bear 100% of the total cost of all proposed railroad crossing design and construction triggered by new development(s). The developer who first develops any quadrant of a street/railroad crossing shall pay 100% of the total cost of the construction and shall be eligible for reimbursements from the other three (3) quadrant developers/owners in the amount of 25% of the total cost of construction, at the time of their development. The reimbursement process will remain in effect for ten (10) years from the time of completion and acceptance of the railroad crossing improvements.

(e) Bridges. The developer shall bear 100% of the total cost of all proposed bridge design and construction triggered by new development(s). The City shall help coordinate approval processes through other federal and state agencies, as needed.

(f) Payment. Payments made to the City as a condition of this section shall be made prior to the approval of the final plat or engineering site plan (if a final plat is not required).

2009 General Development Ordinance
Pg 63 of 113
Control of Access Limitations

ROADWAY

50' (RES.)
50' (COL)
75' (ART)

LEAVING INTERSECTION

NO ACCESS ALLOWED WITHIN THESE AREAS

1 2 3

ROADWAY

DRIVEWAY

R-O-W

*THIS DRAWING IS NOT TO SCALE

1 - 50' (RES)
2 - 75' (COL)
3 - 100' (ART)
Figure 5

2009 General Development Ordinance
Pg 66 of 113
FIGURE 6 - UTILITIES LOCATION PLAN WITHIN STREET R.O.W.

***NOT TO SCALE***

LEGEND
- W — WATERLINE
- S.S. — SANITARY SEWER
- S.T. — STORM SEWER
- G — GAS
- T — TELEPHONE
- E — ELECTRIC

Note:
1. Underground electric lines or gas lines shall be adjusted to avoid inlets.
2. Fiber Optic conduit to be located in conjunction with telephone conduit.

2009 General Development Ordinance
Pg 67 of 113
Figure 7
RESIDENTIAL STREET
50' R.O.W.

9.5'  31' BACK TO BACK  9.5'

CONSTRUCTION JOINT

6" CURB  3%  3%  2%

#3 BARS @ 24" O.C.E.W.

6" - 3600 PSI REINFORCED CONCRETE PAVEMENT

MIN. 6" STABILIZED SUBGRADE

CONCRETE SIDEWALK

2009 General Development Ordinance
Pg 68 of 113
Figure 8
COLLECTOR STREET

60' R.O.W.

11.5' 37' BACK TO BACK 11.5'

1.0' 1.0'

6' CURB 3% 3% 2%

#3 BARS @ 24" O.C.E.W.

MIN. 6" STABILIZED SUBGRADE

CONCRETE SIDEWALK

2% 3500 PSI REINFORCED CONCRETE PAVEMENT

3% 3% 2% 4.0'

2009 General Development Ordinance
Pg 69 of 113
Figure 9

ARTERIAL STREET

2%  1.0'  6' CURB  3%  3%

CONSTRUCTION JOINT

8" - 3500 PSI REINFORCED CONCRETE PAVEMENT

MIN. 6" STABILIZED SUBGRADE

#3 BARS @ 24" O.C.E.W.

CONCRETE SIDEWALK

15.5'  49' BACK TO BACK  15.5'

80' R.O.W.

2009 General Development Ordinance
Pg 70 of 113
<table>
<thead>
<tr>
<th>STREET CLASSIFICATION</th>
<th>RESIDENTIAL</th>
<th>COLLECTOR</th>
<th>ARTERIAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>NO. OF LANES</td>
<td>2</td>
<td>2</td>
<td>4</td>
</tr>
<tr>
<td>WIDTH OF PAVEMENT</td>
<td>31' (B-B)</td>
<td>37' (B-B)</td>
<td>49' (B-B)</td>
</tr>
<tr>
<td>R.O.W. WIDTH</td>
<td>50'</td>
<td>60'</td>
<td>80'</td>
</tr>
<tr>
<td>DESIGN SPEED (MPH)</td>
<td>25</td>
<td>30</td>
<td>40</td>
</tr>
<tr>
<td>MAXIMUM DEGREE OF CURVATURE/OR MINIMUM RADIUS FOR DESIGN (CENTER LINE): (NORMAL CROWN)</td>
<td>28°/200**</td>
<td>13°/428**</td>
<td>7°/821**</td>
</tr>
<tr>
<td>MEDIAN WIDTH</td>
<td>---</td>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td>PARKWAY WIDTH</td>
<td>9.5'</td>
<td>11.5'</td>
<td>15.5'</td>
</tr>
<tr>
<td>MEDIAN OPENING SPACING</td>
<td>---</td>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td>STREET INTERSECTION RADIUS (CURB)</td>
<td>25'</td>
<td>25'</td>
<td>30'</td>
</tr>
<tr>
<td>CORNER CLIP R.O.W. DEDICATION***</td>
<td>12' x 12'</td>
<td>12' x 12'</td>
<td>12' x 12'</td>
</tr>
</tbody>
</table>

NOTES:
1. THE ABOVE DESIGN STANDARDS ARE CONSIDERED TO BE MINIMUM. OTHER DESIGN ELEMENTS SUCH AS STOPPING SIGHT DISTANCE, SUPER-ELEVATION, GRADES, ETC., SHALL BE USED IN DESIGN WHENEVER APPROPRIATE AS DICTATED BY GOOD ENGINEERING PRACTICE.
2. ADDITIONAL RIGHT-OF-WAY WILL BE REQUIRED AT MAJOR INTERCTIONS FOR LEFT OR RIGHT TURN LANES (IF REQUIRED) TO MAINTAIN TRAFFIC VOLUME CAPACITIES THROUGH THE INTERSECTION.
3. ADDITIONAL RIGHT-OF-WAY WILL BE REQUIRED FOR ACCELERATION OR DECELERATION LANES WHERE APPROPRIATE.
4. RESIDENTIAL PARKING LANES SHALL BE A MINIMUM OF 10 FEET IN WIDTH.
5. MEDIAN AND PARKWAY WIDTHS MAY BE ADJUSTED BY THE CITY ENGINEER TO ADDRESS SPECIAL CONDITIONS.
6. ALL TURN LANES SHALL BE A MINIMUM OF 12 FEET IN WIDTH.
* UNDER SPECIAL CONDITIONS, THE CITY ENGINEER WILL DETERMINE THE MAXIMUM DEGREE OF CURVATURE. (SUPER-ELEVATION MAY BE REQUIRED.)
WATERLINE EASEMENTS

<table>
<thead>
<tr>
<th>PIPE SIZE</th>
<th>MINIMUM DEPTH OF COVER</th>
<th>MAXIMUM DEPTH OF COVER</th>
<th>MINIMUM WIDTH OF EASEMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>8&quot; - 12&quot;</td>
<td>3.5'</td>
<td>5.0'</td>
<td>15'</td>
</tr>
<tr>
<td>16&quot; - 20&quot;</td>
<td>4.0'</td>
<td>6.0'</td>
<td>20'</td>
</tr>
<tr>
<td>24&quot; - 48&quot;</td>
<td>4.5'</td>
<td>7.0'</td>
<td>25'</td>
</tr>
</tbody>
</table>

NOTE: Width(s) may be reduced by five (5) feet when the easement is contiguous with street right-of-way.

Table 2
## SANITARY SEWER EASEMENTS

<table>
<thead>
<tr>
<th>PIPE SIZE</th>
<th>MINIMUM DEPTH OF COVER</th>
<th>MAXIMUM DEPTH OF COVER</th>
<th>MINIMUM WIDTH OF EASEMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>8&quot; - 12&quot;</td>
<td>5.0'</td>
<td>6.0'</td>
<td>15'</td>
</tr>
<tr>
<td>15&quot; - 21&quot;</td>
<td>5.0'</td>
<td>9.0'</td>
<td>20'</td>
</tr>
<tr>
<td>24&quot; - 36&quot;</td>
<td>5.0'</td>
<td>12.0'</td>
<td>25'</td>
</tr>
<tr>
<td>39&quot; - 48&quot;</td>
<td>5.0'</td>
<td>15.0'</td>
<td>35'</td>
</tr>
</tbody>
</table>

**NOTES:**

- For each additional two (2) feet of cover, add five (5) feet to easement width.
- Widths may be reduced by a maximum five (5) feet, when the easement is contiguous with street right(s)-of-way.
- An additional five (5) feet may be reduced as conditions warrant and as determined by the City.

| Table 3 |

---

2009 General Development Ordinance
Pg 73 of 113
# DRAINAGE EASEMENTS
(Enclosed System)

<table>
<thead>
<tr>
<th>PIPE SIZE</th>
<th>MINIMUM DEPTH OF COVER</th>
<th>MAXIMUM DEPTH OF COVER</th>
<th>MINIMUM WIDTH OF EASEMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>18&quot; - 24&quot;</td>
<td>**</td>
<td>5.0'</td>
<td>15'</td>
</tr>
<tr>
<td>27&quot; - 48&quot;</td>
<td>**</td>
<td>7.0'</td>
<td>20'</td>
</tr>
<tr>
<td>54&quot; - 72&quot;</td>
<td>**</td>
<td>8.0'</td>
<td>25'</td>
</tr>
</tbody>
</table>

**NOTES:**

* For pipes larger than 72" (diameter) easement width(s) will be determined by the City engineer, based on design conditions.

** Minimum depth is controlled by hydraulic grade line requirements. (Hydraulic grade line to be no closer than 1.5' from surface per design manual.

For each additional two (2) feet of cover, add five (5) feet to easement width(s).

Width(s) may be reduced by five (5) feet when the easement is contiguous with street right(s)-of-way.

An additional five (5) feet may be reduced as conditions warrant and as determined by the City.

Table 4
# WATERLINE REQUIREMENTS

<table>
<thead>
<tr>
<th>WATERLINE</th>
<th>MINIMUM DEPTH OF COVER</th>
<th>MAXIMUM DEPTH OF COVER</th>
<th>MINIMUM DOMESTIC TAP SIZE</th>
<th>MAXIMUM DOMESTIC TAP SIZE</th>
<th>MAXIMUM VALVE SPACING</th>
<th>MAXIMUM RESIDENTIAL HYDRANT SPACING</th>
<th>MAXIMUM COMMERCIAL HYDRANT SPACING</th>
</tr>
</thead>
<tbody>
<tr>
<td>&quot;6&quot;</td>
<td>42&quot;</td>
<td>60&quot;</td>
<td>3/4&quot;</td>
<td>1&quot;</td>
<td>500'</td>
<td>500'</td>
<td>N/A</td>
</tr>
<tr>
<td>8&quot;</td>
<td>42&quot;</td>
<td>60&quot;</td>
<td>3/4&quot;</td>
<td>2&quot;</td>
<td>600'</td>
<td>500'</td>
<td>300'</td>
</tr>
<tr>
<td>&quot;10&quot;</td>
<td>42&quot;</td>
<td>60&quot;</td>
<td>3/4&quot;</td>
<td>3&quot;</td>
<td>600'</td>
<td>500'</td>
<td>300'</td>
</tr>
<tr>
<td>12&quot;</td>
<td>42&quot;</td>
<td>60&quot;</td>
<td>3/4&quot;</td>
<td>6&quot;</td>
<td>600'</td>
<td>500'</td>
<td>300'</td>
</tr>
<tr>
<td>&quot;14&quot;</td>
<td>42&quot;</td>
<td>60&quot;</td>
<td>3/4&quot;</td>
<td>6&quot;</td>
<td>600'</td>
<td>500'</td>
<td>300'</td>
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<tr>
<td>16&quot;</td>
<td>48&quot;</td>
<td>72&quot;</td>
<td>6&quot;</td>
<td>---</td>
<td>600'</td>
<td>500'</td>
<td>300'</td>
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<tr>
<td>20&quot;</td>
<td>48&quot;</td>
<td>72&quot;</td>
<td>6&quot;</td>
<td>---</td>
<td>1000'</td>
<td>500'</td>
<td>300'</td>
</tr>
<tr>
<td>24&quot;</td>
<td>54&quot;</td>
<td>84&quot;</td>
<td>6&quot;</td>
<td>---</td>
<td>1,000'</td>
<td>500'</td>
<td>300'</td>
</tr>
<tr>
<td>30&quot;</td>
<td>54&quot;</td>
<td>84&quot;</td>
<td>6&quot;</td>
<td>---</td>
<td>2,000'</td>
<td>500'</td>
<td>300'</td>
</tr>
<tr>
<td>36&quot;</td>
<td>54&quot;</td>
<td>84&quot;</td>
<td>6&quot;</td>
<td>---</td>
<td>2,000'</td>
<td>500'</td>
<td>300'</td>
</tr>
<tr>
<td>42&quot; OR LARGER</td>
<td>54&quot;</td>
<td>84&quot;</td>
<td>6&quot;</td>
<td>---</td>
<td>2,000'</td>
<td>500'</td>
<td>300'</td>
</tr>
</tbody>
</table>

**NOTES:**
1. MAXIMUM FIRE HYDRANT SPACING SHALL BE 1,000' IN RESIDENTIAL AREAS AND 600' IN COMMERCIAL AREAS.
2. WATERLINES 8" THROUGH 12" ARE CONSIDERED DISTRIBUTION MAINS. WATERLINES 16" AND LARGER ARE CONSIDERED TRANSMISSION MAINS. * FOR EXISTING LINES ONLY. THESE LINES SIZES WILL NOT BE PERMITTED FOR NEW DEVELOPMENT.
3. A 6-INCH TAP IS ALLOWED FOR A FIRE HYDRANT ONLY WITH A LEAD OF LESS THAN 50'.
## SANITARY SEWER MANHOLE SIZE

<table>
<thead>
<tr>
<th>PIPE SIZE</th>
<th>DEPTH OF COVER (AVERAGE)</th>
<th>DIAMETER OF MANHOLE</th>
<th>MAXIMUM MANHOLE SPACING</th>
<th>CONSTRUCTION OPTIONS</th>
<th>MAXIMUM NUMBER OF PIPE CONNECTIONS ALLOWED IN MANHOLE</th>
</tr>
</thead>
<tbody>
<tr>
<td>12&quot; &amp; UNDER</td>
<td>5’ - 6’</td>
<td>4’</td>
<td>500’</td>
<td>CAST-IN-PLACE OR PRE-CAST</td>
<td></td>
</tr>
<tr>
<td></td>
<td>7’ - 10’</td>
<td>5’</td>
<td>500’</td>
<td>CAST-IN-PLACE OR PRE-CAST</td>
<td></td>
</tr>
<tr>
<td></td>
<td>11’ - 15’</td>
<td>6’</td>
<td>500’</td>
<td>CAST-IN-PLACE OR PRE-CAST</td>
<td></td>
</tr>
<tr>
<td>15&quot; - 21&quot;</td>
<td>5’ - 9’</td>
<td>5’</td>
<td>500’</td>
<td>CAST-IN-PLACE OR PRE-CAST</td>
<td></td>
</tr>
<tr>
<td></td>
<td>10’ - 15’</td>
<td>6’</td>
<td>500’</td>
<td>PRE-CAST ONLY</td>
<td></td>
</tr>
<tr>
<td>(See Note #1 Below)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>24&quot; - 36&quot;</td>
<td>5’ - 9’</td>
<td>5’</td>
<td>800’</td>
<td>CAST-IN-PLACE OR PRE-CAST</td>
<td>3 (24&quot; - 27&quot;)</td>
</tr>
<tr>
<td></td>
<td>10’ - 20’</td>
<td>6’</td>
<td>800’</td>
<td>PRE-CAST ONLY</td>
<td>2 (30&quot; - 36&quot;)</td>
</tr>
<tr>
<td>(See Note #1 Below)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>39&quot; - 48&quot;</td>
<td>5’ - 9’</td>
<td>6’</td>
<td>1000’</td>
<td>PRE-CAST ONLY</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td>10’ - 20’</td>
<td>7’</td>
<td>1000’</td>
<td>PRE-CAST ONLY</td>
<td></td>
</tr>
<tr>
<td>(See Note #1 Below)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### NOTES:
1. If the proposed system design requires lines to be constructed to depths greater than shown above, the City Engineer’s Office shall be consulted for additional requirements.
2. Where the above requirements cannot be met, a junction structure may be utilized.
3. Where drop connections are proposed, the City Engineer’s Office shall be consulted for proper sizing.

