

ORDINANCE NO. 2022-27

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FRIENDSWOOD, TEXAS, REPEALING CHAPTER 2 "ADMINISTRATION," ARTICLE II "BOARDS, COMMITTEES AND COMMISSIONS"; CHAPTER 10 "ANIMALS," ARTICLE VII "ANIMAL SHELTER ADVISORY COMMITTEE"; AND CHAPTER 46 "LIBRARY," ARTICLE II "FRIENDSWOOD PUBLIC LIBRARY," SECTION 46-19 "BOARD OF TRUSTEES" OF THE FRIENDSWOOD CITY CODE; AMENDING CHAPTER 14 "BUILDINGS AND BUILDING REGULATIONS," ARTICLE I "IN GENERAL," SECTION 14-3 "CONSTRUCTION BOARD OF ADJUSTMENT AND APPEALS"; ARTICLE II "BUILDING CODE," SECTION 14-24 "AMENDMENTS TO INTERNATIONAL BUILDING CODE"; "ARTICLE III "ELECTRICAL CODE," DIVISION 2 "APPEALS," SECTION 14-93 "APPEAL OF DECISIONS BY THE BUILDING OFFICIAL OR INSPECTOR"; ARTICLE IV "PLUMBING CODE," SECTION 14-253 "AMENDMENTS"; ARTICLE V "MECHANICAL CODE," SECTION 14-275 "AMENDMENTS"; ARTICLE VI "INTERNATIONAL FUEL GAS CODE," SECTION 14-300 "AMENDMENTS"; ARTICLE X "RESIDENTIAL CODE" SECTION 14-389 "INTERNATIONAL RESIDENTIAL CODE FOR ONE-AND TWO-FAMILY DWELLINGS ADOPTED," SUBSECTION (B) OF THE FRIENDSWOOD CITY CODE; AND AMENDING CHAPTER 2 "ADMINISTRATION" OF THE FRIENDSWOOD CITY CODE TO ADD A NEW ARTICLE TO BE NUMBERED AND ENTITLED ARTICLE II "BOARDS, COMMITTEES, AND COMMISSIONS" IN ORDER TO CODIFY ALL OF THE CITY'S BOARDS, COMMITTEES, AND COMMISSIONS AND UPDATE THE REFERENCES TO SUCH BOARDS, COMMITTEES AND COMMISSIONS; PROVIDING A MAXIMUM PENALTY OF FIVE HUNDRED AND NO/100 DOLLARS (\$500.00); REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY, PUBLICATION AND AN EFFECTIVE DATE.

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

Section 1. That Chapter 2 "Administration," Article II "Boards, Committees and Commissions" of the Friendswood City Code is hereby repealed in its entirety.

Section 2. That Chapter 10 "Animals," Article VII "Animal Shelter Advisory Committee" of the Friendswood City Code is hereby repealed in its entirety.

Section 3. That Chapter 14 "Buildings and Building Regulations," Article I "In General," Section 14-3 "Construction board of adjustment and appeals" of the Friendswood City Code is hereby amended to read as follows:

CHAPTER 14. BUILDINGS AND BUILDING REGULATIONS

ARTICLE I. IN GENERAL

Sec. 14-3. Appeals.

- (a) All appeals to and requests for variances from the construction board of adjustment and appeals shall be perfected by a request in writing to the building official for a hearing, in which the following information shall be contained:
- (1) Name, address, and primary e-mail address of the person making the appeal;
 - (2) Facts surrounding the particular ruling or refusal to make a ruling;
 - (3) The ruling, if any, of the building official or inspector; and
 - (4) Reasons why such ruling should be set aside, or if a ruling was refused, why such ruling should be made.

Appeals must be perfected within thirty (30) days after the decision of the chief building official.

- (b) An application for appeal shall be based on a claim that the true intent of the applicable code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of the code do not fully apply or an equally good or better form of construction is proposed.
- (c) The building official shall take prompt action in accordance with the decision of the construction board of adjustment and appeals.
- (d) During the pendency of any appeal to the construction board of adjustment and appeals, the ruling of the building official shall be in full force and effect.

Section 4. That Chapter 14 "Buildings and Building Regulations," Article II " Building Code," Section 14-24 "Amendments to International Building Code" of the Friendswood City Code is hereby amended to read as follows:

CHAPTER 14. BUILDINGS AND BUILDING REGULATIONS

ARTICLE II. BUILDING CODE

Sec. 14-24. Amendments to International Building Code.

