ORGANIZATION OF FIRE DEPARTMENT
NO 14-95A

STATE OF TEXAS
COUNTY OF JOHNSON
CITY OF RIO VISTA

AT THE REGULAR MEETING OF THE CITY COUNCIL A MOTION WAS MADE BY John Fincher AND SECOND BY _____.

THE DULY ELECTED OFFICIALS OF THE CITY OF RIO VISTA ARE RESPONSIBLE FOR THE WELFARE, SAFETY AND PROTECTION OF THE CITIZENS OF RIO VISTA AND WE CANNOT RELINQUISH THIS RESPONSIBILITY. IN ACCORDANCE WITH THIS THE MAYOR AND CITY COUNCIL SHALL SEE THAT A FIRE DEPARTMENT IS MAINTAINED TO THE BEST OF THEIR ABILITY FOR THE WELFARE OF THE COMMUNITY AND THE SURROUNDING TERRITORY AND SHALL CO-OPERATE AND COMPLY WITH THE CONTRACT WITH THE JOHNSON COUNTY FIRE ASSOCIATION.

WE FURTHER RESOLVE THAT THE MEMBERS OF THE RIO VISTA FIRE DEPARTMENT WHO MEET IN REGULAR SESSION SHALL ELECT THEIR OWN OFFICERS AND RUN THE DEPARTMENT AND DISBURSE THE FUNDS IN A DEMOCRATIC MANNER.

THE MEMBERS OF THE RIO VISTA FIRE DEPARTMENT SHALL SET UP THEIR BY-LAWS AND REGULATIONS IN WHICH THEY SHALL GOVERN THEMSELVES.

ANY PERSON WHO DESIRES TO BECOME A MEMBER MAY SO DO BY ATTENDING THE FIRE DEPARTMENT MEETINGS AND PARTICIPATING IN THE FUNCTIONS OF THAT DEPARTMENT AND ABID BY THEIR BY-LAWS AND REGULATIONS.

PASSED AND APPROVED THIS THE 12 DAY OF October, 1995.

Sam C Bigham
MAYOR SAM BIGHAM

ATTEST:

Georgia Jones
CITY SECRETARY GEORGIA JONES

NO. 9

ORDINANCE SETTING THE ARSON REWARD

BE IT ORDAINED BY THE COMMISSION OF THE VILLAGE OF RIO VISTA, TEXAS.

That a reward of one hundred Dollars (100.00) for the arrest and conviction of any person or persons found guilty of committing the crime of arson within the corporate Limits of said Village of Rio Vista, Texas.

This reward is a standing offer, and shall be paid out of general fund of the Village of Rio Vista, Texas.

Floyd Hall
Mayor

ATTEST:

K.E. Lewis
Village Secretary

ARSON
REWARD

~~NO.~~

Lloyd Hall

Sheriff,

Attest:

Clerk

ORDINANCE NO. 93-11-10

AN ORDINANCE TO REGULATE THE DISCHARGE OF FIREWORKS WITHIN THE CITY LIMITS OF RIO VISTA, SETTING A FINE FOR THE OFFENSE; DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE FOR SUCH ORDINANCE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RIO VISTA, TEXAS:

The City Council shall declare it unlawful to discharge fireworks, under certain conditions.

DEFINITION OF FIREWORKS:

Any Composition or device designed to produce a visible or audible effect by combustion, explosion, deflagration, or detonation, and that is defined as fireworks by 49 C.F.R. Section 173.88 (d) or 49 C.F.R. Section 173.100(R).

It shall be unlawful to discharge all aerial fireworks, fireworks which are designated to go into the air to explode, any type of firework which are said to travel into the sky to explode or cause sparkles, or to throw any fireworks into the air.

Fireworks which are designated to be discharged on the ground, which are said to be lite on the ground to explode on the ground may be discharged on any given day during special holidays when such fireworks are being sold for that purpose.

A person who commits an offense under this Ordinance shall be subject to a fine of $500.00 for each offense.

Passed and Approved this the 18th day of November, 1993.