Table 6

2009 General Development Ordinance
Pg 76 of 113
ARTICLE VII. SCREENING DEVICES.

Sec. 1-141. GENERAL PROVISIONS.

(a) The intent of this section is to provide for visual screening between land uses of different character and to establish requirements for the installation and maintenance of screening devices to enhance the community’s aesthetic qualities.

(b) A screening device shall be a solid brick, stone or decorative block masonry wall not less than six feet in height measured at the highest finished grade, and designed by a professional civil engineer registered in the State of Texas. Construction and location details of the required screening devices shall be shown as part of the engineering site plan for all multi-family and nonresidential uses and as part of the final plat/construction plans for all single-family residential uses. The required screening wall shall be constructed prior to any building permits being issued for single family residential subdivisions or non-single-family developments.

In areas where non-single-family development is proposed adjacent to established single-family residential dwellings, the screening wall shall be constructed prior to issuance of a building permit. The developer/owner will not be allowed to escrow the screening wall portion of the project costs under the performance escrow policy.

(c) A four (4) foot screening wall maintenance easement shall be provided on private property for all City maintained screening walls adjacent to a City right-of-way. The developer is responsible for obtaining any required off-site easements.

Sec. 1-142. SINGLE FAMILY RESIDENTIAL SCREENING REQUIREMENT.

All single family detached and attached residential subdivisions adjacent to thoroughfares, as identified on the Keene Thoroughfare Plan, shall be screened from the street. This includes all lots backing or siding on a thoroughfare. A screening wall is also required where an alley is parallel to and adjacent to a public street. Where single family lots side on a thoroughfare, a combination of masonry and wrought iron design may be considered if the non-masonry material does not exceed forty (40) percent of the surface of the screening wall. The wrought iron sections may not extend beyond the building line as shown in the Figure 40. A four (4) foot screening wall easement shall be provided for all City maintained screening walls.

Sec. 1-143. SCREENING WALL BETWEEN SINGLE FAMILY RESIDENTIAL AND MULTI-FAMILY RESIDENTIAL ZONING DISTRICTS.

There shall be constructed a structural screening wall of not less than six (6) feet in height along any portion of multi-family residential zoning districts, (MF-1) and (MF-2), which adjoins any single family detached and attached zoning district, Mobile Home Park or Mobile Home Subdivision. The construction of the screening wall is the responsibility of the multi-family property owner. However, if a single family residential subdivision is being constructed adjacent to an existing multi-family use with no screening wall in place, the construction responsibility will shift to the single family residential developer/owner.

Sec. 1-144. SCREENING WALL BETWEEN COMMERCIAL AND RESIDENTIAL USES.

There shall be constructed a screening wall of not less than six feet in height along any portion of an office, retail or institutional (schools and churches, etc.) use and a screening wall of not less than eight feet in height along any portion of an industrial or warehouse use, which adjoins any portion of a single family detached or attached residential, multi-family residential, mobile home park or mobile
home subdivision zoning district. K.I.S.D. schools may choose to build a wrought iron fence with brick columns. Churches may choose to use an irrigated living screen or wrought iron fencing with brick columns. The construction of the screening wall is the responsibility of the commercial or industrial property owner; however, if a single family residential, multi-family residential or a mobile home use is being constructed adjacent to an existing commercial or industrial use with no screening wall in place, the construction responsibility will shift to the residential developer/owner.

Sec. 1-145. SCREENING HEDGE BETWEEN ANY OFFICE, COMMERCIAL, INDUSTRIAL, OR WAREHOUSE ZONING DISTRICTS AND PUBLIC PARKS.

There shall be planted a screening hedge, composed of plants from the following recommended shrubbery list, of not less than four (4) feet high at the time of planting, growing to not less than six (6) feet high within one (1) year along any portion of an office or retail use and growing to not less than eight (8) feet high within two (2) years along any portion of an industrial or warehouse use which adjoins any portion of a proposed or existing public park. The planting of the screening hedge is the sole responsibility of the retail, commercial, industrial, or warehouse property owner. Property owner/developer, at its sole expense, shall furnish or cause to be furnished, all labor, materials, equipment, accessories, meters and irrigation and services necessary to maintain all plant materials when and as they become damaged or die.

RECOMMENDED LIST OF SHRUBBERY PLANTS:
Arborvitae
Cherry Laurel
Hollies
Junipers
Crepe Myrtle
Photinia (Chinese, Fraser)
Pittosporum
Privet
Viburnum
Wax Myrtle

Sec. 1-146. SCREENING WALL REQUIREMENT FOR MOBILE HOME PARKS AND MOBILE HOME SUBDIVISIONS.

All mobile home parks and mobile home subdivisions shall be screened by a screening wall of not less than six (6) feet in height on all sides. The construction of the screening wall is the responsibility of the mobile home park or subdivision property owner. However, if a single family residential subdivision is being constructed adjacent to an existing mobile home park or subdivision with no screening wall in place, the construction responsibility will shift to the single family residential developer/owner.

Sec. 1-147. SCREENING REQUIREMENT FOR WRECKER SERVICE STORAGE YARDS AND WRECKED VEHICLES

All wrecker service storage yards shall be screened by a screening wall of not less than eight (8) feet in height on all sides. Screening walls shall also be provided anywhere wrecked vehicles are kept, such as auto body shops and repair garages. This provision does not apply if wrecker vehicles are kept within a completely enclosed building. Any portion of the storage yard adjacent to or fronting a street shall be screened with an eight (8) foot brick, stone or decorative block masonry wall. The wall shall be placed beyond the required ten (10) foot landscaped strip. Other portions of the storage yard not adjacent to or fronting a street, may be fenced with an eight (8) foot solid, opaque fence.
Sec. 1-148. SCREENING REQUIREMENT FOR OUTSIDE STORAGE.

In all zoning districts where outside storage of equipment, material, goods and supplies is allowed, all outside storage shall be screened from the view of any adjacent public street by a screening wall not less than six (6) feet in height. Any portion of the storage yard within 25 ft of a street right-of-way shall be screened with a six (6) foot brick, stone or decorative block masonry wall. Materials and supplies may not be stacked higher than the height of the wall. The wall shall be placed beyond the required ten (10) foot landscaped strip. Other portions of the storage yard not adjacent to or fronting a street, may be fenced with a solid, opaque fence.

A detail of the proposed opaque fence in section and elevation and/or a manufacturer’s detail and specifications must be provided on the engineering site plan for a project and/or as part of the fence permit process. The fence must be constructed with a manufacturer approved fencing material. The fence must completely conceal outside storage.

This provision does not apply to display of goods for sale incidental to a retail use, plant nursery, sales and rental of motor vehicles, mobile homes, boats or trailers.

Sec. 1-149. MAINTENANCE REQUIREMENT.

(a) Required screening walls for multi-family, commercial and industrial uses shall be maintained in good condition by the property owner.

(b) Required screening walls for single family residential subdivisions shall be maintained by the City when within the right-of-way or within a wall maintenance easement. At the time of initial development, the developer shall pay 20 percent of the total cost of initial construction, to be placed in the City’s screening wall maintenance account for future repair and upkeep of the screening walls within the City.
ARTICLE VIII. OFF STREET PARKING AND LOADING REQUIREMENTS.

Sec. 1-161. GENERAL PROVISIONS.

In all districts there shall be provided at the time any building or structure is erected or structurally altered, off-street parking spaces. All parking and loading or unloading facilities, approaches, access driveways and standing or storage parking spaces for vehicles shall be paved with concrete or asphalt. This provision shall also apply to any use located on the property with no building or structure, i.e. public or private parking lots, vehicle sales and service centers and mobile home sales lots. Trailers are defined as vehicles. Single-family residential RV and boat storage are addressed in Sections 15-134 and 15-135 of the Keene Code of Ordinances.

Sec. 1-162. PARKING REQUIREMENTS BASED ON USE.

(a) All required off-street parking shall be in accordance with the following requirements.

(1) Agricultural District: No Restrictions.

(2) Auto Repair, Paint and Body Shops and Tire Shops: One (1) parking space for each 500 square feet of shop area. Work bays will be considered in the calculation, a work bay will be counted as one (1) parking space.

(3) Automobile/truck rental: One (1) space per rental unit (including automobiles, trucks, or trailers) and a minimum of one space for each service area.

(4) Barber or Beauty shops: One (1) space for each 100 square feet of total floor space.

(5) Bed & Breakfast: Five (5) minimum, plus 1 per rented bedroom.

(6) Bowling Alley: Six (6) parking spaces for each alley.

(7) Business or Professional Office, Studio, Bank, Medical or Dental Clinic:

<table>
<thead>
<tr>
<th>Gross Leasable Area</th>
<th>Parking Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>0 - 9,999 Sq. Ft.</td>
<td>1 per 200 Sq. Ft.</td>
</tr>
<tr>
<td>10,000 - 74,999 Sq. Ft.</td>
<td>1 per 250 Sq. Ft.</td>
</tr>
<tr>
<td>75,000 Sq. Ft. &amp; Over</td>
<td>1 per 300 Sq. Ft.</td>
</tr>
</tbody>
</table>

(8) Church or Other Place of Worship: One (1) parking space for each three (3) seats in the main auditorium.

(9) Community Center, Library, Museum, Art Gallery or Skating Rink: Ten (10) parking spaces plus one (1) additional space for each three hundred (300) square feet of floor area in excess of two thousand (2,000) square feet. If an auditorium is included as part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of one (1) space for each four (4) seats that it contains.

(10) Dance Hall, Assembly or Exhibition Hall without Fixed Seats: Two (2) parking spaces for each one hundred (100) square feet of floor area used thereof. With fixed seating, one (1) parking space for each four (4) seats or bench seating spaces.

(11) Day Care: One (1) parking space for each two hundred-fifty (250) square feet of floor area plus a minimum three (3) car off-street drive through for pick-up and delivery of children.

2009 General Development Ordinance
Pg 80 of 113
(12) Dwellings, Single-Family Attached or Detached: A minimum of (1) car garage plus (2) additional concrete spaces shall be provided.

(13) Dwellings, Multi-Family: Two (2) parking space for each dwelling unit.

(14) Fraternity, Sorority or Dormitory: One (1) parking space for each two (2) beds.

(15) Furniture or Appliance Store, Hardware Store, Wholesale Establishments, Machinery or Equipment Sales and Service, Clothing or Shoe Repair or Service: Two (2) parking spaces plus one (1) additional parking space for each three hundred (300) square feet of floor area over one thousand (1,000) square feet.

(16) Golf Course and Driving Ranges: Seventy-five (75) parking spaces for each nine (9) holes plus requirements for other listed uses and one (1) parking space per tee for driving range.

(17) Hospital: One (1) space per bed, plus additional parking as required for other listed categories.

(18) Hotel: One (1) parking space for each sleeping room or suite plus one (1) space for each two hundred (200) square feet of commercial floor area contained therein. See # 22 below for additional requirements.

(19) Manufacturing or Industrial Establishment, Research or Testing Laboratory, Creamery, Bottling Plant, Printing or Plumbing Shop or Similar Establishment: 1 space for each 2 employees or 1 space for each 1000 feet of total floor area, or whichever is greater.

(20) Mobile Home Park: Two (2) space for each mobile home plus additional spaces as required herein for accessory uses.

(21) Mortuary or Funeral Home: One (1) parking space for each fifty (50) square feet of floor space in slumber rooms, parlors or individual funeral service rooms.

(22) Motel: One (1) parking space for each sleeping room or suite plus one (1) space for each two hundred (200) square feet of commercial floor area contained therein. Offices, lobby areas, bars, conference rooms, etc. shall be considered commercial floor area. See # 18 above for additional requirements.

(23) Motor-Vehicle Salesrooms and Car Lots: One (1) parking space for each five hundred (500) square feet of sales floor for indoor uses, or one (1) parking space for each one thousand (1,000) square feet of outdoor display area. See also, Rules for Computing Number of Parking Spaces, this section, for mixed used parking requirements.

(24) Multi-Family: two- one/half (2.5) spaces for each dwelling unit, plus one (1) additional space for each bedroom in the dwelling unit over three (3).
(25) Retail Store or Personal Service Establishment, Except as Otherwise Specified

<table>
<thead>
<tr>
<th>Leasable Area</th>
<th>Parking Spaces Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>0 - 2,499 Sq. Ft.</td>
<td>10 per 1,000 Sq. Ft.</td>
</tr>
<tr>
<td>2,500 - 9,999 Sq. Ft.</td>
<td>7.5 per 1,000 Sq. Ft.</td>
</tr>
<tr>
<td>10,000 - 599,999 Sq. Ft.</td>
<td>5.5 per 1,000 Sq. Ft.</td>
</tr>
<tr>
<td>600,000 Sq. Ft. &amp; Over</td>
<td>5.0 per 1,000 Sq. Ft.</td>
</tr>
</tbody>
</table>

(26) Restaurant, Cafe or Similar Recreation or Amusement Establishment: One (1) space for each 3 seats under maximum seating arrangement.

(27) Rooming or Boarding Houses: Two (2) parking space for each two (2) sleeping rooms.

(28) Sanitarium, Convalescent Home, Home for the Aged for Similar Institution: One (1) parking space for each three (3) beds.

(29) School, Elementary: One (1) parking space for each five (5) seats in the auditorium or main assembly room, or one (1) space for each classroom plus six (6) spaces, whichever is greater.

(25) School, Secondary and College:
   a. High Schools: One (1) space for each classroom, laboratory instruction area, plus one (1) space for each 3 students accommodated in the institution.
   b. College or adult education: One parking space for each one hundred twenty-five (125) square feet of classroom area plus parking space for all other listed use categories, i.e. office and storage areas.

(30) Shopping mall or center: One (1) space for each 250 square feet of total floor area.

(31) Single-Family Estate: Two (2) spaces for each dwelling unit.

(32) Single-Family: Two (2) spaces for each dwelling unit.

(33) Theater, Auditorium (except school), Sports Arena, Stadium or Gymnasium: One (1) parking space for each three (3) seats or bench seating spaces.

(34) Self-Storage Buildings and Facilities:
   a. Non-climate Controlled: Ten (10) foot parallel loading or unloading lanes shall be provided around all buildings. The loading or unloading lanes shall be in addition to any required fire lanes.
   b. Climate Controlled: One (1) parking space for each one thousand (1,000) square feet of storage area.

(35) Storage Rooms: One (1) parking space for each three hundred (300) square feet of storage room area.
Sec. 1-163. RULES FOR COMPUTING NUMBER OF PARKING SPACES

(a) "Floor area" shall mean the gross floor area of the specific use. Where fractional spaces result, the parking spaces required shall be constructed to the nearest whole number.

(b) The parking space requirement for a use not specifically mentioned herein shall be the same as required for a use of similar nature.

(c) Whenever a building or use constructed or established after the effective date of this ordinance is changed or enlarged in floor area, number of employees, number of dwellings units, seating capacity or otherwise, to create a need for an increase of ten (10) percent or more in the number of existing parking spaces, such spaces shall be provided on the basis of the enlargement or change. Whenever a building or use existing prior to the effective date of this ordinance is enlarged to the extent of fifty (50) percent or more in floor area or in the area used, said building or use shall then and thereafter comply with the parking requirements set forth herein.

(d) In the case of mixed uses, the parking spaces required shall equal the sum of the requirements of the various uses computed separately.

Sec. 1-164. LOCATION OF PARKING SPACES.