The 2018 Edition of the International Building Code, as adopted in section 14-23, is hereby amended as follows:

Section 101.1. Section 101.1 is hereby amended to read as follows:

101.1. *Title.* These regulations shall be known as the Building Code of the City of Friendswood, Texas, hereinafter sometimes referred to as "this code."

Section 109.2. Section 109.2 is hereby amended to add the following sentence:

The fee schedule shall be set by resolution and printed in Appendix D of this code.

Section 108.1. Section 108.1 is hereby added to read as follows:

108.1. *Plan checking fees.* When a plan is required to be submitted by section 106, a plan-checking fee shall be paid to the building official at the time of permit issuance; provided, however, that if a permit is not issued for the project within 90 days of completion of the plan review, the plan review fees will become due and payable at that time. Said plan-checking fee shall be equal to one-half of the building permit fee.

Section 111.1. Section 111.1 is hereby amended by adding a new last sentence to read as follows:

111.1. For the purpose of this section, the moving of furniture or other personal property items into a property prior to issuance of a certificate of occupancy shall constitute the occupancy or use of the property.

Section 113. Board of Appeals. The following section 113 is hereby adopted to read as follows:

113. *Board of Appeals.* Any person aggrieved by a decision or ruling of the building official or inspector shall have the right of appeal to the Construction Board of Adjustment and Appeals in accordance with section 14-3 of this code.

Section 5. That Chapter 14 "Buildings and Building Regulations," Article III " Electrical Code," Division 2 "Appeals," Section 14-93 "Appeal of decisions by the building official or inspector" of the Friendswood City Code is hereby amended to read as follows:

CHAPTER 14. BUILDINGS AND BUILDING REGULATIONS

ARTICLE III. ELECTRICAL CODE

DIVISION 2. APPEALS

Sec. 14-93. Appeal of decisions by the building official or inspector.

Any person aggrieved by a decision or ruling of the building official or inspector shall have the right of appeal in accordance with section 14-3 of this code to the construction board of adjustment and appeals for its review.

Section 6. That Chapter 14 "Buildings and Building Regulations," Article IV " Plumbing Code," Section 14-253 "Amendments" of the Friendswood City Code is hereby amended to read as follows:

CHAPTER 14. BUILDINGS AND BUILDING REGULATIONS

ARTICLE IV. PLUMBING CODE

Sec. 14-253. Amendments.

The 2018 Edition of the International Plumbing Code, as adopted in section 14-252, is hereby amended as follows:

Section 101.1 is hereby amended to read as follows:

101.1 *Title*. These regulations shall be known as the Plumbing Code of the City of Friendswood, Texas, hereinafter sometimes referred to as "this code."

Section 106.6.2 is hereby amended to read as follows:

106.6.2 *Fee schedule*. The fees for permits required hereunder shall be in accordance with the schedule of fees as set by resolution and printed in Appendix D to the Code of Ordinances.

Section 106.6.3 is hereby amended to read as follows:

106.6.3 *Fee refunds*. The code official shall authorize the refunding of fees where the full amount of any fee paid hereunder was erroneously paid or collected.

Section 109 is hereby amended to read as follows:

109. *Means of Appeal*. Any person aggrieved by a decision or ruling of the building official or inspector shall have the right of appeal to the Construction Board of Adjustment and Appeals in accordance with section 14-3 of this code.

Section 305.4.1 is hereby amended to read as follows:

305.4.1 *Sewer depth*. Building sewers, which connect to private sewage disposal systems, shall be a minimum of 12 inches below finished grade at the point of septic tank connection. Building sewers shall be a minimum of 12 inches below grade.

Section 608.17.5 is hereby amended to read as follows:

- A. Irrigation systems shall be installed in accordance with this section and other applicable rules and regulations of the city.
- B. Irrigation system design drawings shall be prepared by a master plumber whose license number shall appear on the drawings, or by a state professional engineer, a licensed irrigation installer, or a licensed landscape architect. The latter three professionals shall seal, sign and date their drawings.
- C. It shall be unlawful for any person for hire to install all or any part of an irrigation system within the city unless that person holds a master plumber license issued by the Texas State Board of Plumbing Examiners or a valid installer's license issued

by the Texas Commission on Environmental Quality ("TCEQ"), in accordance with V.T.C.A., Occupations Code § 1903.251.

