

**CITY OF SOUTH PADRE ISLAND CODE OF ORDINANCE  
TABLE OF CONTENTS**

	Chapter 1	1
GENERAL PROVISIONS		1
How Code designated		1
Prior Ordinances referenced		1
Definitions		1
Catchlines of Sections		2
	Chapter 2	3
ADMINISTRATION		3
City organization		3
Designation as City.		3
Corporate seal.		3
Official paper		3
Election of Mayor and Council Member		3
Mayor's and Council Member's salary		4
No further compensation;		4
Ordinances--Read and approved		4
Publication required		4
Notice to City of personal injury or property claims.		4
claim:Refusal of		5
Location for service of notices		5
No waiver		5
Sworn notice required		5
Police Department-Established		5
City Council to set compensation.		6
Arrest without warrant or upon complaint		6
Duty of other persons to aid		6
Municipal Judge--Appointment		6
Duties		6
Tenure		6
Qualification		6
Temporary judge		7
Removal		7
Clerk of Municipal Court.		7
Municipal Court Technology Fund		7
Municipal Court Security Fund		7
City Manager--Hiring		8
Salary		8
Bond required		8
Duties		8
Legal defense for City officials provided		8
Indemnity of City officials		8
Fiscal year.		9
Personal identification certificates		9
Standard of Care for Emergency Action.		9
RECORDS MANAGEMENT		10
	Chapter 3	21
ANIMALS AND FOWL		21
Livestock		21
Fowl		21
Horseback riding regulated.		21
DOGS		21
Dogs at large		21

Owners to vaccinate dogs	22
Veterinarian to furnish and file certificate	22
Veterinarian to furnish tag	22
Rabies--Notice by examining veterinarian	22
Rabies--Owner quarantine of dog	22
Extermination by Health Officer	23
Impoundment by Health Officer.	23
Entry on private property by Health Officer	23
Health officer to register dog impounded	23
Time for redemption	24
Redemption by owner	24
Fees for impoundment and care.	24
Redemption of unvaccinated dog	24
Failure to redeem dog-	24
Forfeit to person redeeming.	24
CATS AT LARGE	25
Cats at large.	25
	Chapter 4
	29
BUILDINGS AND CONSTRUCTION	29
Building permit required	29
holders responsible for damage to streets	29
Payment of fees required	29
licensed masters required.	29
Stop-work order for violation.	29
Adoption of Standard Codes	29
Master Flood Hazard Prevention Ordinance adopted	30
Permits to conform	30
Elevators	30
Exceptions to Codes Authorized	30
Fire limits established	30
Appointment of Building Inspector.	30
Adoption of Building Code for windstorm resistant construction	31
Most stringent requirement adopted	31
Liability insurance required	31
Minimum insurance limits	31
SCHEDULE OF PERMIT FEES	31
Standard Housing Code, Board of Adjustments and Appeals	32
Standard Unsafe Building Abatement Code	32
Taxes--Payment prior to issuance of permit.	33
Bond required upon granting of permit	33
Building Inspector authorized Building Inspector to issue citations	34
STRUCTURAL REQUIREMENTS	34
Post tension construction requirements	34
Type VI construction prohibited for public buildings.	34
Type VI construction prohibited for certain living units	34
Conversion of Type VI structure to public or multi-family use	34
submission of plan	34
Approval of Building Inspector required	34
Standards for construction of one (1) and two (2) family dwellings	35
Supersede conflicting Code provisions	38
Cityhouses	38
ELECTRIC	38
Electrical Standards	38
Non-metallic conduit required.	39
Highest standards to take precedent.	40
BOARD OF ADJUSTMENTS AND APPEALS	40