All parking spaces required herein shall be located on the same lot with the building or use served, except as follows:

(a) Where an increase in the number of spaces is required by a change or enlargement of use or where such spaces are provided collectively or used jointly by two (2) or more buildings or establishments, the required spaces may be located not to exceed five hundred (500) feet from any other non-residential building served.

(b) Not more than fifty (50) percent of the parking spaces required (1) theaters, bowling alleys, dance halls, night clubs, cafes or similar uses, and not more than eighty (80) percent of the parking for a church or school auditorium or similar uses may be provided and used jointly by (2) similar uses not normally open, used or operated during the same hours as those listed in (1); provided, however, that written agreement thereto is properly executed and filed as specified below.

(c) In any case where the required parking spaces are not located on the same lot with the building or use served, or where such spaces are collectively or jointly provided and used, a written agreement thereby assuring their retention for such purposes, shall be properly drawn and executed by the parties concerned and shall be filed with the site plan application.

Sec. 1-165. MINIMUM DIMENSIONS FOR OFF-STREET PARKING.

(a) The minimum dimensions for off-street parking shall be as follows:

(1) Ninety (90) Degree Angle Parking. Each parking space shall be not less than nine (9) feet wide or less than eighteen (18) feet in length. Maneuvering space shall be in

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### Table: FLOOR AREA vs. PARKING REQUIREMENT

<table>
<thead>
<tr>
<th>FLOOR AREA</th>
<th>PARKING REQUIREMENT</th>
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<tbody>
<tr>
<td>0 - 24,999 Sq. Ft.</td>
<td>1 per 1,000 Sq. Ft.</td>
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<tr>
<td>25,000 Sq. Ft. &amp; Over</td>
<td>1 per 2,000 Sq. Ft.</td>
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</tbody>
</table>

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2009 General Development Ordinance  
Pg 83 of 113
addition to parking space and shall be not less than twenty-four (24) feet perpendicular to the building or parking line.

(2) **Sixty (60) Degree Angle Parking:** Each parking space shall be not less than (9) feet wide perpendicular to the parking angle nor less than seventeen (17) feet in length when measured at right angles to the building or parking line. Maneuvering space shall be in addition to parking space and shall be not less than twenty (20) feet perpendicular to the building or parking line.

(3) **Forty-Five (45) Degree Angle Parking:** Each parking space shall be not less than nine (9) feet wide perpendicular to the parking angle nor less than sixteen (16) feet in length when measured at right angles to the building or parking line. Maneuvering space shall be in addition to parking space and shall be not less than eighteen (18) feet perpendicular to the building or parking line.

(4) **Parallel Parking:** Each parking space shall be not less than ten (10) feet wide nor less than twenty four (24) feet in length. Parallel parking will not be considered except when it can be situated in such a manner that persons entering and exiting vehicles will be out of the flow of traffic.

(b) When off-street parking facilities are located adjacent to a public alley, the width of said alley may be assumed to be a portion of the maneuvering space requirement. Where off-street parking facilities are provided in excess of the minimum amounts herein specified, or when off-street parking facilities are provided but not required by this ordinance, said off-street parking facilities shall comply with the minimum requirements for parking and maneuvering space herein specified.

**Sec. 1-166. OFF-STREET LOADING SPACE.**

(a) Every building or part thereof erected or occupied for retail business, service, manufacturing, storage, warehousing, hotel, mortuary, or any other use similarly involving the receipt or distribution by vehicles or materials or merchandise, shall provide and maintain on the same premises loading and parking space.

(b) For all industrial, warehouse and large retail (>50,000 sq. ft.) developments, one (1) loading space for each ten thousand (10,000) feet, or fraction thereof, of floor area in the building.

(c) For all commercial and institutional uses, one (1) loading space shall be provided for a building between five thousand (5,000) square feet to fifteen thousand (15,000) square feet of floor area, and one (1) additional loading space for each fifteen thousand (15,000) square feet, or fraction thereof, of floor area in excess of fifteen thousand (15,000) square feet. A loading space is not required for retail and service uses under five thousand (5,000) square feet.

(d) Each required loading space shall have a minimum size as described herein. A space within the main building or on the same lot therewith, providing for the standing, loading, or unloading of trucks, and having minimum dimensions of twelve (12) by eighty (80) feet for industrial, warehouse and large retail uses (>50,000 sq. ft.) and twelve (12) by forty (40) feet for commercial and institutional uses with a vertical clearance of at least fourteen (14) feet.

(e) Access and maneuvering areas shall be provided on the same building lot as the principal use for which the loading and parking is intended. Maneuvering space shall be in addition to parking space and shall be not less than one hundred (100) feet for industrial and warehouse uses and fifty (50) feet for commercial and institutional uses. The intended use of the building shall be considered and these requirements may be increased if in the opinion of the City of Keene the requirements stated above does not accomplish the intent of this section.
Sec. 1-167. HANDICAPPED PARKING REQUIREMENTS.

A. Definitions. For the purpose of this section, the following words and phrases shall have the meanings respectively ascribed to them:

1. Disabled person shall mean a person who is permanently or temporarily disabled within the meaning of Vernon's Ann. Civ. St. art 6675a-5e.1, and who has applied for and received a registration insignia or identification card from the state.

2. Identification card shall mean the identification card issued by the state to a temporary or permanently disabled person within the meaning of Vernon's Ann. Civ. St. art 6675a-53.1.

3. Registration insignia shall mean the specially designed symbol, tab or other device to be attached to the license plate of a vehicle, issued by the state to a permanently disabled person for purposes of Vernon's Ann. Civ. St. art. 6675a-5e.1.

B. Offense. A person commits an offense if the person:

1. Is neither a disabled person nor transporting a disabled person and stops, stands or parks a vehicle displaying a registration insignia or identification card in a parking space or area designated specifically for the disabled.

2. Stops, stands or parks a vehicle displaying neither a registration insignia nor an identification card in a parking space or area designated specifically for the disabled.

3. Stops, stands or parks a vehicle in such a manner that the vehicle blocks an access or curb ramp of any other architectural improvement designed to aid the disabled.

C. Designations of space. A person who owns or controls property used for parking may designate one (1) or more parking spaces or a parking area for the exclusive use of vehicles transporting disabled person in accordance with Vernon's Ann. Civ. St. art. 6675a-5e.1.

D. Certification. A person who designates a parking space or area for the exclusive use of vehicles transporting temporarily or permanently disabled person may apply to the police chief for certification that the parking spaces or area conforms to state requirements. For purpose of prosecution in the municipal court for violations of Vernon's Ann. Civ. St art 6675a-5e.1, and this section, the fact that the police chief has certified the parking space or areas as conforming to state requirements within two (2) years of the date of the alleged violation shall constitute prima facie proof that the parking spaces or area conform to state requirements on the date of the alleged violation. If the police chief determines that the parking space or area conforms to state requirements, he shall issue a letter of certification to the applicant. The certificate shall describe the parking area and indicate the fact and date of the police chief's determination. A copy of the letter shall be kept by the police chief and maintained on file for a period of two (2) years.

*State Law reference—Authority to regulated stopping, standing and parking, Vernon's Ann. St. art 6701d,~6701D,~27(a)(1); stopping, standing and parking generally, V.T.C.A., Transportation Code ~545.301 et seq.

E. Handicapped parking spaces.

1. In each parking facility zone, a portion of the total parking shall be specifically designed, located, and reserved for vehicles licensed by the State for use by the handicapped. All other requirements shall be established by the State or Federal authority having jurisdiction,
Total Parking Space in Lot          # Required Handicapped Spaces
Up to 25                            1
26-50                                2
51-75                                3
76-100                               4
101-150                              5
151-200                              6
201-300                              7
301-400                              8
401-500                              9
Over 500                             2% of total

2. Each parking space designed for use by the handicapped shall consist of a rectangular area not less that twelve and one-half (12 1/2) feet wide by eighteen (18) feet long, with a vertical clearance of seven and one-half (7 1/2) feet. Van parking space designed for use by the handicapped shall consist of a rectangular area with a minimum of eight (8) feet wide with an extra eight (8) feet wide for handicapped door opening.

3. Each designated handicapped parking space shall be located in an area not exceeding a two (2) percent slope, and shall be located near and convenient to a level or ramped entrance accessible to handicapped persons.

4. Parking spaces for the handicapped shall be marked in accordance with State Law and restricted for use by the Handicapped only.

5. Care in planning shall be exercised so that individuals in wheelchairs and individuals using braces and crutches are not compelled to wheel or walk behind parked cars.

Handicapped parking spaces and/or loading zones shall be provided by the building or facility owner, agent, or occupants. All other requirements shall be established by the State or Federal authority having jurisdiction.

Sec. 1-168. Recreational Vehicles

A. General Regulations.

1. **Definition:** The term "recreational vehicle" as used herein shall mean Class A, Class C, travel trailer, pick-up camper or coaches, motorized dwelling, tent trailer, or trailer for transporting recreational equipment.

2. Said vehicle shall not block any pedestrian walkway, fire hydrant or fire lane.

3. Said vehicle shall be for personal use only.

4. No recreational vehicles may be parked in an area or such a manner that any vegetation touches the frame of the vehicle.

B. Recreational Storage.

1. It shall be illegal for person or persons to park or to allow being parked on any property under his or her control any recreational vehicle on any portion of a front lawn of any area which is zoned a residential district or any premises which are used for one-family, two-family or multi-family dwelling purposes unless:

   a) said area is a part of a required driveway that provided access to a garage, carport or off-street parking area required by the zoning ordinance; or

   b) said area is part of a side yard or rear yard.
C. Recreational Parking.

1. No recreational vehicle shall be for living, sleeping, office or housekeeping purposes in any district except for the temporary housing of guests not to exceed more than fifteen (15) day per occurrence with no more than three (3) occurrences per twelve (12) months, with a fifteen (15) day interval between each occurrence.

2. No recreational vehicle may be parked on a public street or right-of-way continuously for more than twenty-four (24) hours, with twenty-four (24) hour intervals between each parking occurrence.

3. Class B campers are considered the same as vans, and are exempt from this ordinance.

4. Pop-up campers and boats with trailers, must be no closer than 7 feet from the street curb and must be parked on concrete pad or runners.

D. Recreational Vehicle Temporary Living.

1. The terms of this section shall not be construed to apply to the parking of vehicles in a front yard or side yard where such parking is permitted in conjunction with temporary special events open to the public which may be designed from time to time by the city council.

2. No generator usage between the hours of 7PM to 9AM with other times no more than 70dbL of noise is permitted.

Sec. 1-169 FIRE LANES.

When required, all fire lanes shall conform to the current or the latest edition of the International Fire Code and current City code.
APPENDIX 1

- TITLE BLOCK FOR PLATS & ENGINEERING SITE PLANS
- STAFF AND UTILITY COMPANY SIGNATURE BLOCKS FOR ENGINEERING SITE PLANS
- OWNER'S CERTIFICATE OF DEDICATION
- SIGNATURE BLOCKS FOR PRELIMINARY PLATS
- SIGNATURE BLOCKS FOR FINAL PLATS
TITLE BLOCKS FOR PLATS & ENGINEERING SITE PLANS

NOTE:

ITALICIZED WORDS INDICATE THAT THE APPROPRIATE INFORMATION SHALL BE INSERTED

FOR ALL FINAL PLATS/REPLATS THE TITLE BLOCK AND A 4" WIDE X 3" LONG WHITE SPACE (FOR COUNTY FILING PURPOSES) ARE TO BE LOCATED ON THE LOWER RIGHT-HAND CORNER OF THE SHEET.

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FINAL PLAT TITLE BLOCK

<table>
<thead>
<tr>
<th>FINAL OR PRELIMINARY PLAT</th>
</tr>
</thead>
<tbody>
<tr>
<td>NAME OF THE ADDITION</td>
</tr>
<tr>
<td>LIST OF ALL LOTS &amp; BLOCKS &amp; PHASES</td>
</tr>
<tr>
<td>TOTAL ACREAGE</td>
</tr>
<tr>
<td>ZONING</td>
</tr>
<tr>
<td>SURVEY ABSTRACT NUMBER(S)</td>
</tr>
</tbody>
</table>

REPLAT TITLE BLOCK

<table>
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<tbody>
<tr>
<td>NAME OF THE ADDITION</td>
</tr>
<tr>
<td>LIST OF ALL LOTS &amp; BLOCKS &amp; PHASES</td>
</tr>
<tr>
<td>TOTAL ACREAGE</td>
</tr>
<tr>
<td>ZONING</td>
</tr>
<tr>
<td>BEING A REPLAT OF</td>
</tr>
<tr>
<td>NAME OF THE ADDITION</td>
</tr>
<tr>
<td>LOT(S) &amp; BLOCK(S) &amp; PHASE(S)</td>
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<tr>
<td>FILING INFORMATION</td>
</tr>
<tr>
<td>SURVEY ABSTRACT NUMBER(S)</td>
</tr>
</tbody>
</table>
AMENDED FINAL PLAT TITLE BLOCK

AMENDED FINAL PLAT
This plat is amending ___________ Final Plat, which was filed on ___________ and can be found in Cabinet ___________ Page ___________ of the ___________ County Deed Records with the following changes:
1. ____________________________
2. ____________________________

NAME OF THE ADDITION
LIST OF ALL LOTS & BLOCKS & PHASES
TOTAL ACREAGE
ZONING
SURVEY ABSTRACT NUMBER(S)

ENGINEERING SITE PLAN TITLE BLOCK

ENGINEERING SITE PLAN FOR

NAME OF THE PROJECT
NAME OF THE ADDITION
LOT(S) & BLOCK(S) & PHASE(S)
TOTAL ACREAGE
ZONING

2009 General Development Ordinance
Pg 90 of 113
STAFF & UTILITY COMPANY SIGNATURE BLOCKS FOR ENGINEERING SITE PLANS

<table>
<thead>
<tr>
<th>CITY DEPARTMENT</th>
<th>DATE</th>
<th>SIGNATURE</th>
</tr>
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<tbody>
<tr>
<td>PLANNING &amp; ZONING</td>
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</tr>
<tr>
<td>BUILDING INSPECTION</td>
<td></td>
<td></td>
</tr>
<tr>
<td>FIRE PREVENTION</td>
<td></td>
<td></td>
</tr>
<tr>
<td>PARKS &amp; LEISURE</td>
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<td>PUBLIC WORKS</td>
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<table>
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<tr>
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<td>GAS</td>
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<tr>
<td>CABLE</td>
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<td></td>
</tr>
<tr>
<td>SOLID WASTE</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

* SIGNATURES NEEDED FOR APPLICABLE DEPARTMENTS AND COMPANIES ONLY.
OWNER'S CERTIFICATE OF DEDICATION

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:
THAT (OWNER NAME) THE UNDERSIGNED AUTHORITY, DO DOES HEREBY ADOPT THIS PLAT DESIGNATING THE HEREIN ABOVE DESCRIBED PROPERTY AS (NAME OF THE ADDITION, PHASE, LOT & BLOCK) AN ADDITION TO THE CITY OF KEENE, JOHNSON COUNTY, TEXAS, AND DOES HEREBY DEDICATE TO THE PUBLIC USE FOREVER THE STREETS AND ALLEYS SHOWN HEREOIN; AND DOES HEREBY DEDICATE THE EASEMENT STRIPS SHOWN ON THE PLAT FOR MUTUAL USE AND ACCOMMODATION OF THE CITY OF KEENE AND ALL PUBLIC UTILITIES DESIRING TO USE, OR USING SAME. NO BUILDINGS, FENCES, TREES, SHRUBS, SIGNS, OR OTHER IMPROVEMENTS SHALL BE CONSTRUCTED OR PLACED UPON, OVER, OR ACROSS THE EASEMENT STRIPS ON SAID PLAT. THE CITY OF KEENE AND ANY PUBLIC UTILITY SHALL HAVE THE RIGHT TO REMOVE AND KEEP REMOVED ALL OR PART OF ANY BUILDINGS, FENCES, TREES, SHRUBS, SIGNS, OR OTHER IMPROVEMENTS OR GROWTHS WHICH IN ANY WAY ENDANGER OR INTERFERE WITH THE CONSTRUCTION, MAINTENANCE, OR EFFICIENCY OF ITS RESPECTIVE SYSTEM ON ANY OF THESE EASEMENT STRIPS, AND THE CITY OF KEENE AND ANY PUBLIC UTILITY SHALL AT ALL TIMES HAVE THE RIGHT OF INGRESS AND EGRESS TO AND FROM AND UPON ANY OF SAID EASEMENT STRIPS FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTING, INSPECTING, PATROLLING, MAINTAINING, AND ADDING TO OR REMOVING ALL OR PART OF ITS RESPECTIVE SYSTEM WITHOUT THE NECESSITY AT ANY TIME OF PROCURING THE PERMISSION OF ANYONE. A BLANKET EASEMENT OF A FIVE (5) FOOT RADIUS FROM THE CENTER POINT OF ALL FIRE HYDRANTS AND A FIVE (5) FOOT RADIUS FROM THE CENTER POINT OF ALL OTHER APPURTEATANCES [FIRE HYDRANT VALVES, WATER METERS, METER BOXES, STREET LIGHTS] IS HEREBY GRANTED TO THE CITY OF KEENE FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTING, INSPECTING AND MAINTAINING THE ABOVE NAMED APPURTEATANCES.