- D. The owner of the property on which an irrigation system is to be installed may install all of the irrigation system with the exception of the connection to the potable water source, the water meter, and the required backflow prevention device, each of which must be installed and appropriately connected by a qualified person as noted in subsection C of this section.
- E. It shall be unlawful for any person to install all or any portion of an irrigation system without having first received a permit therefor from the city. An irrigation installation permit for the installation of the connection to the potable water source, the water meter and the required backflow prevention device shall not be issued to any person who is not a qualified person as noted in subsection C of this section.
- F. The city shall have no obligation to maintain or protect, or to repair or replace, all or any part of an irrigation system, existing or future, that is located within a public right-of-way or easement, that is damaged or destroyed, or required to be removed, incident to or as a result of roadway and/or utility or drainage construction, maintenance, or operation.
- G. Exemptions to the above permit requirements are:
 - (1) Systems associated with on-site sewage disposal systems;
 - (2) Irrigation systems used on or by an agriculture operation; or
 - (3) Irrigation systems connected to a groundwater well used for domestic purposes.

Section 904.1 is hereby amended to read as follows:

904.1. *Roof extension.* All open vent pipes that extend through a roof shall be terminated at least six inches above the roof, except that where a roof is to be used for any purpose other than weather protection, the vent extensions shall be run at least seven feet (2,134 mm) above the roof.

Section 7. That Chapter 14 "Buildings and Building Regulations," Article V "Mechanical Code," Section 14-275 "Amendments" of the Friendswood City Code is hereby amended to read as follows:

CHAPTER 14. BUILDINGS AND BUILDING REGULATIONS

ARTICLE V. MECHANICAL CODE

Sec. 14-275. Amendments.

The 2018 Edition of the International Mechanical Code, as adopted in section 14-274, is hereby amended as follows:

Section 101.1. Section 101.1 is hereby amended to read as follows:

101.1 *Title.* These regulations shall be known as the Mechanical Code of the City of Friendswood, Texas, hereinafter sometimes referred to as "this code."

Section 106.5.2. Section 106.5.2 is hereby amended to read as follows:

106.5.2 *Fee schedule.* The fees for permits required hereunder shall be in accordance with the schedule of fees as set by resolution and printed in Appendix D of this code.

Section 106.5.3. Section 106.5.3 is hereby amended to read as follows:

106.5.3. *Fee refunds.* The code official shall authorize the refunding of fees where the full amount of any fee paid hereunder was erroneously paid or collected.

Section 109. Means of Appeal is hereby amended to read as follows:

109. *Means of Appeal.* Any person aggrieved by a decision or ruling of the building official or inspector shall have the right of appeal to the construction board of adjustment and appeals in accordance with section 14-3 of this code.

Section 8. That Chapter 14 "Buildings and Building Regulations," Article VI "International Fuel Gas Code," Section 14-300 "Amendments" of the Friendswood City Code is hereby amended to read as follows:

CHAPTER 14. BUILDINGS AND BUILDING REGULATIONS

ARTICLE VI. INTERNATIONAL FUEL GAS CODE

Sec. 14-300. Amendments.

The 2018 Edition of the International Fuel Gas Code, as adopted in section 14-299, is hereby amended as follows:

Section 101.1. Section 101.1 is hereby amended to read as follows:

101.1 *Title.* These regulations shall be known as the Fuel Gas Code of the City of Friendswood, Texas, hereinafter sometimes referred to as "this code."

Section 106.6.2. Section 106.6.2 is hereby amended to read as follows:

106.6.2 *Fee schedule.* The fees for permits required hereunder shall be in accordance with the schedule of fees as set by resolution and printed in Appendix D of this code.

Section 106.6.3. Section 106.6.3 is hereby amended to read as follows:

106.6.3 *Fee refunds.* The code official shall authorize the refunding of fees where the full amount of any fee paid hereunder was erroneously paid or collected.

Section 109. Means of Appeal is hereby amended to read as follows:

109. *Means of Appeal.* Any person aggrieved by a decision or ruling of the building official or inspector shall have the right of appeal to the construction board of adjustment and appeals in accordance with section 14-3.

Section 9. That Chapter 14 "Buildings and Building Regulations," Article X " Residential Code" Section 14-389 "International Residential Code for One- and Two-Family Dwellings adopted," Subsection (b) of the Friendswood City Code is hereby amended to read as follows:

CHAPTER 14. BUILDINGS AND BUILDING REGULATIONS

ARTICLE X. RESIDENTIAL CODE

Sec. 14-389. International Residential Code for One- and Two-Family Dwellings adopted.

- (b) The 2018 Edition of the International Residential Code for One- and Two-Family Dwellings is hereby amended as follows:

Section R101.1 is hereby amended to read as follows:

R101.1 *Title.* These regulations shall be known as the Residential Code for One- and Two-Family Dwellings of the City of Friendswood, Texas, hereinafter sometimes referred to as "this code."