Appointment.		40
Term of Office		40
Quorum.		40
Records.		40
Procedure.		40
Commercial Property Maintenance		42
	Chapter 5	48
CIVIL DEFENSE AND DISASTER RELIEF		48
Emergency Management Director, subordinate officers		48
Specific duties		48
Subordinate officers		49
development of emergency management plan.		49
Emergency Management Council-authority of Mayor		49
Emergency management organization of City,		49
officers, functions and duties.		49
Sirens and warning devices unlawful.		50
Orders pursuant to this Chapter to override existing City ordinances.		50
Chapter not to conflict with state and federal regulations.		50
Non-liability of City, agents, representatives, etc.		50
Expenditure of funds-prior authorization.		50
Willful obstruction or impersonation unlawful		50
Oath required.		51
	Chapter 6	52
ELECTIONS		52
Applicability of state election laws		52
performance of election duties by officers		52
proclamation and notice		52
Election of Mayor and Council Member		52
Staggered two-year terms		52
	Chapter 7	53
EMPLOYEE RETIREMENT AND BENEFITS		53
PERSONNEL POLICIES		53
Participation in Texas Municipal Retirement System.		53
Rate of deposits to TMRS.		53
Prior service credit.		53
City contribution to annuity reserve.		53
City remittance and reports to TMRS.		53
Plan provisions for TMRS.		53
Participation in TMRS Supplemental Benefits Fund.		54
Participation in Supplemental Benefits Fund		54
as condition of employment.		54
City remittance to Supplemental Benefits Fund.		54
Participation in Supplemental Death Benefits Fund.		54
Personnel Policies Manual adopted		55
Hiring, dismissal of employees by City Manager.		55
	Chapter 8	56
FIRE PROTECTION AND PREVENTION		56
Arson reward offered.		56
Reward standing offer		56
paid from General Fund.		56
Fireworks-Sale prohibited.		56
Fireworks-discharge prohibited.		56
Fireworks-permit for display		56
Trash or refuse--burning prohibited.		56
Campfires		56
Speed limits Specific limits established		56

Barbecue pits excepted	56
Supervision required.	56
Not used for trash, etc.	56
FIRE PROTECTION SIGNAL SYSTEMS	57
Thermal signal systems	57
Inspection Fire Protection System	57
False alarms	57
reports required	57
failure to take corrective measures unlawful	57
civil suit authorized.	57
Tampering with alarm system unlawful.	58
False alarms unlawful	58
Resetting of fire alarm system unlawful.	58
Fire alarm requirement--Deadline	58
FIRE DEPARTMENT	58
Creation of Fire Department and filling of offices	58
Fire Chief and firemen, hiring.	58
Volunteer Fire Fighter's Force created.	58
Board to determine remuneration.	58
Appointment and requirements	58
Termination.	58
SPECIAL BUILDING PROVISIONS	58
Special Building Provisions	58
restaurants	59
Hotels	59
buildings four or more stories in height	59
Chapter 9	
GARBAGE, TRASH, WEEDS AND OTHER WASTE MATERIAL	61
Garbage--Defined.	61
Trash--Defined.	61
Littering	61
Stagnant water	61
Carrion, etc.	61
Prohibited.	61
Weeds, trash, etc.	62
Accumulation prohibited	62
Notice	63
Notice Non-compliance	63
Notice Method	63
Assessment	64
Statement of expenses	64
Filing.	64
Lien for expenses	64
interest	64
suit for foreclosure	64
Owners and occupants to maintain clean premises.	64
Receptacles	65
Signs	65
.garbage container Sanitation maintenance required	66
by authorized agency.	66
Removal of garbage	66
Removal of garbage Franchise required	66
Garbage and trash collection franchise granted	66
Fees for Waste Removal Services.	66
JUNKED VEHICLES	67
Definitions	67