WE DO FURTHER DEDICATE, SUBJECT TO THE EXCEPTIONS AND RESERVATIONS SET FORTH HEREAFTER, TO THE PUBLIC USE FOREVER, ALL PUBLIC USE SPACES SHOWN ON THE FACE OF THE PLAT.

ALL LOTS IN THE SUBDIVISION SHALL BE SOLD AND DEVELOPED SUBJECT TO THE BUILDING LINES SHOWN ON THE PLAT.

NOTE:
IF MORE THAN ONE OWNER, ALL WILL HAVE TO SIGN THE PLAT.
LIEN HOLDER SIGNATURE, IF ANY.
ALL SIGNATURES HAVE TO BE NOTARIZED.

2009 General Development Ordinance
Pg 92 of 113
SIGNATURE BLOCKS FOR PRELIMINARY PLATS

ONE OF THE FOLLOWING CERTIFICATES SHALL BE PLACED ON THE PRELIMINARY PLAT BY THE SUBDIVIDER:

(A) IF VARIANCES ARE REQUESTED:

LIST:  ALL VARIANCES REQUESTED

"Preliminary Plat for Review Purpose Only
Recommended for Approval"

Insert Name, Chairman, Planning & Zoning Commission
City of Keene, Texas

"Approved for Preparation of Final Plat"

Insert Name, Mayor, City of Keene, Texas

(B) IF NO VARIANCES ARE REQUESTED:

"No Variances from the General Development Ordinance Requested:
Approved for Preparation of Final Plat"

Insert Name, Chairman, Planning & Zoning Commission
City of Keene, Texas
SIGNATURE BLOCKS FOR FINAL PLATS

One of the following certificates shall be placed on the plat:

(A) IF VARIANCES OTHER THAN THOSE APPROVED BY CITY COUNCIL AT PRELIMINARY PLAT STAGE ARE REQUESTED:

LIST: VARIANCE(S) APPROVED WITH DATE(S)

NEW VARIANCE(S) REQUESTED

"Recommended for Approval

__________________________  __________________________
Insert Name, Chairman, Planning & Zoning Commission  Date
City of Keene, Texas

Approved and Accepted

__________________________  __________________________
Insert Name, Mayor, City of Keene, Texas  Date

(B) IF NO VARIANCES OTHER THAN THOSE APPROVED BY THE CITY COUNCIL AT PRELIMINARY PLAT STAGE ARE REQUESTED:

LIST: VARIANCE(S) APPROVED WITH DATE(S)

"All Variances (if any) from the General Development Ordinance Approved by City Council.

__________________________  __________________________
Insert Name, Chairman, Planning & Zoning Commission  Date
City of Keene, Texas

(C) IF PLAT MEETS THE REQUIREMENTS OF A MINOR PLAT:

CERTIFICATE OF APPROVAL BY THE CITY OF KEENE
This is to certify that the City Manager or designee of the City of Keene, Texas, have approved the (Name of the Addition, Phase, Lot & Block) as shown hereon.

IN TESTIMONY WHEREOF, witness the official signatures of the City Administrator/City Manager or designee of the City of Keene, Texas this day of , YEAR.

__________________________  __________________________
SIGNATURE  SIGNATURE

PUBLISHER
PLANNING & ZONING
ENGINEERING
BUILDING INSPECTION
FIRE PREVENTION

2009 General Development Ordinance
Pg 94 of 113
(D) SIGNATURE BLOCK FOR CITY SECRETARY - FOR (A) & (B) FINAL PLATS:

The undersigned, the City Secretary of the City of Keene, Texas, hereby certifies that the foregoing final plat of the (NAME OF ADDITION) Addition to the City of Keene was submitted to the appropriate Planning & Zoning Commission or City Council as required by the ordinances of the City of Keene on the ______ day of __________, YEAR, and such body by formal action, then and there accepted the dedication of streets, alleys, parks, easements, public places and water and sewer lines, as shown and set forth in and upon said plat, and said body further authorized the acceptance thereof by signing as hereinabove subscribed in the capacity stated.

Witness my hand this ______ day of ______, YEAR.

Insert Name, City Secretary
City of Keene, Texas

(E) SIGNATURE BLOCK FOR CITY SECRETARY - FOR (C) MINOR PLATS:

The undersigned, the City Secretary of the City of Keene, Texas, hereby certifies that the foregoing final plat of the (NAME OF ADDITION) Addition to the City of Keene was submitted to the Community Development review process and approved as a Minor Plat, meeting all the requirements of the General Development Ordinance as set forth by the ordinances of the City of Keene on the ______ day of __________, YEAR, and including acceptance of the dedication of streets, alleys, parks, easements, public places and water and sewer lines, as shown and set forth in and upon said plat, and further authorized the acceptance thereof by City staff, signing as hereinabove subscribed in the capacity stated in accordance with City ordinances.

Witness my hand this ______ day of ______, YEAR.

Insert Name, City Secretary
City of Keene, Texas

(F) INSERT FILING INFORMATION BLOCK ON ALL SHEETS OF PLATS TO BE FILED AT THE COUNTY:

FILED ___________________________

CAB._________ PG._________ P.R.D.C.T."
APPENDIX 2

- CERTIFICATE OF ABANDONMENT FORM
- CERTIFICATE OF CORRECTION FORM
- APPLICATION FOR FLOODPLAIN PERMIT
CERTIFICATE OF ABANDONMENT

STATE OF TEXAS
COUNTY OF JOHNSON

Whereas certain easement(s) was granted on the Final Plat of (NAME OF ADDITION) an addition to the City of Keene, Texas, according to the plat in Cabinet , Page in the plat records of Johnson County, Texas, or granted by separate instrument filed of record Volume , Page , and whereas such easement(s) is no longer necessary and the property is served with adequate easement(s), then;

This certificate is filed for the purpose of abandoning  

Owner, Insert Name  
Registered Surveyor, Insert Name  
Registration Number, Signed, Sealed & Dated

STATE OF TEXAS
COUNTY OF

BEFORE ME, the undersigned authority, on this day personally appeared, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed, in the capacity therein stated and as the act and deed of said corporation.

Given under my hand and seal of office on this the day of YEAR.

Notary Public, Insert Name  
Expiration Date

BEFORE ME, the undersigned authority, on this day personally appeared (enter SURVEY name), known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed, in the capacity therein stated and as the act and deed of said corporation.

Given under my hand and seal of office on this the day of YEAR.

Notary Public, Insert Name  
Expiration Date

Approved:  
Insert Name, Mayor  
City of Keene  
Date

Attested:  
Insert Name, City Secretary,  
City of Keene  
Date
CERTIFICATE OF CORRECTION

STATE OF TEXAS
COUNTY OF DENTON

On the Final Plat of (name of Addition), an addition to the City of Keene, Texas, according to the plat in Cabinet Page __________, in the plat records of Johnson County, Texas, hereby amends and corrects the plat as follows: This certificate is filed for the purpose of correcting

Owner, Name
Registered Surveyor, Name
Registration Number, Signed, Sealed & Dated

STATE OF TEXAS
COUNTY OF ________

BEFORE ME, the undersigned authority, on this day personally appeared (enter OWNER name) known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed, in the capacity therein stated and as the act and deed of said corporation.

Given under my hand and seal of office on this the ______ day of ______, _______ YEAR.

Notary Public, Name
Expiration Date

BEFORE ME, the undersigned authority, on this day personally appeared (enter SURVEYOR name) known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed, in the capacity therein stated and as the act and deed of said corporation.

Given under my hand and seal of office on this the ______ day of ______, _______ YEAR.

Notary Public, Insert Name
Expiration Date

Approved: __________________________
Insert NAME, Mayor
City of Keene

Attested: __________________________
Insert NAME, City Secretary,
City of Keene

Date

2009 General Development Ordinance
Pg 98 of 113
APPLICATION FOR FLOODPLAIN DEVELOPMENT PERMIT

<table>
<thead>
<tr>
<th>Name of Owner or Applicant</th>
<th>Telephone No.</th>
<th>Permit No.</th>
<th>Office Use Only</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Address of Owner</th>
<th>Nearest Stream</th>
<th>Location of Permit Area (Address of Legal Description)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Date</th>
<th>Permit No.</th>
<th>Office Use Only</th>
</tr>
</thead>
<tbody>
<tr>
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</tr>
</tbody>
</table>

PURPOSE OF REQUEST:  
- ☐ Excavation  
- ☐ Filling  
- ☐ Dredging or Mining  
- ☐ Utility Construction  
- ☐ Building Permit  
- ☐ Grading  
- ☐ Paving  
- ☐ Drilling Operations  
- ☐ Other

BRIEF DESCRIPTION OF PROSAL (Attach separate sheet if needed)

COMPLETE APPLICABLE QUESTIONS:
1. Total drainage area of watercourse __________ acres.  
2. Regularly flood elevation: __________  
   ☐ Not available.  
3. Has site previously flooded?  
   ☐ Yes  ☐ No
4. Is site subject to flooding?  
   ☐ Yes  ☐ No  ☐ Unknown
5. Is safe access available during times of flood?  
   ☐ Yes  ☐ No  ☐ Unknown
6. Is the proposal within the designated floodway?  
   ☐ Yes  ☐ No  ☐ Unknown
7. Have all necessary prior approval permits been obtained from Federal, State or Local Governmental Agencies?  
   ☐ None Required  
   ☐ Yes  ☐ No (If no explain. If yes, provide copies of approval letters or permits).

ATTACH THE FOLLOWING IF APPLICABLE:
1. Two (2) sets, scale drawings showing location, dimensions, elevations of existing and proposed topographic alterations, existing and proposed structures, location relative to floodplain area  
2. Extent to which watercourse or natural drainage will be altered or relocated  
3. Supporting hydraulic calculations, reports, etc., used as a basis for proposed improvements  
4. Lowest floor elevation (including basement) of all proposed structures  
5. Elevation to which any non-residential structure shall be flood proofed  
6. Certification by registered professional engineer or architect that flood proofing criteria are met as set forth in Floodplain Ordinance

DURING THE OCCURRENCE OF A 100 YEAR FREQUENCY FLOOD WILL THE PROPOSAL:

<table>
<thead>
<tr>
<th>YES</th>
<th>NO</th>
<th>INFO NOT AVAILABLE</th>
</tr>
</thead>
<tbody>
<tr>
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</tr>
</tbody>
</table>

Reduce capacity of channels/floodways/watercourse in floodplain area?  
Measurably increase flood flows/heights/damage on off-site properties?  
Individually or combined with other existing or anticipated development expose adjacent properties to adverse flood effects?  
Increase velocities/volumes of flood waters sufficiently to create significant erosion of floodplain soils on subject property or adjacent property upstream/downstream?  
Encroach on Floodway causing increased in flood levels?  
Provide compensatory storage for any measurable loss of flood storage capacity?

2009 General Development Ordinance  
Pg 99 of 113
FLOODPLAIN DEVELOPMENT PERMIT

The City of Keene’s Floodplain Permit Program is authorized by Article 3 Section C of City Ordinance Number 1330, adopted September 8, 1986. This Permit is required for all development taking place within the area of the 100-year floodplain (special flood hazard areas) as shown on the current Flood Insurance Rate Maps and Flood Boundary-Floodway Maps, published by the Federal Emergency Management Agency (FEMA). These maps are available for public inspection in the Engineering Division, 1197 W. Main Street, Keene, Texas.

Application is hereby made for a permit to authorize the activities described herein. I hereby certify that I am familiar with the information contained on this application and to the best of my knowledge such information is true and accurate. I further certify that I possess the authority to undertake the proposed activity. I understand that if my application is denied, I have sixty (60) days from the date of such denial to appeal the adverse action to the Appeal Board in accordance with Article 4 Section D.

Signature of Applicant or Authorized Agent

<table>
<thead>
<tr>
<th>FLOODPLAIN AREA DEFINED BY:</th>
<th>FEMA</th>
<th>COE</th>
<th>FLOOD STUDIES</th>
<th>HIGH WATER MARKS</th>
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<tbody>
<tr>
<td>OTHER</td>
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<td></td>
</tr>
<tr>
<td>FEMA INSURANCE ZONE</td>
<td>FEMA MAP NUMBER</td>
<td>FLOOD ELEVATION</td>
<td>GROUND ELEVATION</td>
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</tr>
<tr>
<td>FLOOD PLAIN STUDY</td>
<td>PLATE NUMBER</td>
<td>FLOOD ELEVATION</td>
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<td></td>
</tr>
</tbody>
</table>

CONDITIONS FOR APPROVAL OR REASON FOR DENIAL
AGREEMENT FOR PAYMENT OF CONSTRUCTION COST
AGREEMENT FOR PERFORMANCE ESCROW
FOR PUBLIC IMPROVEMENT CONSTRUCTION
STATE OF TEXAS
COUNTY OF JOHNSON

AGREEMENT FOR PAYMENT IN LIEU OF CONSTRUCTION

WHEREAS, (hereinafter called "Developer") is developing property in the City of Keene referred to as (hereinafter called Project); and

WHEREAS, the Keene Code of Ordinances requires the Developer to construct certain public improvements associated with the development of the Project; and

WHEREAS, the Developer desires to pay to the City the cost of said public improvements in lieu of actual construction;

NOW, THEREFORE, the Developer and City agree as follows:

1. The Developer will pay and the City will accept $ in lieu of construction of said public improvements as may be itemized in Attachment A.

2. Upon execution of this Agreement in duplicate and payment of the amount stipulated in (1) above, the Developer will have no further responsibility toward his obligation for said public improvements.

3. The "City" will complete said public improvements according to its own specifications and time schedule.

4. Regardless to the actual cost to complete the said public improvements, the City will not make any refund to the Developer or any other party.

5. Any amendment to this Agreement shall be in writing, signed by all parties hereto.

6. This Agreement is solely for the benefit of the parties hereto and shall not be construed to be for the benefit of any third party.
SIGNED this _____ day of ____________________________ (YEAR).

DEVELOPER:

By:

(Signature)

(Printed Name)

>Title)

(Company Name and Address)

SIGNED this _____ day of ____________________________ (YEAR).