Section R112 is hereby amended to read as follows:

Any person aggrieved by a decision or ruling of the building official or inspector shall have the right of appeal to the Construction Board of Adjustment and Appeals as established in Section 14-3 of this code.

Section 401.2. The following section 401.2 is hereby added to read as follows:

401.2. All foundations are to be designed by a registered professional engineer. All plans must be submitted with original wet seal stamps applied. Foundation construction shall be capable of accommodating all loads according to section R301 and of transmitting the resulting loads to the supporting soil. Fill soils that support footings and foundations shall be designed, installed, and tested in accordance with accepted engineering practice. Gravel fill used as footings for wood and precast concrete foundations shall comply with section R403.

Section 2904 is hereby amended to read as follows:

P2904. Dwelling unit fire sprinkler systems. The requirements of section P2904 are hereby deleted, except that any voluntary installation of a dwelling unit fire sprinkler system shall comply with NFPA 13 D.

Section E3601.6.2 of the International Residential Code is hereby deleted and replaced with the following:

E3601.6.2. *Service disconnect location.* The service disconnecting means shall be installed at a readily accessible location outside of a building nearest the point of entrance of the service conductors. Service disconnecting means shall not be installed in bathrooms. Each occupant shall have access to the disconnect serving the dwelling unit in which they reside.

Section 10. That Chapter 46 "Library," Article II "Friendswood Public Library," Section 46-19 "Board of Trustees" of the Friendswood City Code is hereby repealed in its entirety.

Section 11. That Chapter 2 "Administration" of the Friendswood City Code is hereby amended by adding an article to be numbered and entitled Article II "Boards, Committees, and Commissions," which article reads as follows:

ARTICLE II. BOARDS, COMMITTEE'S, AND COMMISSIONS

DIVISION 1. GENERALLY

Sec. 2-21. Definitions.

The following words, terms and phrases when used in this division shall have the meaning ascribed to them in this section, except where the context clearly indicates a different meaning.

Advisory board shall mean and include a board, commission, committee, or task force established by the city, which is advisory in nature and treated as such, including the following:

- (1) Animal Shelter Advisory Committee,
- (2) Community and Economic Development Committee,
- (3) Fourth of July Steering Committee,
- (4) Investment Committee,
- (5) Keep Friendswood Beautiful (KFB),
- (6) Library Board, and
- (7) Senior Citizens Advisory Committee.

Board shall mean and include either an advisory board or a non-advisory board.

Excessive absences shall mean the following:

- (1) For members of an advisory board, three consecutive unexcused absences or absent more than 50 percent of the meetings in a six-month period; and

- (2) For members of non-advisory boards, three consecutive unexcused absences or absent more than 20 percent of the meetings in a six-month period.

Excused absence means the non-attendance of a member at a board meeting, which has been approved by the chair of the board, including absences excused due to illness, business commitments, unexpected emergency, and death of family members.

Member shall mean a person appointed to a board by the city council or city manager and shall include a person appointed as an alternate member.

Non-advisory board shall mean and include a board, commission, committee, or task force established by the city, which has rulemaking or quasi-judicial power or whose decisions are typically "rubber stamped" by the city council, including the following:

- (1) Charter Review Committee
- (2) Construction Board of Adjustment and Appeals
- (3) Planning and Zoning Commission
- (4) Zoning Board of Adjustment

Unexcused absence means an absence which does not constitute an excused absence.

Sec. 2-22. Attendance.

- (a) *Attendance requirements.* There is an expectation that a member of a board will arrange the member's schedule to make most, if not all, of the scheduled board meetings. In the event that a member has a recurring conflict, the member may resign at any time. If a member of a board has excessive absences, the member may be removed by the city council in accordance with this code and other applicable law.
- (b) *Attendance records.* The staff liaison for each board shall be required to keep attendance records and to submit monthly reports to the city secretary setting forth both the excused and unexcused absences of each member of the board; provided, however, if a board does not meet each month, attendance reports shall be submitted within thirty (30) days after each meeting. The city secretary will notify the mayor of any member having a record of excessive absences.

Sec. 2-23. Service; terms; term limits, vacancies.

- (a) *Service.* All members of any board shall serve without compensation at the pleasure of the city council unless otherwise specified in this code or required by law.
- (b) *Terms.* Unless otherwise required by law or specified in this code,
 - (1) advisory board members shall be appointed to three-year terms, and
 - (2) non-advisory board members shall be appointed to two-year terms.