Junked vehicles declared nuisance unlawful.	68
JUNKED VEHICLES Notice to owner	68
Public hearing required.	68
Order for removal	68
Violation unlawful.	68
Owner required to remove vehicle if hearing not requested.	69
JUNKED VEHICLES Exceptions	69
Administration of Article	69
by City employees or agents	69
Authority of police to remove vehicle notice to Texas Highway Department	69
Sale or JUNKED VEHICLES scrapping	70
Proceeds of sale--Disposal.	70
Delegation of police authority	70
Texas Abandoned Motor Vehicle Act-Adopted.	70
Entry on private property to examine vehicles	70
Chapter 10	71
Food Services	72
Required Training.	73
Food may be examined or sampled by the regulatory authority as often as necessary for enforcement of these rules.	78
food service establishment Submission of Plans	79
food service establishment Pre-operations Inspection	79
Procedure When Infection is Suspected	79
Penalties.	79
Injunctions	79
REGULATION OF SMOKING	80
Other Applicable Laws	82
REGULATION OF SMOKING	83
Definitions	83
Prohibition of Smoking	83
Posting of Signs	83
Penalty for Violations	84
Other Applicable Laws	84
Chapter 11	85
OCCUPATIONAL LICENSES, ALCOHOLIC BEVERAGES, MISCELLANEOUS PERMITS	85
TAXICABS	85
Definitions	85
Taxicab license required	85
Taxicabs, limousines, touring vehicles or shuttles operating from points outside the City must be licensed to pick up passengers within City limits.	85
Current holders of taxi license must conform to requirements	85
Identification	85
advertising prohibited.	85
Taxicabs to be not greater than five years of age.	86
Current annual state vehicle inspection	86
subject to periodic inspection by City Health Officer	86
Operators of taxicabs, limousines, touring vehicles, or shuttles prior to adoption of this Chapter must comply with requirements hereof upon renewal of license.	86
Operators	86
Use of most direct route.	86
Passenger's exclusive right	86

Stands on streets and sidewalks prohibited.	86
Soliciting business.	86
TAXICAB LICENSES; PROCEDURES AND REQUIREMENTS.	87
Written application to Chief of Police	87
Applicants must submit to police department investigation.	87
must submit certificate of intent to insure following requirements	87
Contents of Application.	87
accompanied by written permission for parking and taxi stands	88
Police Chief approval of locations.	88
License Fee	88
Multiple vehicles on one license when initially issued;	88
addition of other vehicles requires new license.	88
Replacement	88
License not transferable; vehicle transfer fee	88
TAXICABS License renewal	88
Revocation for violation of law or failure to comply	88
driver's license requirements apply to licensee.	88
PROCEDURE SUBSEQUENT TO FILING OF APPLICATION.	88
Current Feasibility Standard.	88
Application may be approved by City Secretary	88
notify City Council of granting or denial of license	89
Appeal from denial of application	89
notice hearing;	89
if no appeal, a decision of Secretary final.	89
Public hearing to be set on application if feasibility standard fulfilled.	89
Applicant responsible for posting of notice of hearing	89
notice to current license holders.	89
Time of publication of notice	89
Public Hearing on necessity and convenience to be conducted by City Council	89
Matters to be considered at hearing on public necessity and convenience.	89
Criteria for determination of public convenience.	90
Burden of proof upon applicant	90
license holders and interested citizens may protest	90
City Council to make final decision	90
RATE ZONES, LOG BOOK REQUIREMENTS, PROCEDURE FOR CHANGE.	90
Rate Zones.	90
Rates subject to appeal	90
Rate schedules to be permanently affixed in taxicab	90
Cab logbook required, subject to City audit.	90
INSURANCE REQUIREMENTS.	91
Liability insurance required	91
Certificate of insurance premium	91
City Secretary to be notified upon cancellation or lapse of insurance;	91
vehicles not to operate without insurance.	91
DRIVER REQUIREMENTS, LICENSING.	91
Class C or appropriate driver's license.	91
Application	91
procedure.	91
to be issued for a one year period.	92
Renewal	92
Denial	92
NON-MOTORIZED VEHICLES FOR HIRE	92
Non-motorized vehicles to be licensed; requirements.	92
Horse-Drawn Carriages	93
ALCOHOLIC BEVERAGES, MISCELLANEOUS PERMITS	93
Fee for alcoholic beverage	93