THE CITY OF KEENE, TEXAS

By:

(Signature)

(Printed Name)

>Title)
STATE OF TEXAS  
COUNTY OF JOHNSON  

AGREEMENT FOR PERFORMANCE ESCROW FOR  
PUBLIC IMPROVEMENT CONSTRUCTION  

WHEREAS, ____________ (hereinafter called "Owner") is the owner of certain real property within the City of Keene, Texas, which property consists of Lot ____, Block ____, (NAME OF ADDITION), an addition to the City of Keene, Johnson County, Texas (the "Owner Property"); and  

WHEREAS, Owner plans to and is in the process of developing the Owner Property in accordance with Owner's plans and specifications and in compliance with the City of Keene, Texas code procedures and standards; and  

WHEREAS, the subdivision regulations of the City of Keene, Texas (the "City") require Owner to pay for sewer, water, and other Public Improvements (herein so called) the estimated costs of which are listed on Exhibit A to this Agreement, which attachment is made a part hereof for all purposes.  

WHEREAS, the subdivision regulations of the City require Owner to complete and obtain final City acceptance of said Public Improvements prior to issuance by the City of a building permit; however, if funds are escrowed to fully cover all costs of the Public Improvements, a building permit may be issued for the Owner Property prior to completion and final acceptance of the Public Improvements.  

NOW, THEREFORE, the parties hereto agree as follows:  

1. Owner shall perform the construction of, or enter into a contract for the construction of, said Public Improvements in accordance with the plans approved by the City and in accordance with the requirements of the City. Owner shall be responsible for preparation of all plans and specifications, inspections, payment and all other normal construction matters in compliance with the Code Standards of the City in connection with construction of the Public Improvements.  

2. Based upon current estimates from project builder of the cost of construction of the Public Improvements, and as reflected on Exhibit A, Owner shall deposit with City, prior to the date of issuance of any building permit for the construction of improvements on the Owner Property, as cash escrow in the amount of __________ one-hundredths dollars ($___.00) to assure performance and completion by Owner of the Public Improvements. The City shall have the right, but not the obligation, to deposit said funds in any investment account utilized by the City. Any interest earned on said escrowed funds shall be credited to the cash escrow account.  

3. In the event that Owner fails to complete construction of the Public Improvements, no Certificate of Occupancy shall be issued for the premises on the Owner Property until after such Public Improvements are finally completed. The City shall have the right, but not the obligation, to perform and complete the Public Improvements if Owner defaults in such performance, upon giving written notice thereof to Owner.  

4. In the event City elects to perform and complete such Public Improvements after Owner defaults, and is thereby required to administer all normal construction performance matters defaulted by Owner, City shall have the authority to access private property and to draw upon and pay from said escrow account, based upon the City Engineer's estimate of percentage of completion, such sums as may be necessary to pay for the completion of the construction and/or design of the Public Improvements. In such event, Owner shall have no claim or right to refund of any sums, including interest earned thereon, without regard to amounts determined by the City Engineer to be allocable for Owner's portion of the completion of construction and/or design of said Public Improvements.
AGREEMENT FOR PERFORMANCE ESCROW FOR 
PUBLIC IMPROVEMENT CONSTRUCTION

Page Two

5. If the Public Improvements, as prescribed in this Agreement, are completed, and City 
finally accepts same, the City shall refund to Owner all sums remaining on deposit in the escrow 
account, including interest earned thereon. Such refund shall be made within 30 days of completion 
and final City acceptance of the Public Improvements. Owner shall provide the City with Owner's tax 
identification number for reporting purposes of interest paid to the Internal Revenue Service.

6. The term of this Agreement shall commence on the date hereof and shall continue in 
full force and effect until all funds in the escrow account have been fully disbursed in accordance with 
the provisions hereof.

7. Any amendment to the terms of this Agreement shall be in writing and signed by all 
parties hereto.

8. This Agreement shall be governed by and construed in accordance with the laws of 
the 
State of Texas.

9. This Agreement is solely for the benefit of Owner and the City and is not intended to be 
nor shall it be construed to be for the benefit of any third party.

SIGNED this day of , YEAR.
OWNER:

By: ________________________
Title: ________________________

Tax Identification No.

SIGNED this day of , YEAR.
CITY:
THE CITY OF KEENE, TEXAS

By: ________________________
Title: ________________________

Finance Project Number: _____
### APPENDIX 4

#### FEES

Following is a summary of fee schedules for permits and requirements pertaining to the Keene Code of Ordinances. Additional fees may be required, in the course of development, at the time of applying for other city services. This list is for reference only. Please confirm fees with City staff. Items include and are not limited to:

**BUILDING AND CODE ENFORCEMENT:**

<table>
<thead>
<tr>
<th>Residential Construction:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>New Construction:</td>
<td></td>
</tr>
<tr>
<td>0-500 sq ft</td>
<td>$415.00</td>
</tr>
<tr>
<td>501-1000 sq ft</td>
<td>$540.00</td>
</tr>
<tr>
<td>1001-1500 sq ft</td>
<td>$860.00</td>
</tr>
<tr>
<td>1501-2000 sq ft</td>
<td>$1120.00</td>
</tr>
<tr>
<td>2001-2500 sq ft</td>
<td>$1340.00</td>
</tr>
<tr>
<td>2501-3000 sq ft</td>
<td>$1560.00</td>
</tr>
<tr>
<td>3001+ sq ft</td>
<td>$2380.00+ $300 per 500 sq ft over 3001 sq ft</td>
</tr>
</tbody>
</table>

| Remodel                   | $75.00 |
| Add-on                    | SAME fees as New Construction |

**Commercial Construction: (except apartment and shell buildings)**

<table>
<thead>
<tr>
<th>New Construction:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>0-500 sq ft</td>
<td>$500.00</td>
</tr>
<tr>
<td>501-1000 sq ft</td>
<td>$600.00</td>
</tr>
<tr>
<td>1001-2500 sq ft</td>
<td>$985.00</td>
</tr>
<tr>
<td>2501-8500 sq ft</td>
<td>$50.00 + $0.64 sq ft</td>
</tr>
<tr>
<td>8501-50,000 sq ft</td>
<td>$3450.00 + $0.24 sq ft</td>
</tr>
<tr>
<td>50,001-100,000 sq ft</td>
<td>$9450.00 + $0.12 sq ft</td>
</tr>
<tr>
<td>100,001-500,000 sq ft</td>
<td>$13,450.00 + $0.04 sq ft</td>
</tr>
<tr>
<td>500,001 or more sq ft</td>
<td>$33,450.00 + $0.04 sq ft</td>
</tr>
</tbody>
</table>

| Remodel                   | $150.00 + $0.13 sq ft |
| Add-On                    | $550.00 + $0.13 sq ft |

| SAME as New Construction  |  |

**Accessory Building:**

| Detached buildings other than Residential under 450 sq. ft. | $50.00 |
| Accessory building w/out elect or plumbing                | $35.00 |
| Accessory building with elect or plumbing                 | Accessory building fee + electrical or Plumbing permit fee as applicable |

| Shell buildings, temporary building, construction yards, and field offices: |  |
| Completion of Structure                                      | ½ the rate of Commercial Construction |
| Interior Completion                                          | ½ the rate of Commercial Construction |

**Apartment Construction:**

| 0=50,000 sq ft | $0.165 sq ft |

2009 General Development Ordinance
Pg 106 of 113
<table>
<thead>
<tr>
<th>Description</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>50,001 + sq ft</td>
<td>$1,000.00 + $0.155 sq ft</td>
</tr>
<tr>
<td><strong>Permits/Inspections:</strong></td>
<td></td>
</tr>
<tr>
<td>Electrical Permit</td>
<td>$35.00 each inspection</td>
</tr>
<tr>
<td>Mechanical Permit</td>
<td>$35.00 each inspection</td>
</tr>
<tr>
<td>Plumbing Permit</td>
<td>$35.00 each inspection</td>
</tr>
<tr>
<td>Reinspection</td>
<td>$60.00</td>
</tr>
<tr>
<td>Extra Inspection</td>
<td>$35.00</td>
</tr>
<tr>
<td>After Hours Inspection</td>
<td>$55.00 an hour (1 hour minimum)</td>
</tr>
<tr>
<td>Miscellaneous Inspection</td>
<td>$20.00</td>
</tr>
<tr>
<td>Trailer Hookup/Electric</td>
<td>$55.00</td>
</tr>
<tr>
<td>Trailer Hookup/Electric &amp; Gas</td>
<td>$55.00</td>
</tr>
<tr>
<td>Moving House/Building Permit</td>
<td>$100.00</td>
</tr>
<tr>
<td>Demolition Permit-Residential</td>
<td>$50.00</td>
</tr>
<tr>
<td>Demolition Permit-Commercial</td>
<td>$100.00</td>
</tr>
<tr>
<td>In-Ground Pool</td>
<td>$120.00 (Not inflatable pool)</td>
</tr>
<tr>
<td>Above Ground Pool</td>
<td>$57.50 (Not Inflatable pool)</td>
</tr>
<tr>
<td>Storage Building over 200 sq ft</td>
<td>$50.00 + inspection</td>
</tr>
<tr>
<td>Fence (New)</td>
<td>$35.00</td>
</tr>
<tr>
<td>Carport/Awning</td>
<td>$35.00</td>
</tr>
<tr>
<td>Drive Approach/Curb cuts/Paving</td>
<td>$50.00</td>
</tr>
<tr>
<td>Water Wells</td>
<td>$75.00</td>
</tr>
<tr>
<td><strong>Mechanical Permits:</strong></td>
<td></td>
</tr>
<tr>
<td>Residential New Construction (per Sq Ft)</td>
<td>$0.04</td>
</tr>
<tr>
<td>Alteration or repair of residential</td>
<td>$30.00 per unit</td>
</tr>
<tr>
<td>Apartment New Construction Cost per unit</td>
<td></td>
</tr>
<tr>
<td>Inside/outside</td>
<td>$25.00</td>
</tr>
<tr>
<td>Commercial New Construction (per sq ft)</td>
<td>$0.06</td>
</tr>
<tr>
<td>Exhaust Fans</td>
<td>$20.00</td>
</tr>
<tr>
<td>Vent Hoods</td>
<td>$25.00</td>
</tr>
<tr>
<td>Filtration Systems (beauty salon)</td>
<td>$35.00</td>
</tr>
<tr>
<td>Work in progress without securing Permits</td>
<td></td>
</tr>
<tr>
<td>Double permit fee (Minimum)</td>
<td>$50.00</td>
</tr>
<tr>
<td><strong>Mechanical:</strong></td>
<td></td>
</tr>
<tr>
<td>A/C (3 ½ ton or less)</td>
<td>$13.00 per unit</td>
</tr>
<tr>
<td>A/C (4-7 ton)</td>
<td>$24.00 per unit</td>
</tr>
<tr>
<td>A/C (over 7 ton)</td>
<td>$33.25 per unit</td>
</tr>
<tr>
<td>Boiler (100,000 BTU)</td>
<td>$24.25 per unit</td>
</tr>
<tr>
<td>Boiler (500,000 BTU)</td>
<td>$33.25 per unit</td>
</tr>
<tr>
<td>Boiler (1,000,000 – 1,750,000 BTU)</td>
<td>$49.50 per unit</td>
</tr>
<tr>
<td>Boiler (Over 1,750,000 BTU)</td>
<td>$82.75 per unit</td>
</tr>
<tr>
<td>Evaporative Cooler</td>
<td>$9.50</td>
</tr>
<tr>
<td>Heat (3 ½ ton or less)</td>
<td>$13.00 per unit</td>
</tr>
<tr>
<td>Heat (4-7 tons)</td>
<td>$24.25 per unit</td>
</tr>
<tr>
<td>Heat (over 7 tons)</td>
<td>$33.25 per unit</td>
</tr>
<tr>
<td>Vent fans (restrooms)</td>
<td>$6.50 per unit</td>
</tr>
<tr>
<td>Vent hood (Restaurant)</td>
<td>$9.50 per unit</td>
</tr>
</tbody>
</table>
## Oil and Gas Permits:

- Retaining Wall: $35.00
- Structure Repair to slab foundation: $35.00
- Temporary Construction Office (per year): $100.00
- Temporary Real Estates Sales Office (per year): $100.00

## Electrical Permits:

### Residential New Construction:
- Total living area of construction:
  - 0-500 sq ft: $40.00
  - After 500 sq ft: $40.00 + $0.06 sq ft

### Commercial New Construction:
- 0-1000 sq ft: $35.00 + $0.07 sq ft
  - 1001-10,000 sq ft: $45.00 + $0.05 sq ft
  - 10,001-50,000 sq ft: $80.00 + $0.04 sq ft
  - 50,001 sq ft or more: $375.00 + $0.035 sq ft

### Residential/Commercial Add-on or Remodel:
- Each outlet: $2.00
- Services per amp: $0.15
- Feeders per amp: $0.15
- Branch Circuits each: $4.00

### Miscellaneous:
- Temporary Pole: $25.00
- Temporary Power on: $25.00
- Work in Progress without securing:
  - Permits - Double permit fee (Minimum): $50.00

### Electrical:

- Carnival/Circus Generators: $22.00 each
- Commercial Appliances (1-10): $11.00 each
- Commercial Appliances (11-50): $22.00 each
- Commercial Appliances (51-100): $44.25 each
- Commercial Appliances (over 101): $66.50 each
- Commercial Appliances (up to 1 HP): $4.25 each
- Light fixtures (first 20): $1.00 each
- Light fixtures (over 20): $0.65 each
- New Multi-family (per sq ft): $0.05 sq ft
- New Residential & Rewire (per sq ft): $0.05 sq ft
- Residential Appliances: $4.25 each
- S/C (200-1000 AMPS): $55.50 each box
- S/C (not over 200 AMPs): $27.25 each box
- S/C (over 1000 AMPs): $111.00 each box
- Swimming Pool: $44.25
- Switches/Outlets (first 20): $1.00 each
- Switches/Outlets (over 20): $0.65 each
- Temporary Pole: $22.00 flat rate

---

2009 General Development Ordinance
Pg 108 of 113
Plumbing Permits:

Residential New Construction

<table>
<thead>
<tr>
<th>Item</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Bath</td>
<td>$110.00</td>
</tr>
<tr>
<td>2 Bath</td>
<td>$140.00</td>
</tr>
<tr>
<td>3 Bath</td>
<td>$165.00</td>
</tr>
<tr>
<td>4 Bath</td>
<td>$180.00</td>
</tr>
<tr>
<td>Water Heater</td>
<td>$20.00</td>
</tr>
<tr>
<td>Yard Service</td>
<td>$20.00</td>
</tr>
<tr>
<td>Replace water/sewer lines</td>
<td>$40.00</td>
</tr>
<tr>
<td>Mobile Home Space (each)</td>
<td>$30.00</td>
</tr>
<tr>
<td>Recreational Vehicle Space (each)</td>
<td>$30.00</td>
</tr>
<tr>
<td>Work in Progress without securing Permits-</td>
<td>$50.00</td>
</tr>
<tr>
<td>Double permit fee (Minimum)</td>
<td></td>
</tr>
</tbody>
</table>

Commercial:

<table>
<thead>
<tr>
<th>Item</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Backflow (1-5 (0-2&quot;)</td>
<td>$20.00</td>
</tr>
<tr>
<td>Backflow over 2&quot;</td>
<td>$50.00</td>
</tr>
<tr>
<td>Grease traps, collection systems sand, etc.</td>
<td>$200.00</td>
</tr>
<tr>
<td>Floor drains</td>
<td>$20.00</td>
</tr>
<tr>
<td>Utility sinks</td>
<td>$20.00</td>
</tr>
<tr>
<td>Appliances</td>
<td>$20.00</td>
</tr>
</tbody>
</table>

Plumbing:

<table>
<thead>
<tr>
<th>Item</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Backflow 1-5 (0-2&quot;)</td>
<td>$11.00 flat rate</td>
</tr>
<tr>
<td>Backflow (over 2&quot;)</td>
<td>$22.00 flat rate</td>
</tr>
<tr>
<td>Backflow over 5 (0-2&quot;)</td>
<td>$2.00 each</td>
</tr>
<tr>
<td>Bath Tub</td>
<td>$8.75 each</td>
</tr>
<tr>
<td>Condensate Drain</td>
<td>$8.75 each</td>
</tr>
<tr>
<td>Dishwasher</td>
<td>$8.75 each</td>
</tr>
<tr>
<td>Drinking Fountain</td>
<td>$8.75 each</td>
</tr>
<tr>
<td>Floor Drain</td>
<td>$8.75 each</td>
</tr>
<tr>
<td>Gas Piping System</td>
<td>$5.50 each</td>
</tr>
<tr>
<td>Grease Traps, Sand, Etc.</td>
<td>$200.00 each</td>
</tr>
<tr>
<td>Kitchen Sink</td>
<td>$8.75 each</td>
</tr>
<tr>
<td>Lavatory</td>
<td>$8.75 each</td>
</tr>
<tr>
<td>Sewer/Water</td>
<td>$22.00 flat rate</td>
</tr>
<tr>
<td>Shower Bath</td>
<td>$8.75 each</td>
</tr>
<tr>
<td>Sprinkler System</td>
<td>$13.25 flat rate</td>
</tr>
<tr>
<td>Urinal</td>
<td>$8.75 each</td>
</tr>
<tr>
<td>Utility Sink</td>
<td>$8.75 each</td>
</tr>
<tr>
<td>Washing Machine</td>
<td>$8.75 each</td>
</tr>
<tr>
<td>Water Closet</td>
<td>$8.75 each</td>
</tr>
<tr>
<td>Water Heater</td>
<td>$11.00 each</td>
</tr>
</tbody>
</table>

Miscellaneous:

<table>
<thead>
<tr>
<th>Item</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tall Grass Citation</td>
<td>$116.00 (minimum)</td>
</tr>
<tr>
<td>Tree Limbs Citation</td>
<td>$116.00 (minimum)</td>
</tr>
<tr>
<td>Hedges, Plants &amp; Shrubs Citation</td>
<td>$116.00 (minimum)</td>
</tr>
<tr>
<td>Mowing Leins</td>
<td>$Cost of mowing service,</td>
</tr>
</tbody>
</table>
administration fees, 10% interest.