- (c) *Term limits.* No member of any board shall be appointed to serve on any one board for more than four (4) three-year terms or six (6) two-year terms, unless:
 - (1) the City Council, by a vote of at least four (4) members, waives such limitation or
 - (2) the member is an employee of the city and serves in his/her capacity as a city employee.
- (d) *Vacancies.* If a vacancy of a non-ex-officio position occurs in any board, such vacancies shall be filled in the same manner as the original appointments, except such term shall only be for the remainder of the unexpired term. Vacancies of ex-officio positions may be filled in the same manner if desired by the city council.

Sec. 2-23. Procedure and administration.

- (a) *Rules of procedure.* All boards shall adopt rules and procedures for the conduct of business and matters that may come before it. Such rules and procedures shall be substantially similar to the rules and procedures adopted by the city council and shall comply with the charter and all applicable laws. Boards shall elect a chair and vice-chair from their membership for one-year terms commencing on July 1 or November 1 based upon the board's appointment schedule.
- (b) *Quorum.* A quorum shall consist of a majority of the entire membership of the board and, unless otherwise provided by this code or by applicable law, any issue to be voted on shall be resolved by a majority of the members of the board.
- (c) *Support.* Department heads shall be available to the boards for advice and consultation, and they shall cooperate with and render such services for the boards as shall come within their scope of the duties.

Sec. 2-24. Limitation on authority.

Unless otherwise specified in this code or required by law, no board shall have the power to obligate the city in any manner whatsoever without the prior approval of the city council or city manager. Additionally, no board shall commit to the terms of any grant unless it has obtained the prior approval of the city council or city manager.

DIVISION 2. ANIMAL SHELTER ADVISORY COMMITTEE

Sec. 2-31. – Created; membership.

- (a) *Created.* The animal shelter advisory committee is an advisory committee created pursuant to V.T.C.A., Health and Safety Code ch. 823 in order to assist the city in complying with the requirements of such chapter.
- (b) *Membership.* The animal shelter advisory committee shall be composed of five members who are (i) residents of the city, (ii) business owners that pay ad valorem taxes to the city, or (iii) officers or employees of a business entity that pays ad valorem taxes to the city, appointed by the city council for staggered three-year terms commencing on July 1. The membership shall include one (1) licensed veterinarian, one (1) municipal official, one (1) person whose duties

include the daily operation of an animal shelter, one (1) representative from an animal welfare organization, and one (1) interested citizen.

Sec. 2-32. Meetings.

The animal shelter advisory committee shall meet at least three (3) times annually and by March 1 of each year produce an annual report to the city council for review. Meetings may be conducted in compliance with the V.T.C.A., Government Code, ch. 551, and minutes shall be treated as public records.

Sec. 2-33. Powers and duties.

The animal shelter advisory committee shall have the following powers and duties:

- (1) To assist the city in complying with the requirements of V.T.C.A., Health and Safety Code, ch. 823; and
- (2) To perform other duties as may be delegated to it by the city council.

DIVISION 3. CHARTER REVIEW COMMITTEE

Sec. 2-36. Created; membership.

- (a) *Created.* The charter review committee, also known as the charter review commission, is an advisory committee created pursuant to Section 11.09 of the city charter.
- (b) *Membership.* The charter review committee shall be composed of seven citizens of the city appointed by the mayor, subject to confirmation by a vote of at least four (4) members of the city council at its first meeting in July of every fifth year after 2011, and at other times as deemed advisable by the city council. Members shall hold office for a term of six (6) months.

Sec. 2-37. Meetings.

Meetings shall be conducted in compliance with the V.T.C.A., Government Code, ch. 551, and minutes shall be treated as public records.

Sec. 2-38. Powers and duties.

The charter review committee shall have the following powers and duties:

- (1) To perform the duties specified in the charter and
- (2) To perform other duties that may be delegated to it by the city council.

DIVISION 4. COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

2-41. Created; membership.

- (a) *Created.* The community and economic development committee is an advisory committee created by the city council on February 15, 1993.
- (b) *Membership.* The community and economic development committee shall be composed of seven (7) members who are residents of the city or business owners that pay ad valorem taxes to the city appointed by at least four (4) members of the city council for staggered three-year terms commencing on July 1.

2-42. Meetings.

Meetings may be conducted in compliance with the V.T.C.A., Government Code, ch. 551, and minutes shall be treated as public records.

2-43. Powers and duties.

The community and economic development committee shall have the following powers and duties:

- (1) To provide recommendations to the city council to encourage commercial and industrial developments which are compatible with the image of the city;
- (2) To provide recommendations to the city council regarding codes, ordinances, policies, and procedures that assist economic development in the city;
- (3) To conduct surveys of citizens and businesses to gain understanding of various economic development matters, which are compatible with the city's interest, needs, and image; and
- (4) To perform other duties as may be delegated to it by the city council.