Jim C Mayor

Mayor

ATTEST:

Georgia Jones

City Secretary

ORDINANCE NO. 2021-0209B

AN ORDINANCE OF THE CITY OF RIO VISTA, JOHNSON COUNTY, TEXAS PROVIDING FOR A CITY BURN BAN; AND THE CREATION OF FIRES DURING CERTAIN TIMES WITHIN THE CITY LIMITS; PROVIDING FOR A PURPOSE; PROVIDING FOR A SCOPE; PROVIDING FOR ISSUANCE AND EXCEPTIONS; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY; PROPER NOTICE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS City Council seeks to promote the wellness of health, safety, and general welfare of the community by preventing injuries, damage to property or loss of life within the City Limits; and

WHEREAS, the City of Rio Vista is currently experiencing severe drought conditions with conditions being critical to the Rio Vista community and neighboring communities in Johnson County, Texas; and

WHEREAS, City Council believes that drought conditions will continue to exist and/or exist periodically within the city limits of Rio Vista and Johnson County, Texas resulting in injuries, damage to property or loss of life; and

WHEREAS, pursuant to Local Government Code Chapter 342.003(a)(8), City Council has express authority to adopt rules for the purpose of preventing calamitous fires; and

WHEREAS, pursuant to Chapter 217.002 and 217.022 of the Local Government Code to prevent and abate a nuisance and punish by fine the person responsible for the nuisance; and

WHEREAS, pursuant to the Texas Occupation Code Chapter 2154.004(b) gives the authority to City Council to enact an ordinance prohibiting or further regulating fireworks within the City of Rio Vista; and

WHEREAS, Chapter 352 of the Local Government Code give the Johnson County Judge and Johnson County Commissioner's Court express authority to by order of a Burn Ban prohibit or restrict outdoor burning under drought related conditions; and

NOW, THEREFORE, BE IT ENACTED BY THE GOVERNING BODY OF THE CITY OF RIO VISTA THAT:

1. **Purpose**
   This ordinance provides restrictions during specific drought related conditions to run concurrent with the lawful order of a Burn Ban of the Johnson County Judge and the Johnson County Commissioner's Court to protect the wellness of health, safety and general welfare of the Rio Vista community public and private property; and maintain the ecological environment.

2. Scope and Issuance
A City Burn Ban shall be in effect within the city limits of Rio Vista; and run concurrently and immediately upon the declaration of the issuance of a Johnson County Burn Ban. The City Burn Ban will expire when the Johnson County Burn Ban has expired, or if Johnson County has no Burn Ban in effect, a determination is made by the City Council that the circumstance for which a burn ban was issued no longer exists.

3. Exceptions
This ordinance would not apply to outdoor burn activities related to public health and safety that are authorized by the Texas Commission Environment Quality for:

a. Fire Fighting training activities;
b. A licensed peace officers pursuant to Chapter 2 of the Code of Criminal Procedure; provided that such outdoor fires are made in the course and scope of the peace officer's official duties;
c. Proper burns that meet the standards pursuant to Chapter 153 of the Texas Natural Resources Code; or
d. The sale or detonation of fireworks.

4. Severability Clause
Should any of the clauses, sentences, paragraphs, sections or parts of this Ordinance be deemed invalid, unconstitutional, or unenforceable by a court of law or administrative agency with jurisdiction over this matter, such action shall not be construed to affect any other valid portion of this Ordinance.

5. Penalty
The City of Rio Vista shall have the power to administer and enforce the provision of this Ordinance as may be required by governing law. Any violation of this article is hereby declared a nuisance. An offense under this Ordinance shall be punishable as a "Class C" misdemeanor with a fine not to exceed $500.

6. Proper Notice
It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public pursuant to Chapter 551 of the Government Code; and required by Chapter 52 of the Texas Local Government Code.

7. Effective date
This Ordinance shall be effective immediately upon passage and publication of caption.

Passed and Approved this the 9th day of February 2021.

Tim Dalan, Mayor

Attested to:

Denise Nix, City Secretary

Approved to as form:

Bill Conover, City Attorney