Business hours for alcoholic beverage permit holders.	93
Official forms--City Secretary to certify and execute.	93
Sandblasting prohibited without permit.	94
Building Department to issue sandblasting permit.	94
CUSTOM GARMENT FABRICATION	94
Definitions	94
..custom garment fabrication business Application for License	94
Expiration and Renewal.	95
Regulations.	95
Suspension or Revocation	96
Recordkeeping and Access.	96
Chapter 12	109
OFFENSES AND MISCELLANEOUS PROVISIONS	109
Firearms--Discharge prohibited, exceptions.	109
Noises--Loud, disturbing, etc. prohibited.	109
Camping	112
To camp	112
Prohibited in absence of sewer facilities.	113
camp Prohibited upon street	113
Glass .Glass prohibited on beach.	113
Watering of lawns and shrubbery--Regulated.	113
Notice.	113
Airplanes—aircraft Prohibitions on landing and operating.	113
Prohibiting Placement of Material on	114
Special Expense for Issuance and Service of Arrest Warrant.	114
When Case is Dismissed because of actions by Defendant	114
Prohibition of Parking on Private Property	114
Slow Speed/Minimum Wake Required of all Watercrafts	115
Riding on portion of vehicle not intended for passengers	115
Boarding or alighting from moving vehicles	115
Loitering	115
Nitrous Oxide Offenses	117
Possession or consumption of alcoholic beverages in the Central Business District	118
REGULATION OF LIGHTING	122
Chapter 13	126
PEDDLERS, SOLICITORS, ITINERANT VENDORS,	126
DISPLAYS OF MERCHANDISE OUTDOORS AND ON BEACH	126
Outdoor displays	126
Retail sales--sewer facilities required.	126
Beaches--Peddlers, commercial activity prohibited thereon.	126
Right-of-Ways---Commercial Activity Prohibited Thereon.	126
Vacant Property---vacant property Prohibition of Business and Commercial Activity Thereon	126
Vehicles --- vehicle Prohibition of Business Activity Thereon	126
Special Event Permits	126
Regulation Shade Devices & Chairs on Public Beach	131
Chapter 14	133
PROPERTY	133
PERSONAL PROPERTY	133
Unclaimed or abandoned personal property to be sold.	133
Notice to owners	133
Publication of notice if owner or address of owner unknown.	133
Public auction of property and notice thereof.	133
Conduct of public auction.	133
No warranty as to goods sold; receipt to purchaser	134
Real personal property owner's right	134
REAL PROPERTY	134

Erosion of property declared hazard.	134
Restoration of eroded property by owner required.	134
Owner not required to restore if title disputed.	134
Notice to owner of erosion;	135
unlawful not to commence correction within 20 days.	135
Service of notice upon owner; publication.	135
Wreckage and debris to be removed.	135
Chapter 15	136
SIGNS	136
Purpose	136
Purpose	136
Definitions.	136
Permits, Renewals, Expiration and Transfers	142
Administrative Procedures	143
Voiding of Sign Permit	144
Certain Signs Prohibited	144
Sign Types Permitted	145
Sign Standard	146
Table 15-Sign Number, Area, Height	148
Signs Exempt from Regulation	155
Signs exempt from permit requirements	156
Wind Pressure Load Requirements for Signs	156
Fees, Maintenance of and Abandoned Signs	156
Special Provisions for Recognized Events and City Holidays	157
Appeals	158
Bond required	158
Penalty Provisions	159
Chapter 16	160
STREETS AND RIGHT-OF -WAYS	160
Permit--Required for work within right-of-ways.	160
Fill materials--Prior approval before removed.	160
Prior offer to City required.	160
Excavation—excavation Application for permit	160
Additional information required	160
Bond for restoration of right-of-way.	161
right-of-way Restoration	161
Permit--Issuance and fees.	161
right-of-way:Appeal from denial.	161
Construction .construction permit	161
Non-rubber wheeled vehicles	162
Stop-work order authorized.	162
Cul-de-sacs--Unauthorized improvements prohibited.	162
Requirements for paving, landscaping.	162
Bulkhead required	162
specifications set by City.	162
cul-de-sac Plans required	162
Bulkhead quality comparable to adjoining property.	163
Finished grade requirements.	163
Chapter 17	166
TAXATION	166
Tax Code adopted, sales tax adopted.	166
Assessment and collection--City Council to appoint officers, entities.	166
Rates and levies	166
Tax rates, discounts, etc. to comply with State law	166
Exemptions from ad valorem taxes.	166
Gas and electricity--tax retained.	166