DIVISION 5. CONSTRUCTION BOARD OF ADJUSTMENT AND APPEALS

Sec. 2-46. Created; membership.

- (a) *Created.* The construction board of adjustment and appeals is a non-advisory committee created pursuant to chapters 14 and 30 of this code and the codes adopted therein.
- (b) *Membership.* The construction board of adjustment and appeals shall consist of seven (7) residents of the city appointed by at least four (4) members of the city council for two-year terms commencing on July 1. Membership of the board should be composed of individuals with knowledge and experience in the technical codes, such as design professionals, contractors, building industry representatives, fire protection engineering professionals, industrial safety professionals, and licensed electrical contractors. The city council may appoint alternate board members to serve in the absence of one or more regular members when requested to do so by the mayor or city manager. Alternate members, if appointed, should consist of a member at-large from the building industry and one member at-large from the public.

Sec. 2-47. Meetings.

Meetings shall be conducted in compliance with the V.T.C.A., Government Code, ch. 551, and minutes shall be treated as public records.

Sec. 2-48. Powers and duties.

- (a) *Authority.* The construction board of adjustment and appeals shall have the following powers and duties:
- (1) To hear and decide appeals of decisions and interpretations of the building official pursuant to chapter 14;
 - (2) To hear and decide appeals of decisions and interpretations of the fire marshal pursuant to chapter 30;
 - (3) To consider variances to the technical codes, including, but not limited to, the following:
 - a. The International Building Code adopted in section 14-24 of this code,
 - b. The National Electrical Code adopted in section 14-62 of this code,
 - c. The International Plumbing Code adopted in section 14-252 of this code,
 - d. The International Mechanical Code adopted in section 14-274 of this code,
 - e. The International Fuel Gas Code adopted in section 14-299 of this code, and
 - f. The International Residential Code for One- and Two-Family Dwellings adopted in section 14-389 of this code;
 - (4) To hear and render judgments on requests for variances from article II, chapter 34 of this code;
 - (5) To hear and decide appeals of decisions of the fire marshal under the life safety code pursuant to section 30-119 of this code;
 - (6) To hear and render judgment on appeals and requests for variances concerning the city's flood damage prevention regulations pursuant to section 34-34 of this code; and
 - (7) To perform other duties as may be delegated to it by the city council.
- (b) *Limitation.* In addition to limitations found elsewhere in this code, the board shall not have the authority to waive requirements of this code or any code adopted herein.

DIVISION 6. FOURTH OF JULY STEERING COMMITTEE

Sec. 2-51. Created; membership.

- (a) *Created.* The Fourth of July steering committee is an advisory committee created by the city council on December 19, 1983.
- (b) *Membership.* The Fourth of July steering committee shall be composed of fifteen (15) members who are (i) residents of the city, (ii) business owners that pay ad valorem taxes to the city, or (iii) members of the committee on October 3, 2022, appointed by at least four (4) members of the city council for staggered three-year terms commencing on November 1.

Sec. 2-52. Meetings.

Meetings may be conducted in compliance with the V.T.C.A., Government Code, ch. 551, and minutes shall be treated as public records.

Sec. 2-53. Powers and duties.

The Fourth of July steering committee shall have the following powers and duties:

- (1) To assist staff in organizing, planning, coordinating, and overseeing the annual Fourth of July activities of the city; and
- (2) To perform other duties as may be delegated to it by the city council.

DIVISION 7. INVESTMENT COMMITTEE

Sec. 2-56. Created; membership.

- (a) *Created.* The investment committee is an advisory committee created by the city council on January 2, 1997.
- (b) *Membership.* The investment committee shall be composed of three (3) members who are residents of the city or business owners that pay ad valorem taxes to the city appointed by at least four (4) members of the city council for staggered three-year terms commencing on November 1.

Sec. 2-57. Meetings.

Meetings may be conducted in compliance with the V.T.C.A., Government Code, ch. 551, and minutes shall be treated as public records.

Sec. 2-58. Powers and duties.

The investment committee shall have the following powers and duties:

- (1) To review the investment practices of staff and ensure that such practices are in accordance with the city's investment policy; and
- (2) To perform other duties as may be delegated to it by the city council.

DIVISION 8. KEEP FRIENDSWOOD BEAUTIFUL COMMITTEE

Sec. 2-61. Created; membership.