**PLANNING AND ZONING.**

<table>
<thead>
<tr>
<th>Service</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rezoning</td>
<td>$275.00</td>
</tr>
<tr>
<td>Preliminary Plat</td>
<td>$250.00 + $5.00/lot over 10</td>
</tr>
<tr>
<td>Final Plat</td>
<td>$250.00 + $5.00/lot over 10</td>
</tr>
<tr>
<td>Replat</td>
<td>$300.00</td>
</tr>
<tr>
<td>Variance</td>
<td>$225.00</td>
</tr>
<tr>
<td>Special Use Permits</td>
<td>$275.00</td>
</tr>
<tr>
<td>County Filing Fee for Mylar</td>
<td>Current filing fees at the county</td>
</tr>
</tbody>
</table>

**Zoning Changes Fees:**

No permit, certificate, special exception, or variance shall be issued unless and until such costs, charges, fees, or expenses have been paid in full nor shall any action be taken on proceedings before the Board of Adjustment unless or until all charges and fees have been paid in full.

The filing, processing and review fee for rezoning each single or contiguous pieces of property is:

**Acre of Application:**

<table>
<thead>
<tr>
<th>Acre Range</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>0 acres to .99 acres</td>
<td>$750.00</td>
</tr>
<tr>
<td>1.00 acres to 9.99 acres</td>
<td>$775.00</td>
</tr>
<tr>
<td>10.00 acres to 24.99 acres</td>
<td>$800.00</td>
</tr>
<tr>
<td>25.00 acres to 39.00 acres</td>
<td>$825.00</td>
</tr>
<tr>
<td>40.00 acres to 74.99 acres</td>
<td>$850.00</td>
</tr>
<tr>
<td>75.00 acres to 149.99 acres</td>
<td>$875.00</td>
</tr>
<tr>
<td>150.00 acres to 199.99 acres</td>
<td>$900.00</td>
</tr>
<tr>
<td>200.00 acres to 249.99 acres</td>
<td>$925.00</td>
</tr>
<tr>
<td>250.00 acres to 299.99 acres</td>
<td>$950.00</td>
</tr>
<tr>
<td>300.00 acres or more</td>
<td>$975.00 + $3.25 per acre over 300 acres</td>
</tr>
</tbody>
</table>

**Vacation of Right-of-Way:**

<table>
<thead>
<tr>
<th>Type</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vacation of easement</td>
<td>$100.00</td>
</tr>
<tr>
<td>Vacation of Street or Alley</td>
<td>$100.00</td>
</tr>
</tbody>
</table>

**COMMERCIAL SITE PLAN DEVELOPMENT AND SUBDIVISIONS:**

<table>
<thead>
<tr>
<th>Review</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Review by Building Official</td>
<td>$200.00</td>
</tr>
<tr>
<td>Review by Public Works Director</td>
<td>$200.00</td>
</tr>
<tr>
<td>Review by Fire Marshall</td>
<td>$200.00</td>
</tr>
<tr>
<td>Review by City Engineer</td>
<td>Engineer's fee per hour</td>
</tr>
<tr>
<td>Additional Plan review required by changes</td>
<td>$55.00</td>
</tr>
<tr>
<td>Additions, revisions to approved plans</td>
<td>$55.00</td>
</tr>
</tbody>
</table>
WATER AND WASTEWATER:

Water Tap Fees:

<table>
<thead>
<tr>
<th>Tap Size</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>3/4&quot; tap</td>
<td>$1000.00</td>
</tr>
<tr>
<td>1&quot; tap</td>
<td>$1200.00</td>
</tr>
<tr>
<td>1 1/2&quot; tap</td>
<td>$1500.00</td>
</tr>
<tr>
<td>2&quot; tap</td>
<td>$1750.00 + job cost</td>
</tr>
<tr>
<td>3&quot; tap</td>
<td>$1750.00 + job cost</td>
</tr>
<tr>
<td>4&quot; tap</td>
<td>$2000.00 + job cost</td>
</tr>
<tr>
<td>6&quot; tap</td>
<td>$2500.00 + job cost</td>
</tr>
</tbody>
</table>

Water Street Cut:

<table>
<thead>
<tr>
<th>Service</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Street Cut</td>
<td>$600.00</td>
</tr>
<tr>
<td>Street Bore</td>
<td>$600.00</td>
</tr>
</tbody>
</table>

Install Water Meter Box/Set:

<table>
<thead>
<tr>
<th>Size</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>3/4&quot; to 1&quot;</td>
<td>$95.00 box</td>
</tr>
<tr>
<td>3/4&quot; to 1&quot;</td>
<td>$50.00 set</td>
</tr>
<tr>
<td>1 1/2&quot; - 2&quot;</td>
<td>$250.00 box</td>
</tr>
<tr>
<td>1 1/2&quot; - 2&quot;</td>
<td>$75.00 set</td>
</tr>
</tbody>
</table>

Install Fire Hydrant

<table>
<thead>
<tr>
<th>Service</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>$2500.00 + job cost</td>
<td></td>
</tr>
</tbody>
</table>

Sewer Tap Fees:

<table>
<thead>
<tr>
<th>Tap Size</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>4&quot; tap</td>
<td>$750.00</td>
</tr>
<tr>
<td>6&quot; tap</td>
<td>$100.00 + job cost</td>
</tr>
<tr>
<td>8&quot; tap</td>
<td>$1500.00 + job cost</td>
</tr>
</tbody>
</table>

Sewer Street Cut:

<table>
<thead>
<tr>
<th>Service</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Street Cut</td>
<td>$600.00</td>
</tr>
<tr>
<td>Street Bore</td>
<td>$600.00</td>
</tr>
</tbody>
</table>

IF APPLICABLE: A surcharge will be added to the Sewer Tap Fee as follows:

North of Pioneer Drive

<table>
<thead>
<tr>
<th>Service</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>$250.00</td>
<td></td>
</tr>
</tbody>
</table>

Garbage Bags

<table>
<thead>
<tr>
<th>Service</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Per Box</td>
<td>$6.51 + tax</td>
</tr>
</tbody>
</table>

UTILITY BILLING:

Security Deposits

<table>
<thead>
<tr>
<th>Type</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td>$100.00</td>
</tr>
<tr>
<td>Commercial</td>
<td>$100.00</td>
</tr>
<tr>
<td>Fire Hydrant Meter</td>
<td>$1000.00</td>
</tr>
</tbody>
</table>

(Customers who appear on the "CUT-OFF LIST" more than three (3) times in a twelve (12) month period, will be charged an additional deposit up to a total of 1/6 of the cumulative amount of the previous twelve (12) months billing for water and sewer usage, if water is cut-off.)

2009 General Development Ordinance
Pg 111 of 113
### Miscellaneous Charges:

<table>
<thead>
<tr>
<th>Service Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Penalty Amount for Late Bills</td>
<td>$ 10% excluding tax</td>
</tr>
<tr>
<td>Reconnection Fee</td>
<td>$ 25.00</td>
</tr>
<tr>
<td>Reconnection Fee after 5:00 p.m.-</td>
<td></td>
</tr>
<tr>
<td>-Weekends &amp; Holidays</td>
<td>$ 50.00</td>
</tr>
<tr>
<td>Reinstall Pulled Meter</td>
<td>$ 30.00</td>
</tr>
<tr>
<td>Meter turned on without payment</td>
<td>$ 40.00</td>
</tr>
<tr>
<td>Bypassing System</td>
<td>$ 500.00</td>
</tr>
<tr>
<td>Transfer Fee</td>
<td>$ 10.00</td>
</tr>
<tr>
<td>Re-read Fee</td>
<td>$ 5.00</td>
</tr>
</tbody>
</table>

### ADMINISTRATION:

- Master Electrician’s License: $ 100.00
- Mechanical License: $ 100.00
- Plumbing License: $ 100.00
- Irrigators License: $ 100.00
- General Contractor License: $ 100.00
- Roofing License: $ 100.00
- Concrete Contractors License: $ 100.00
- Backflow Tester License: $ 100.00
- Maps: $ 10.00
- Notary Fee: $ 5.00
- Return Check Fee: $ 25.00
- Garage Sale Permit: $ 5.00 (add. Signs $ 1.00-limit 2)
- Certificate of Occupancy: $ 57.50

Where the structure must be examined and/or a structural analysis made to determine the suitability of the existing structure for the proposed occupancy, such examination or analysis must be done by a Registered Architect or Engineer selected and paid for by the applicant for Certificate of Occupancy.

- Application Fee for Abandonment's: $150.00
- Board of Adjustment (Each Request): $225.00
- Development and Construction Variance Fee: $250.00
- Driveway Permit:
  - State Permits: $50.00
- General Development Ordinance Book: $25.00
This Ordinance shall be in full force and effect from and after its passage and publication as required by law, or on October 22, 2009, whichever is later, and it is so ordained.

PASSED AND APPROVED this the 22nd day of October, 2009.

CITY OF KEENE

BY: 
Roy W. Robinson, Mayor

ATTEST: 
Keesha Lay, City Secretary
ORDINANCE NO. 2011-430

AN ORDINANCE AMENDING CHAPTER 21, SECTION 66, ARTICLE IV, OF THE KEENE CODE OF ORDINANCES, "STOPPING, STANDING, AND PARKING", CONTAINING A SAVINGS CLAUSE; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; BY REVISING THE ORDINANCE AND DECLARING ANY VIOLATION A MISDEMEANOR AND PROVIDING FOR A FINE NOT EXCEEDING $200.00, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Keene, Texas is a Home Rule City chartered under the laws of the State of Texas and Article XI, Section 5, of the Texas Constitution, acting by and through its duly elected council members; and

WHEREAS, the City of Keene has heretofore adopted the Stopping, Standing and Parking Ordinance codified in Chapter 21 of the Keene Code of Ordinances, as amended; and

WHEREAS, the City Council of the City of Keene does hereby deem it advisable and necessary to amend the Stopping, Standing and Parking, ordinance authorizing and ratifying establishment the ordinance within the corporate limits of the City of Keene, Texas;

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

21.65 DEFINITIONS

For the purpose of this title, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ALLEY: Any roadway set apart for public travel, but not named on the official map as a street.

AUTHORIZED EMERGENCY VEHICLE: A fire or police vehicle, or a public or private ambulance.

BICYCLE: A device that a person may ride and that is propelled by human power and has two tandem wheels.

BUSINESS DISTRICT: The territory contiguous to and including a roadway when, within any 600 feet along such roadway, there are buildings in use for business or industrial purposes which occupy 300 feet of frontage on one side or 300 feet collectively on both sides of the roadway.

CROSSWALK: That part of a roadway at an intersection included within the connections of the lateral lines of the sidewalks on opposite sides of the highway measured from the curbs, or in the absence of curbs, from the edges of the traversable roadway. The word "crosswalk" also includes any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or other markings on the surface.
DESIGNATED BICYCLE CORRIDOR: Any public right-of-way within the corporate limits of the City designated to accommodate self-propelled vehicles; this includes 3-wheel bikes used by handicapped persons.

DISABLED PERSON: Disabled person shall mean a person who is permanently or temporarily disabled, and who has applied for and received a registration insignia or identification card from the State (From Keene Handicapped parking (Sec 21-67) p.1204 of Keene code book)

(a) IDENTIFICATON CARD shall mean the identification card issued by the State to a temporarily disabled person.

(b) Shall mean the specially designed symbol, tag, or other device issued by the State to a permanently disabled person.

EMERGENCY ZONE: Any place having been declared as an emergency zone by the Police Department and having been painted red or yellow along the curb of such emergency zone, or designated by official tape barriers.

FREIGHT CURB LOADING ZONE: A space adjacent to a curb for the exclusive use of vehicles during the loading or unloading of freight or passengers.

HAND SIGNALS: All signals made by the operator by use of the hand and forearm for the purpose of indicating his intention of turning, stopping, or changing the course of the vehicle.

HAZARDOUS MATERIAL: A substance or material in a quantity and form which may pose an unreasonable risk to health and safety of property. Hazardous material may include products which are described as explosive, radioactive, etiologic agents, flammable or combustible liquids or solids, oxidizing or corrosive and compressed gases.

INTERSECTION: The area embraced within the prolongation or connection of the lateral curb lines or, if none, when the lateral boundary lines of the roadways of two highways which join one another at or approximately at right angles, or the area within which vehicles traveling upon different highways joining at any other angle may come in conflict. Where a highway includes two roadways 30 feet or more apart, then every crossing of each roadway of such divided highway by an intersecting highway shall be regarded as a separate intersection. In the event such intersecting highway also includes two roadways 30 feet or more apart, then every crossing of two roadways of such highways shall be regarded as a separate intersection.

JUNK VEHICLE:

See Nuisances Ordinance No. 2011-411

LOADING ZONE: A space or section of the curb and adjacent street set aside for exclusive use of loading or unloading of persons, merchandise, supplies and materials.

OPERATOR OR DRIVER: Any individual who shall operate a vehicle as an owner thereof or as the agent, employee, or permittee of the owner.

PARK or PARKING: The standing of a vehicle, whether or not occupied, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading passengers or merchandise.

PASSENGER CURB LOADING ZONE: A place adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers.

PEDESTRIAN: Any person afoot.

POLICE OFFICER: Every officer of the Police Department of the city or any officer authorized to direct or regulate traffic or to make arrests for violations of traffic regulations.

RIGHT-OF-WAY: The privilege of the immediate use of the street or highway.

ROADWAY: That portion of a street or highway improved, designed, or ordinarily used for vehicular travel. In the event a highway includes two or more separate roadways, the term "roadway" shall refer to any such roadway separately but not to all such roadways collectively.