HOTEL-MOTEL OCCUPANCY TAX		166
Definitions		166
Rate of tax rates and levies established		167
tax Collection of		167
Room Occupancy Tax - Reports/Payment		167
Discount for timely payment.		<b>Error!</b>
<b>Bookmark not defined.</b>		
Room Occupancy Tax - Procedures.		167
tax Room Occupancy Tax - Criminal Penalty		168
Civil Penalties.		168
Revenues--Use.		168
Tax Imposed in Extraterritorial Jurisdiction.		168
	Chapter 18	170
TRAFFIC		170
State traffic regulations		170
Authority of officials and officers		170
Enforcement by Police Department;		170
Making and enforcing regulations, permanent and temporary.		170
beaches Vehicles prohibited on		170
Speed limits		170
Reasonable and prudent speed required.		170
Reduced speed required for special hazards.		170
City Council may alter limits, violations unlawful.		171
Speed limits Specific limits established		171
Traffic control devices		171
Drivers required to obey		171
Emergency vehicles excepted		171
Applicable to all governmental vehicles.		172
Unauthorized devices		172
Defacing, etc. defacing prohibited		173
Public Works Department responsible		173
Report required by Public Works official.		173
Proof in prosecution for violation.		173
Parking		173
Padre Boulevard		176
Golf Carts		177
	Chapter 19	179
UTILITIES		179
Electric power franchise granted.		179
rates Electric power		179
Telephone facilities provided.		179
Cable communications franchise.		179
Underground Utilities.		179
	Chapter 20	180
ZONING		180
Short title.		180
Zoning, ZONING adoption of statute		180
Definitions		180
ZONING Districts		186
District map.		186
District- .Single family dwelling		187
Use regulations		187
Height regulations		188
Area regulations		188
District "B\"		189
District "B" - Multi-family dwelling		189

apartment, motel, hotel, condominium, Cityhouse district.		189
Use Regulations		189
Height regulations		189
Area regulations		189
ZONING District		192
District "C" - Business district		192
Area regulations		194
ZONING District		196
D-1" RESORT AREA DISTRICT		197
District "E" - Low Density Residential		202
Use Regulations		202
Area Regulations		203
ZONING Special area regulations		204
Recreational Vehicles/Mobile Equipment		205
Regulations for Recreational Vehicles		205
Outdoor displays		208
Certain non-conforming uses		209
Setback area –ZONING setback: Special regulations and uses		210
ZONING parking Uses affecting		218
Certificate of occupancy and compliance.		219
Board of adjustment; Appeals.		219
Penalty for violation to apply to owner, architect, builder, etc.		223
Changes and amendments.		223
Variances.		224
Designation of Public Parks, Beaches, etc.		224
	Chapter 21	241
Penalty Provisions		241
Penalty Not to Exceed Five Hundred Dollars		241
Penalty Not to Exceed Two Thousand Dollars		241
	Chapter 22	242
DUNE PROTECTION		242
	Chapter 23	259
ARTICLE 1		259
SHORT TITLE, PURPOSE, AND LEGAL PROVISIONS		259
SUBDIVISION REGULATIONS		260
Authority		260
Purpose		260
Jurisdiction		260
Definitions		260
Policies And Special Provisions		262
Variances		263
Preliminary Conference		263
Preliminary Plat And Accompanying Data		264
<u>Fast Track Process</u>		267
Engineering Plan Requirements		267
Record Plat		267
Design Standards		271
Standards And Specifications For The Installation Of Improvements		273
PERFORMANCE GUARANTEE		279
Authority Of The Public Works Director		281
Conflict With Other Ordinances		282
Saving Provision		282
RESERVED		282
Penalty		282
	Chapter 24	283
Sexually oriented businesses		283