- (a) *Created.* The Keep Friendswood Beautiful Committee is an advisory committee created by the city council on January 25, 2010. The committee was formerly the civic beautification committee and the community appearance committee.
- (b) *Membership.* The Keep Friendswood Beautiful Committee shall be composed of fifteen (15) members who are residents of the city or business owners that pay ad valorem taxes to the city appointed by at least four (4) members of the city council for staggered three-year terms commencing on November 1.

Sec. 2-62. Meetings.

Meetings may be conducted in compliance with the V.T.C.A., Government Code, ch. 551, and minutes shall be treated as public records.

Sec. 2-63. Powers and duties.

The Keep Friendswood Beautiful Committee shall have the following powers and duties:

- (1) To engage in activities to enhance the aesthetic appearance of the city and to encourage residents to take an active role in maintaining its image;
- (2) To direct and coordinate management and planning of beautification projects and education of the community;
- (3) To recommend budget and project priorities to city council;
- (4) To seek grants for funding opportunities subject to prior approval of the city council or city manager in accordance with section 2-24;
- (5) To suggest ways to conserve and protect natural resources;
- (6) To serve as the advisory committee to the city's storm water management plan;
- (7) To make recommendations to the City Council concerning fees in lieu of land dedication in order to obtain compliance with section XIII of appendix B of this code;
- (8) To serve as the public art committee to assist in the administration of the city's public art/display policy; and

- (9) perform other duties as may be delegated to it by the city council.

DIVISION 9. LIBRARY BOARD

Sec. 2-66. Created; membership.

- (a) *Created.* The library board is an advisory committee created by the city council.
- (b) *Membership.* The library board shall be composed of nine (9) members who are qualified voters and residents of the city appointed by at least four (4) members of the city council for staggered three-year terms commencing on July 1.

Sec. 2-67. Meetings.

Meetings may be conducted in compliance with the V.T.C.A., Government Code, ch. 551, and minutes shall be treated as public records.

Sec. 2-68. Powers and duties.

The library board shall have the following powers and duties:

- (1) To provide recommendations regarding the policies and operations of the public library;
- (2) To assist staff in establishing general library policy for the orderly use of the library facilities for approval of the city manager; and
- (3) To perform other duties as may be delegated to it by the city council.

DIVISION 10. PLANNING AND ZONING COMMISSION

Sec. 2-71. Created; membership.

- (a) *Created.* The planning and zoning commission is a non-advisory committee created by the city council.
- (b) *Membership.* The planning and zoning commission shall be composed of seven (7) members. Such members shall be resident citizens and qualified voters of the city, all of whom shall be appointed by the mayor, subject to confirmation by a majority vote of the city council for staggered two-year terms commencing on July 1.

Sec. 2-72. Meetings.

Meetings shall be conducted in compliance with the V.T.C.A., Government Code, ch. 551, and minutes shall be treated as public records.

Sec. 2-73. - Powers and duties.

The planning and zoning commission shall have the following powers and duties:

- (1) To perform the duties imposed upon the planning and zoning commission by appendix B of this code as well as V.T.C.A., Local Government Code, ch. 212;
- (2) To perform the duties imposed upon the zoning commission by appendix C of this Code as well as upon the zoning commission by V.T.C.A., Local Government Code, ch. 211;
- (3) To hear and render decisions on appeals concerning (i) a license revocation or suspension, (ii) any order for utility disconnection or (iii) any decision, order, or action taken by the building official pursuant to section 50-163 of this code;
- (4) To hear and render decisions on the need for sidewalks pursuant to section 70-64 of this code;
- (5) To perform all duties and functions as conferred on a capital improvements advisory committee by V.T.C.A., Local Government Code, ch. 395;
- (6) To review and monitor the implementation of the city's comprehensive plan and all amendments thereto and make recommendations concerning the same to the city council pursuant to V.T.C.A., Local Government Code §213.003;
- (7) To monitor the implementation of the city's comprehensive plan and to make reports to the city council as to the status of efforts to implement the comprehensive plan; and
- (8) To perform other duties as may be delegated to it by the city council.

DIVISION 11. SENIOR CITIZENS ADVISORY COMMITTEE

Sec. 2-76. Created; membership.

- (a) *Created.* The Senior Citizens Advisory Committee is an advisory committee created by the city council on November 9, 1992.
- (b) *Membership.* The senior citizens advisory committee shall be composed of nine (9) members who are residents of the city or business owners that pay ad valorem taxes to the city appointed by at least four (4) members of the city council for staggered three-year terms commencing on November 1.

Sec. 2-77. Meetings.