SIDEWALK: That portion of a street between the curb lines, or the lateral lines of a roadway, and adjacent property lines intended for the use of pedestrians.

STREET or HIGHWAY: The entire width between the boundary lines of every public way maintained when any part thereof is open to the use of the public for purposes of vehicular travel.

STREET: Any public street or avenue located in the city and established for the use of vehicles.

TRAFFIC: Pedestrians, ridden or herded animals, vehicles, and other conveyances, either singly or together, while using any street for purposes of travel.

TRAFFIC-CONTROL SIGNAL: Any device, whether manually, electrically, or mechanically operated, by which traffic is alternately directed to stop or to proceed.

VEHICLE: Any device in, upon, or by which any person or property is or may be transported upon a street or highway

(a) COMMERCIAL MOTOR VEHICLE means as motor vehicle or combination or motor vehicles used to transport passengers or property that:
(1) Has a gross combined weight rating of 26,001 or more pounds, including a towed unit with a gross vehicle weight rating of more than 10,000 pounds.

(2) Has a gross vehicle weight rating of 26,001 or more pounds;

(3) Is designed to transport 16 or more passengers, including the driver;

(4) Is transporting hazardous materials and is required to be placarded under 49 C.F.R. Part 172, Subpart F.

(b) **RECREATIONAL VEHICLE:** Any vehicular-type portable structure without permanent foundation, which can be towed, hauled, or driven and which is primarily designed to serve as temporary living accommodations for recreational, camping, or travel use, including watercraft, but not limited to travel trailers, converted buses, and self-propelled motor homes. This definition does not include pickup trucks equipped with bed caps or vans that have a manufacturer's rated carrying capacity of one (1) ton or less. The term "recreational vehicle" as used herein shall mean Class A, Class C, travel trailer, Pick-up camper or coaches, motorized dwellings, tent trailer, or trailer for transporting recreational equipment including watercraft.

(c) **ROAD TRACTOR:** Every motor vehicle designed or used for drawing other vehicles or loads and not so constructed as to carry a load independently or any part of the weight of the drawn load or vehicle.

(d) **SEMI-TRAILER:** A vehicle of the trailer type so designed or used in conjunction with a motor vehicle that some part of its own weight and that of its load rests upon or is carried by another vehicle. Note: this definition does not cover tandem trailers.
§ General Provisions

21.69 Limitations of stopping or parking

21.70 Parking restricted to allow space for movement of traffic

21.71 Restrictions and prohibitions on designated streets; overtime parking

21.72 Manner of parking

21.73 Parking or standing in alleys

21.74 Overnight parking

21.75 Leaving vehicle unattended

21.76 Loading and unloading; special permits

21.77 Parking certain vehicles, trailers, and mobile homes within zoning districts and on city owned property

21.78 Prohibiting parking of unregistered, uninspected, or disabled vehicle on public streets for more than 48 hours

21.79 Display for sale or washing parked vehicle on roadway prohibited

21.80 Recreational Vehicle

IMPOUNDMENT

21.81 Impounding standing or parked vehicles

21.82 Presumption that owner parked vehicle illegally

21.83 Junk Vehicles
GENERAL PROVISIONS

§ 21.69   LIMITATIONS OF STOPPING OR PARKING

(a) An operator may not stop, park, or leave standing an attended or unattended vehicle on/in the front yard unless on a paved surface of concrete. Dwellings that have other type surface driveways are considered grandfathered in unless parking surface is of dirt, shingles, wood chips, or other such materials. If replaced, must be replaced with concrete drive in front of garage or adjacent to either side of the structure. If driveway is being expanded, then like materials may be used instead of concrete. Acceptable materials include concrete, asphalt, crushed rock, or pea-gravel, providing such use of material other than concrete does not detract from the neighborhood's general appearance.

(b) An operator may not stop, park, or leave standing an attended or unattended vehicle on the main traveled part of a highway outside a business or residence district unless:

1. Stopping, parking, or leaving the vehicle off the main traveled part of the highway is not practicable;
2. A width of highway beside the vehicle is unobstructed and open for the passage of other vehicles; and
3. The vehicle is in clear view for at least 200 feet in each direction on the highway.

(c) This section does not apply to an operator of a vehicle that is disabled while on the paved or main traveled part of a highway if it is impossible to avoid stopping and temporarily leaving the vehicle on the highway.

1. An operator may not stop, stand, or park a vehicle:
   A. On the roadway side of a vehicle stopped or parked at the edge or curb of a street;
   B. On a sidewalk;
   C. In an intersection;
   D. On a crosswalk;
   E. Between a safety zone and the adjacent curb or within 30 feet of a place on the curb immediately opposite the ends of a safety zone, unless the...
governing body the city of Keene designates a different length by signs or markings;

F Alongside or opposite a street excavation or obstruction if stopping, standing, or parking the vehicle would obstruct traffic;

G On a bridge or other elevated structure on a highway

H On a railroad track; or

I Where an official sign prohibits stopping.

J Permitting or allowing the vehicles arriving at a property, queue or stack in such a way that the line of vehicles extends into the public right-of-way and impedes the regular flow of traffic on the adjacent street is prohibited.

It is a defense to prosecution under this article if the vehicle is legally parked on the public street or right-of-way in accordance with the Parking Ordinance.

(2) An operator may not, except momentarily to pick up or discharge a passenger, stand or park an occupied or unoccupied vehicle:

A In front of a public driveway unless authorized by property owner;

B Within 15 feet of a fire hydrant;

C Within 20 feet of a crosswalk at an intersection;

D Within 30 feet on the approach to a flashing signal, stop sign, yield sign, or traffic-control signal located at the side of a roadway;

E Within 20 feet of the driveway entrance to a fire station, and 75 feet opposite the entrance to a fire station; or

F Where an official sign prohibits standing.

(3) An operator may not, except temporarily to load or unload merchandise or passengers, park an occupied or unoccupied vehicle:

A Within 50 feet of the nearest rail of a railroad crossing or right of way; or

B Where an official sign prohibits parking.
(4) A person may stop, stand, or park a bicycle on a sidewalk if the bicycle does not impede the normal and reasonable movement of pedestrian or other traffic on the sidewalk.

(5) Subsections B-1, 2 and 3 do not apply if the avoidance of conflict with other traffic is necessary or if the operator is complying with the law or the directions of a police officer or official traffic-control device.

21.70 PARKING RESTRICTED TO ALLOW SPACE FOR MOVEMENT OF TRAFFIC.

No person shall stop, stand, or park any vehicle upon a street in such a manner or under such conditions as to leave available less than twelve (12) feet of the width of either lane of a roadway for free movement of emergency and/or vehicular traffic, except that a driver may stop temporarily during the actual loading or unloading of passengers or when necessary in obedience to traffic regulations or traffic signs or signals of a police officer.

(1) The width of any street, as that term is used herein, shall mean:

(a) Upon a street bordered by curbs, the lineal distance between the outer curb lines
(b) Upon a street having no cement curbs, the lineal distance between the crown of the passageway and the edge of the passageway.

(2) Wide vehicles on narrow streets.

(a) It shall be unlawful for any person to cause, allow, permit or suffer any motor vehicle, trailer or other conveyance which has a width at its widest point, including mirrors or any other attachments, greater than eight feet and four inches (100"), registered in his name or owned or operated by him or in his possession or under his control, to be parked or remain in any space or area upon any public street having a width of less than thirty-six (36) feet, except when such vehicle, trailer, or other conveyance described herein is in the actual process of being loaded or unloaded or is otherwise legally parked on a street designate by ordinance as a commercial or industrial street within the city. Sec 21.70.1. (a), (b) above.

21.71 OVERTIME PARKING RESTRICTIONS AND PROHIBITIONS ON DESIGNATED STREETS

(a) The Chief of Police shall also cause time limits in parking areas to be maintained and marked off on streets designated by the City Council. All such spaces or areas shall be clearly indicated by appropriate signs or markings on the pavement.
(b) In areas designated as time limit parking areas, parking may be limited to any period prescribed by the City Council, the same to be designated with clearly distinguishable markings or signs at both ends of the time limit area and at reasonable intervals between the beginning and ending of such time limit area, indicating the time allowed for parking in such area.

(c) Any time limit on parking established under this section shall apply on such days and between such hours as prescribed by the City Council.

(d) It shall be unlawful for any person to cause, allow, permit, or suffer any vehicle registered in his name or owned or operated by him or in his possession or under his control to be or remain in any space or area in which parking is prohibited as provided in division (a) of this section, or in a time limit parking area for a longer period of time than that designated by the markings on the street or by signs clearly visible.

21.72 MANNER OF PARKING.

(a) An operator who stops or parks on a two-way roadway shall do so with the right-hand wheels of the vehicle parallel to and within 18 inches of the right-hand curb or edge of the roadway.

(b) An operator who stops or parks on a one-way roadway shall stop or park the vehicle parallel to the curb or edge of the roadway in the direction of authorized traffic movement with the right-hand wheels within 18 inches of the curb or edge of roadway. This division does not apply where a local ordinance otherwise regulates stopping or parking on the one-way roadway.

(c) The Chief of police, with approval of the City Council shall determine upon which streets angle parking shall be permitted and shall mark or sign such streets, but such angle parking shall not be indicated upon any federal-aid or state highway within this city unless the District Engineer with the Texas Department of Transportation has determined that the roadway is of sufficient width to permit angle parking without interfering with the free movement of traffic.

(d) Angle parking shall not be indicated or permitted at any place where passing traffic would thereby be caused or required to drive upon the left side of the street.

(e) Upon those streets which have been signed or marked for angle parking, no person shall park or stand a vehicle other than at the angle to the curb or edge of the roadway indicated by such signs or markings. Whenever parking spaces are marked by lines on the pavement, whether for parallel or angle parking, a vehicle must be parked entirely within the lines of the parking space.

(f) The parking, storing or standing of an inoperable vehicle shall be prohibited, including those vehicles that vehicle licenses, state inspection sticker, or insurance have expired.
The parking, standing or storage of any vehicle in the front yard, side yard, rear yard, or side yard adjacent to a street shall be prohibited.

EXCEPTIONS:

(1) A vehicle may be parked or stored in the front yard, rear yard, side yard adjacent to a street or side yard provided it is parked on a hard paved surface, not defined as a driveway, of concrete at least of sufficient size to accommodate the horizontal area projected by the extreme limits of the vehicle. A vehicle may be parked or stored on an unpaved surface in the side yard, side yard adjacent to a street or rear yard provided it is screened from public view by a six-foot (6) high solid fence.

SEE General Development Ord., Sec. 1-92. PAVING, "Driveways"

All parking spaces constructed for this purpose shall be constructed with a driveway adjoining an existing on-site driveway or with a driveway and approach adjoining a public right-of-way. All screening fences constructed for this purpose shall comply with setbacks contained in the zoning ordinance.

(2) Properties that do not have an existing concrete driveway as of the effective date of this ordinance shall be exempted from this requirement. In the event of a major driveway modification a concrete driveway is required.

(3) Each single-family or two-family residence may park or store not more than one inoperable vehicle that is awaiting repair for a period not to exceed fifteen (15) days, unless extension approved by Code Enforcement Officer. Any vehicle with body damage must be covered by a commercially available car cover, designed for make and model of damaged vehicle.

21.73 PARKING OR STANDING IN ALLEYS.

No person shall park a vehicle within an alley in such a manner or under such conditions as to have available less than twelve feet of the width of the roadway for the free movement of vehicular traffic; and no person shall stand or park a vehicle within an alley in such position as to block the driveway entrance to any abutting property.

21.74 OVERNIGHT PARKING.

Overnight parking or storage of any commercial motor vehicle, as that term is defined in prohibited zoning districts where residential uses are permitted under the zoning code.
21.75 LEAVING VEHICLE UNATTENDED.

No person driving or in charge of a motor vehicle shall permit it to stand unattended without first stopping the engine, locking the ignition, removing the key from the ignition, and effectively setting the brakes thereon and, when standing upon any grade, turning the front wheels to the curb or side of the roadway. No vehicle shall be left unattended that contains small children or living creatures.

21.76 LOADING AND UNLOADING; SPECIAL PERMITS.

(a) All freight trucks shall be, and are hereby required, to be loaded and unloaded from the alley entrance, if practicable. Where conditions are such as to make the loading or unloading thereof from an alley impracticable, such trucks shall be parked on the street in accord with all applicable provisions of this chapter.

(b) The Chief of Police is authorized to issue special permission to permit the backing of a vehicle to the curb for the purpose of loading or unloading merchandise or materials subject to the terms and conditions of such permission, if no such loading zones are provided. Such permissions may be given either to the owner or lessee of real property or to the owner of the vehicle and shall grant to such person the privilege as therein stated and authorized herein; and it shall be unlawful for any or other person to violate any of the special terms or conditions of any such permission.

21.77 PARKING CERTAIN VEHICLES, TRAILERS, AND MOBILE HOMES WITHIN ZONING DISTRICTS AND ON CITY OWNED PROPERTY.

(a) It shall be unlawful for any person or any owner to leave, park, or stand any truck tractor, road tractor, truck trailer, semi-trailer, dump truck, box truck or any other commercial motor vehicle with a rated capacity in excess of one and half tons according to the manufacturer's classification, upon any residential zoned areas. This section shall not prevent the parking or standing of the above described vehicles in such zoned areas for the purpose of expeditiously loading and unloading passengers, freight, or merchandise.

(b) It shall be unlawful for any person or any owner to leave, park, or stand any mobile home, travel trailer, boat trailer, stock trailer, or any other type of trailer upon any public street, alley, parkway, or boulevard abutting real property not his own within any area zoned as a single-family, two-family, or multiple-family dwelling districts as established.

(c) It shall be unlawful if occupied by such owner or occupant for a longer continuous period of time than 72 hours, provided that removal for less than 24 hour shall not interrupt the continuing 72 hour period for purposes of determining a violation; or for such owner or
occupant to permit, allow, or suffer any such mobile home, travel trailer, boat trailer, stock trailer, or any other type of trailer owned by such owner or occupant, or his invited guest, to remain parked or standing on the portion of any public street, alley, parkway, or boulevard abutting the real property owned or occupied by such owner or occupant for any continuous period of time longer than 72 hours provided that removal for less than 24 hour shall not interrupt the continuing 72 hour period for purposes of determining a violation.

(d) It shall be unlawful for any person or any owner to leave, park, or stand any truck tractor, road tractor, trailer, semi-trailer, bus, or any other commercial motor vehicle, or any house trailer, boat trailer, stock trailer, or any other type of trailer upon any public street, alley, parkway, or boulevard in such a manner as to block the flow of traffic upon such public street, alley, parkway, or boulevard.

(e) It shall be unlawful for any person to leave, park or stand any truck tractor, road tractor, truck trailer, semi-trailer, dump truck, box truck or any other commercial motor vehicle with a rated capacity in excess of one and half tons according to the manufacturer's classification, upon any residential zoned areas upon property owned by the city or in any residually zoned district for the purpose of overnight parking as that term is defined in § 21.74 of this title.

(t) It shall not be a defense that the person violating division (F) of this section is not the owner of the commercial motor vehicle.

21.78 PROHIBITING PARKING OF UNREGISTERED, UNINSPECTED, OR DISABLED VEHICLES ON PUBLIC STREETS FOR MORE THAN 48 HOURS.

It shall be unlawful for a vehicle that does not have lawfully affixed to it either an unexpired license plate or a valid motor vehicle safety inspection certificate, or is so disabled that its normal operation is impossible or impractical, to be parked on any public street or highway in the city after the owner has been given at least 48 hours’ notice either in person or in writing attached to the windshield of such vehicle at the beginning of the 48-hour period that the vehicle will be removed after the expiration of such period by a person authorized by the city.