Meetings may be conducted in compliance with the V.T.C.A., Government Code, ch. 551, and minutes shall be treated as public records.

Sec. 2-78. Powers and duties.

The senior citizens advisory committee shall have the following powers and duties:

- (1) To recommends programming for the senior citizen program and
- (2) To perform other duties as may be delegated to it by the city council.

DIVISION 12. ZONING BOARD OF ADJUSTMENT

Sec. 2-81. Created; membership.

- (a) *Created.* The zoning board of adjustment is a non-advisory committee created by the city council pursuant to V.T.C.A., Local Government Code, ch. 211 and other laws and regulations.
- (b) *Membership.* The zoning board of adjustment shall be composed of five (5) members, who shall be residents of the city. Members will be appointed by at least four (4) members of the city council for two (2) year terms commencing on July 1. The city council may remove a board member for cause on a written charge after a public hearing. The city council shall appoint four (4) alternate board members to serve in the absence of one or more regular members when requested to do so by the mayor or city manager. An alternate member serves for the same period as a regular member and is subject to removal in the same manner as a regular member.

Sec. 2-82. Meetings; vote required.

- (a) *Meetings.* Meetings may be conducted in compliance with the V.T.C.A., Government Code, ch. 551. Minutes of its meetings shall kept in accordance with V.T.C.A., Local Government Code §211.008(f) and shall be treated as public records. The zoning board of adjustment shall adopt rules in accordance with this article and appendix C of this code with the approval of the city council.
- (b) *Vote required.* The concurring vote of four members of the board shall be necessary to reverse any order, requirements, decision, or determination of an administrative official, decide in favor of an applicant on a matter on which the board is required to pass under a zoning ordinance.

Sec. 2-83. Powers and duties.

The zoning board of adjustment shall have the following powers and duties:

- (1) To perform the duties imposed upon the board of adjustment specified in appendix C of this Code and required by V.T.C.A., Local Government Code, ch. 211;
- (2) To serve as the building standards commission pursuant to article VII, chapter 14 of this code and V.T.C.A., Local Government Code, ch. 54, subch. C;
- (3) To serve as the fire and life safety code board of adjustment and appeals pursuant to the fire code adopted in section 30-84 of this code;
- (4) To hear and render judgment on requests for variances concerning the city's sign code pursuant to section 28 of Appendix A of this code; and
- (5) To perform other duties as may be delegated to it by the city council.

Section 12. That a person who violates any provision of this ordinance shall be deemed guilty of a misdemeanor and upon conviction, shall be fined in an amount not to exceed FIVE HUNDRED AND NO/100 DOLLARS (\$500.00). Each day of violation shall constitute a separate offense.

Section 13. All ordinances or parts of ordinances in conflict or inconsistent with this ordinance are hereby expressly repealed.

Section 14. In the event any clause phrase, provision, sentence, or part of this ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Friendswood, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

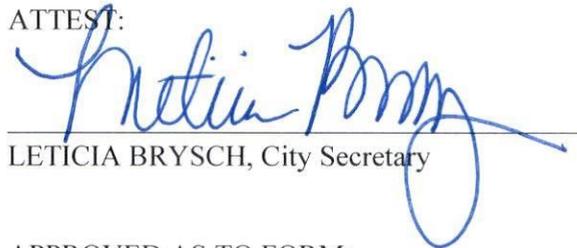
Section 15. The City Secretary shall give notice of the enactment of this ordinance by promptly publishing the caption of this ordinance after final passage in the official newspaper of the City.

Section 16. This ordinance shall become effective from and after its date of passage and its publication, as provided by law.

PASSED and APPROVED on first reading by the affirmative vote of the City Council this 3rd day of October, 2022.


MIKE FOREMAN, Mayor

ATTEST:

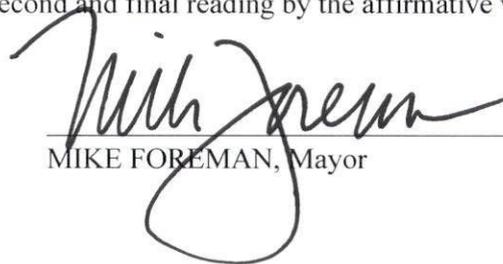

LETICIA BRYSCH, City Secretary



APPROVED AS TO FORM:


KAREN HORNER, City Attorney

PASSED, APPROVED and ADOPTED on second and final reading by the affirmative vote of the City Council this 7th day of November, 2022.


MIKE FOREMAN, Mayor

ATTEST:


LETICIA BRYSCH, City Secretary



APPROVED AS TO FORM:


KAREN HORNER City Attorney