21.79 DISPLAY FOR SALE OR WASHING PARKED VEHICLE ON ROADWAY PROHIBITED.

(a) No person shall stand or park a vehicle upon any major roadway for the principal purpose of:

   (I) Displaying it for sale.

(2) Washing, greasing, filling with gas or oil, or repairing such vehicle, except repairs necessitated by an emergency.
21.80 RECREATIONAL VEHICLES.

(a) General Regulations:

(I) Definition: See section 21.65 for definition.

(2) Said vehicle shall not block any pedestrian walkway, fire hydrant or fire lane.

(3) Said vehicle shall be for personal use only.

(4) No recreational vehicles may be parked in an area or such a manner that any vegetation touches the frame of the vehicle.

(b) Recreational Storage:

(I) It shall be illegal for person or persons to park or to allow being parked on any property under his or her control any recreational vehicle on any portion of a front lawn of any area which is zoned a residential district or on any premises which are used for one-family, two-family or multi-family dwelling purposes unless:

a) Said area is a part of a required driveway that provides access to a garage, carport or off-street parking area required by the zoning ordinance; or

b) Said area is part of a side or rear yard, with concrete pad or runners.

(2) No more that two recreational vehicles may be parked pursuant to B-1-A through B-1-B above, unless such excess (more than two) vehicles are parked in area which is part of a side or rear yard, which is enclosed by a screening fence, of at least six (6) feet in height, constructed so as to totally block the view into said area.

(c) Recreational Parking.

(1) No recreational vehicle shall be for living, sleeping, office or housekeeping purposes in any district except for the temporary housing of guest not to exceed more than fifteen (15) days per occurrence with no more than three (3) occurrences per twelve (12) months, with a fifteen (15) day interval between each occurrence.

(2) No recreational vehicle may be parked on a public street or right-of-way continuously for more than twenty-four (24) hours, with twenty-four (24) hour intervals between each parking occurrence.
(3) Class B campers are considered the same as vans, and are exempt from this ordinance.

(4) Pop-up campers and boats with trailers must be no longer than twenty-five (25) feet, including tongue, to be parked on front of a residual driveway.

(d) Recreational Vehicle Temporary Living.

(I) The term of this section shall not be construed to apply to the parking of vehicles in a front yard or side yard where such parking is permitted in conjunction with temporary special events open to the public which may be designed from time to time by the city council.

(2) No generator usage between the hours of 7 PM to 9 AM with no more than 70 dbl. of noise is permitted outside of these times.

(3) See Sec 21.80-C-1.

(4) See Sec 21.80-C-2.

IMPOUNDMENT

21.81 IMPOUNDING STANDING OR PARKED VEHICLES.

(a) Members of the Police Department or a license and weight inspector of the department may remove or require the operator or a person in charge of a vehicle to move a vehicle from a highway if the vehicle:

(1) is unattended on a bridge, viaduct, and the vehicle is obstructing traffic;

(2) Is unlawfully parked and blocking the entrance to a private driveway without permission of property owner.

(3) Has been reported stolen;

(4) Is identified as having been stolen in a warrant issued on the filing of a complaint;

(5) Is unattended and the officer has reasonable grounds to believe that the vehicle has been abandoned for longer than 48 hours;

(6) Is disabled so that normal operation is impossible or impractical and the owner or person in charge of the vehicle is:

A Incapacitated and unable to provide for the vehicle's removal or custody;

or
B Not in the immediate vicinity of the vehicle;

(7) Is disabled so that normal operation is impossible or impractical and the owner or person in charge of the vehicle does not designate a particular towing or storage company;

(8) Is operated by a person an officer has arrested for an alleged offense and the officer is required by law to take the person into custody; or

(9) Is, in the opinion of the officer, a hazard, interferes with a normal function of a governmental agency, or because of a catastrophe, emergency, or unusual circumstance is imperiled.

(10) is left unattended upon a street and is so parked illegally as to constitute a definite obstruction to employees of the city engaged in cleaning the street upon which the vehicle is illegally parked, or when any vehicle is illegally parked and constitutes an obstruction to the progress of construction or repair work on any of the city's utilities.

(11) If a nonresident of the city has failed on more than one occasion to comply with notice attached to an illegally parked vehicle owned by him, and warrants have been issued for his arrest but not served because of his absence, the police are authorized to impound his vehicle as provided in this section, when such vehicle is found left unattended upon a street or illegally parked.

(b) Whenever an officer removes a vehicle from a street as authorized in this section and the officer knows or is able to ascertain from the registration records in the vehicle the name and address of the owner thereof, such officer shall immediately give or cause to be given notice in writing to such owner of the fact of such removal and the reasons therefore and of the place to which such vehicle has been removed. In the event any such vehicle is stored in a impound yard, a copy of such notice shall be given to the proprietor of such yard.

(c) In the event a vehicle is removed from a street under this section, the owner of same shall pay, in addition to the fine, if any, assessed against him, reasonable costs incurred in removing the vehicle from the street, and reasonable storage for the time the same is stored in a garage or parking lot.

(Tex. Transp. Code § 545.305)

21.82 PRESUMPTION THAT OWNER PARKED VEHICLE ILLEGALLY.

In any prosecution charging a violation of any law or regulation governing the standing or parking of a vehicle, proof that the particular vehicle described in the complaint was parked in violation of any such law or regulation, together with proof that the defendant named in the
complaint was, at the time of such parking, the registered owner of such vehicle, shall constitute in evidence a prima facie presumption that the registered owner of such vehicle was the person who parked or placed such vehicle at the point where, and for the time during which, such violation occurred.

21.83 JUNK VEHICLE.

See Nuisances Ordinances No. 2011-411.

This Ordinance shall be in full force and effect from and after its passage and publication as required by law, or on November 5, 2009, whichever is later, and it is so ordained.

PASSED AND APPROVED this the 22nd day of September, 2011.

CITY OF KEENE

BY

John Ackermann, Mayor

ATTEST: Keesha Lay, City Secretary
ORDINANCE 2019-588

THE GENERAL DEVELOPMENT ORDINANCE AMENDING ARTICLE VII OF THE KEENE CODE OF ORDINANCES, “STOPPING, STANDING, AND PARKING”, CONTAINING A SAVINGS CLAUSE; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; BY REVISING THE ORDINANCE AND DECLARING ALLOWABLE OFF-STREET PARKING.

WHEREAS, the City of Keene, Texas is a Home Rule City chartered under the laws of the State of Texas and Article XI, Section 5, of the Texas Constitution, acting by and through its duly elected council members; and

WHEREAS, the City of Keene has heretofore adopted the Stopping, Standing and Parking Ordinance codified in Article VII of the Keene Code of Ordinances, as amended; and

WHEREAS, the City Council of the City of Keene does hereby deem it advisable and necessary to amend the Stopping, Standing and Parking, ordinance authorizing and ratifying establishment the ordinance within the corporate limits of the City of Keene, Texas;

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

SEC. 1-161. GENERAL PROVISIONS.

In all districts there shall be provided at the time any buildings or structure is erected or structurally altered, off-street parking spaces. All parking and loading or unloading facilities, approaches, access driveways and standing or storage parking spaces for vehicles shall be paved with concrete or asphalt. This provision shall also apply to any use located on the property with no building or structure, i.e. public or private parking lots, vehicle sales and service centers and mobile home sales lots. Trailers are defined as vehicles. Single-family residential RV and boat storage are addressed in sections 15-134 and 15-135 of the Keene Code of Ordinances.

EXCEPTIONS:

(a) Parking a vehicle on a surface other than concrete and asphalt for the purpose of selling a personal vehicle.

(1) Each individual desiring to sell a personal vehicle and park the personal vehicle on a surface other than concrete and asphalt shall apply for and receive a permit from the city. No more than two separate occasions at a location may be held during a 12-month period. No more than two vehicles at one time. The permit is valid for 30 days after permit issuance. Allowed in all zoning except for residential zoning under two acres. Proof of residency must be established at the time the permit is issued. There is no cost for the permit.
SEC. 1-168. RECREATIONAL VEHICLES.

(a) General regulations.

(1) Definition: the term RECREATIONAL VEHICLE as used herein shall mean Class A, Class C, travel trailer, pick-up camper or coaches, motorized dwelling, tent trailer, or trailer for transporting recreational equipment.

(2) Said vehicle shall not block any pedestrian walkway, fire hydrant or fire lane.

(3) Said vehicle shall be for personal use only.

(4) No recreational vehicles may be parked in an area or such a manner that any vegetation touches the frame of the vehicle.

(b) Recreational storage.

(1) It shall be illegal for person or persons to park or to allow being parked on any property under his or her control any recreational vehicle on any portion of a front lawn of any area which is zoned a residential district or any premises which are used for one-family, two-family or multi-family dwelling purposes unless:

a. Said area is a part of a required driveway that provided access to a garage, carport or off-street parking area required by the zoning ordinance; or

b. Said area is part of a side yard or rear yard.

(c) Recreational parking.

(1) No recreational vehicle shall be for living, sleeping, office or housekeeping purposes in any district except for the temporary housing of guests not to exceed more than 15 day per occurrence with no more than three occurrences per 12 months, with a 15-day interval between each occurrence.

(2) No recreational vehicle may be parked on a public street or right-of-way continuously for more than 24 hours, with 24-hour intervals between each parking occurrence.

(3) Class B campers are considered the same as vans and are exempt from this appendix.

(4) Pop-up campers and boats with trailers must be no closer than seven feet from the street curb and must be parked on concrete pad or runners.

(d) Recreational vehicle temporary living.

(1) The terms of this section shall not be construed to apply to the parking of vehicles in a front yard or side yard where such parking is permitted in conjunction with temporary special events open to the public which may be designed from time to time by the city council.
(2) No generator usage between the hours of 7:00 p.m. to 9:00 a.m. with other times no more than 70 db. of noise is permitted.

72.05 MANNER OF PARKING.

(A) An operator who stops or parks on a two-way roadway shall do so with the right-hand wheels of the vehicle parallel to and within 18 inches of the right-hand curb or edge of the roadway.

(B) An operator who stops or parks on a one-way roadway shall stop or park the vehicle parallel to the curb or edge of the roadway in the direction of authorized traffic movement with the right-hand wheels within 18 inches of the curb or edge of roadway. This division does not apply where a local ordinance otherwise regulates stopping or parking on the one-way roadway.

(C) The Chief of police, with approval of the City Council shall determine upon which streets angle parking shall be permitted and shall mark or sign such streets, but such angle parking shall not be indicated upon any federal-aid or state highway within this city unless the District Engineer with the Texas Department of Transportation has determined that the roadway is of sufficient width to permit angle parking without interfering with the free movement of traffic.

(D) Angle parking shall not be indicated or permitted at any place where passing traffic would thereby be caused or required to drive upon the left side of the street.

(E) Upon those streets which have been signed or marked for angle parking, no person shall park or stand a vehicle other than at the angle to the curb or edge of the roadway indicated by such signs or markings. Whenever parking spaces are marked by lines on the pavement, whether for parallel or angle parking, a vehicle must be parked entirely within the lines of the parking space.

(F) (1) The parking, storing or standing of an inoperable vehicle shall be prohibited, including those vehicles that vehicle licenses, state inspection sticker, or insurance have expired.

(2) The parking, standing or storage of any vehicle in the front yard, side yard, rear yard, or side yard adjacent to a street shall be prohibited.

(G) The following are exceptions:

(1) (a) A vehicle may be parked or stored in the front yard, rear yard, side yard adjacent to a street or side yard provided it is parked on a hard-paved surface, not defined as a driveway, of concrete at least of sufficient size to accommodate the horizontal area projected by the extreme limits of the vehicle. A vehicle may be parked or stored on an unpaved surface in the side yard, side yard adjacent to a street or rear yard provided it is screened from public view by a six-foot high solid fence. (See General Development Ord., Section 1-92. PAVING, “Driveways.”)

(b) All parking spaces constructed for this purpose shall be constructed with a driveway adjoining an existing on-site driveway or with a driveway and approach.
adjoining a public right-of-way. All screening fences constructed for this purpose shall comply with setbacks contained in Chapter 157.

(2) Properties that do not have an existing concrete driveway as of the effective date of this chapter shall be exempted from this requirement. In the event of a major driveway modification a concrete driveway is required.

(3) Each single-family or two-family residence may park or store not more than one inoperable vehicle that is awaiting repair for a period not to exceed 15 days, unless extension approved by the Code Enforcement Officer. Any vehicle with body damage must be covered by a commercially available car cover, designed for make and model of damaged vehicle.

(4) Parking a vehicle on a surface other than concrete and asphalt for the purpose of selling a personal vehicle.

(a) Each individual desiring to sell a personal vehicle and park the personal vehicle on a surface other than concrete and asphalt shall apply for and receive a permit from the city. No more than two separate occasions at a location may be held during a 12-month period. No more than two vehicles at one time. The permit is valid for 30 days after issuance. Allowed in all zoning except for residential zoning under two acres. Proof of residency must be established at the time the permit is issued. There is no cost for the permit.

72.13 RECREATIONAL VEHICLES.

(A) General regulations.

(1) Definition. See section § 72.01.

(2) The vehicle shall not block any pedestrian walkway, fire hydrant or fire lane.

(3) The vehicle shall be for personal use only.

(4) No recreational vehicles may be parked in an area or such a manner that any vegetation touches the frame of the vehicle.

(B) Recreational storage.

(1) It shall be illegal for person or persons to park or to allow being parked on any property under his or her control any recreational vehicle on any portion of a front lawn of any area which is zoned a residential district or on any premises which are used for one-family, two-family or multi-family dwelling purposes unless:

(a) The area is a part of a required driveway that provides access to a garage, carport or off-street parking area required by Chapter 157; or

(b) The area is part of a side or rear yard, with concrete pad or runners.

(2) No more that two recreational vehicles may be parked pursuant to division (B)(1)(a) and (b) above, unless such excess (more than two) vehicles are parked in area which is part of a side or rear yard, which is enclosed by a screening fence, of at least six feet in height, constructed so as to totally block the view into said area.
(C) *Recreational parking.*

(1) No recreational vehicle shall be for living, sleeping, office or housekeeping purposes in any district except for the temporary housing of guest not to exceed more than 15 days per occurrence with no more than three occurrences per 12 months, with a 15-day interval between each occurrence.

(2) No recreational vehicle may be parked on a public street or right-of-way continuously for more than 24 hours, with 24-hour intervals between each parking occurrence.

(3) Class B campers are considered the same as vans and are exempt from this chapter.

(4) Pop-up campers and boats with trailers must be no longer than 25 feet, including tongue, to be parked on front of a residual driveway.

(D) *Recreational vehicle temporary living.*

(1) The terms of this section shall not be construed to apply to the parking of vehicles in a front yard or side yard where such parking is permitted in conjunction with temporary special events open to the public which may be designed from time to time by the City Council.

(2) No generator usage between the hours of 7:00 p.m. to 9:00 a.m. with no more than 70 dbl. of noise is permitted outside of these times.

(3) See division (C)(1) above.

(4) See division (C)(2) above.

(E) *Exceptions.*

(1) Parking a vehicle on a surface other than concrete and asphalt for the purpose of selling a personal vehicle.

   (a) Each individual desiring to sell a personal vehicle and park the personal vehicle on a surface other than concrete and asphalt shall apply for and receive a permit from the city. No more than two separate occasions at a location may be held during a 12-month period. No more than two vehicles at one time. The permit is valid for 30 days after issuance. *Allowed in all zoning except for residential zoning under two acres.* Proof of residency must be established at the time the permit is issued. There is no cost for the permit.

This Ordinance shall be in full force and effect from and after its passage and publication as required by law.

PASSED AND APPROVED this the ____ day of ______________, 2019.
CITY OF KEENE

_______________________
Gary Heinrich, Mayor

ATTEST:

_________________________
Holly Owens, T.R.M.C.
City Secretary